
NATIONAL LAW CENTER ON HOMELESSNESS & POVERTY

A VOICE AND A VOTE

Protecting the Constitutional Right to Vote for Homeless Persons

Homeless persons do not have the funds to hire lobbyists or take out newspaper ads. They do not have access to question the presidential candidates during national debates. It is therefore crucial that their right to vote is protected, since this is one of the few ways that homeless individuals can impact the political process and make their voices heard.

NLCHP in Action: Challenging the Indiana Photo ID Law

Homeless people's right to vote has been hit by two types of laws. Anti-terror laws have made it harder to obtain identification cards, and concerns about voter fraud have led to laws requiring photo IDs at the polls. Both types of laws hit homeless people hardest.

One egregious new law is Indiana's Voter Photo ID law, which requires voters to present a government-issued photo ID at the polls. Although the state claims it will offer a free photo ID to those who lack a driver's license or passport, many homeless persons do not have the personal documents required to receive this "free" ID. Furthermore, the ID requires a proof of residency that may be impossible for homeless persons to obtain. While the law allows provisional ballots from those without IDs, the procedure for verifying one's ballot will be impossible for many homeless and poor people.

In November 2007, NLCHP and six other national organizations filed an amicus brief with the Supreme Court challenging the Indiana law as creating unconstitutional obstacles to the right to vote. In its amicus brief for the case, (*William Crawford et al. v. Marion County Election Board et al.*, and *Indiana Democratic Party et al. v. Todd Rokita, Indiana Secretary of State et al.*) filed on behalf of homeless persons, NLCHP noted: "Indiana's effort...senselessly increases the burdens of homelessness and denies homeless people their full measure of political expression." While the Court's final ruling in April 2008 upheld the Indiana law, NLCHP will continue working to remove barriers to voting by homeless citizens.

Register Homeless Voters in Your Community!

Each election cycle, NLCHP and other national groups sponsor **National Homeless and Low-Income Voter Registration Week**.

This year the week will be held in late September. Local groups around the country will hold voter registration drives to help low-income and homeless members of the community register to vote and get the information they need to make it to the polls.

Want to host an event in your community? E-mail Tulin Ozdeger (tozdeger@nlchp.org) for more information, or call us at (202) 638-2535.

Doing voter registration already? Download our "know-your-rights" card for homeless voters at http://www.nlchp.org/view_report.cfm?id=182.

The Facts: Voting When Homeless

Do I have to have a home to register to vote?

State laws vary, but you don't need to live in a traditional dwelling to register. Usually, you will need to show some intent to stay in the voting district, but you may list a park or street location.

The voter registration form asks for a mailing address - what should I put down?

You may use the address of a shelter, relative, or social service agency to communicate with the Board of Elections. Some states allow correspondence via courthouses or county clerks' offices.

How far in advance do I need to register to vote?

It varies by state, but no state has more than a 30-day advance registration requirement.

Do I need to show an ID when I register to vote?

States may have additional requirements, but the basic requirements are that:

- Federal law requires you to provide your driver's license number, if you have one, or the last four digits of your Social Security number, if you don't. If you have neither number, the state will assign you a unique identifying number for voting purposes.
- Some states require ID at the polls, and some federal and state laws or policies passed since 9/11 have made it more difficult for homeless people to obtain IDs.

What if I register by mail?

First-time mail-in registrants will be asked for a copy of an identifying document at the time of registration. If you don't provide one then, you will have to show one at the polls. But, in some states, if the state can verify your identity through your driver's license or Social Security number, you may not need to present ID at the polls.

If I've been convicted of a crime, can I still vote?

A criminal conviction for a misdemeanor will not affect your right to vote, but in many states some or all convicted felons cannot vote. Also, in most states, incarcerated individuals cannot vote. Many states have procedures in place to restore voting rights if they have been taken away.

If I have trouble at the polls, can I still vote?

Polling officials must give you the option to cast a provisional ballot if you are not on the registered voters list or if some other problem occurs at the polls (such as not having appropriate ID). If you choose to cast a provisional ballot, you must submit a written statement that you are a registered voter in the relevant jurisdiction and are eligible to vote in the election. Provisional ballots will be counted upon determining your registration status.

Tell YOUR Candidates: Pledge to End Homelessness!

Ending homelessness will take action at the local, state, and national level. That's why it's crucial that, this election season, we push candidates to take a stand.

Visit www.nlchp.org/candidate_guide.cfm to learn more about how the presidential front-runners stand on the issues that count for homeless and low-income Americans.

For more information about voting rights, contact Tulin Ozdeger at the National Law Center on Homelessness & Poverty (tozdeger@nlchp.org or 202-638-2535).