

# THE ID DIVIDE: HOW BARRIERS TO ID IMPACT DIFFERENT COMMUNITIES AND AFFECT US ALL

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movement advancement project ▶

## This report was authored by:

### Movement Advancement Project

MAP's mission is to provide independent and rigorous research, insight, and communications that help speed equality and opportunity for all people. MAP works to ensure that all people have a fair chance to pursue health and happiness, earn a living, take care of the ones they love, be safe in their communities, and participate in civic life. For more information, visit [www.mapresearch.org](http://www.mapresearch.org).

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## EXECUTIVE SUMMARY

Identity documents (IDs), like driver's licenses or birth certificates, are so commonplace in our everyday life that many people don't notice how important they are. Identity documents are vital keys necessary to unlock the doors to everything from driving a car and getting a library card to opening a bank account, getting a job, and, increasingly, voting.

Despite the clear importance of IDs, there are key system-level failures that make it too difficult for many people to get and maintain accurate identity documents. This in turn leads to severe, yet easily avoidable, harms for many people of all backgrounds—though these harms often impact different communities in different ways.

Importantly, however, these systems-level failures and roadblocks can be fixed. Systems-level solutions can improve access to IDs and to all aspects of life.

### Key System Failures Create Roadblocks to Accurate ID

Despite the importance of IDs, it is not always straightforward, simple, or affordable to get or update an ID. Many people have certainly experienced the inconvenience of getting or updating their IDs. But there are substantial obstacles (above and beyond inconvenience) to getting or updating ID that create severe problems for many people across the country, which result in too many people lacking these important documents. These obstacles—which frequently overlap with and exacerbate each other—include:



**Burdensome, and often circular, documentation requirements.** Getting or updating an ID typically requires extensive paperwork or documentation, such as court orders, utility bills, medical records, or proof of citizenship or residency. These requirements are often circular, requiring one form of ID (like a birth certificate) to get another (like a driver's license). But not everyone has equal access to these essential documents or to the resources required to obtain them.



**Needlessly expensive.** Getting or updating an ID typically costs money, and these fees vary widely across states. For example, the cost of a new driver's license ranges from \$15 to \$89 (an average of nearly \$38, or over four hours of work at state minimum wage), and the cost of ordering a

certified copy of a birth certificate online ranges from \$31 to \$78 (an average of \$51, or over five hours of work at state minimum wage). Even at the lower end, these financial costs can create significant obstacles for low-income people, especially given the way that identity documents frequently build on one another (e.g., needing a copy of a birth certificate to get a driver's license) and lead to snowballing costs.



**Limited availability of ID services.** It takes time to get or update an ID: time to obtain the necessary paperwork and documentation, time to travel to and from the ID issuing location, and time spent waiting. This is especially true for people who live in areas with fewer ID-issuing locations and who therefore may have to travel further for service or in places that have very limited hours, which may require taking time off work. Coupled with complex documentation requirements or potentially discriminatory experiences—if a person doesn't have all the required papers or is denied service and must come back to try again—the cost of time and travel can quickly escalate from an obstacle to an outright barrier to getting an ID.



**Confusing patchwork of policies.** Some of the most essential IDs—driver's licenses and birth certificates—are issued by state governments. This means that policies about these vital IDs—what documentation is required, the costs imposed, the hours and locations available, formal nondiscrimination policies, staff training, and more—all vary widely from one state to the next. This patchwork is confusing and can be a challenge to navigate, especially if a person has moved or needs to obtain documentation (such as an original birth certificate) from a state other than where they are currently living. This also means that a person might be able to, for example, update their driver's license in the state where they currently live, but not be able to update their birth certificate from their home state, leading to mismatched documents that can cause further obstacles.



**Discrimination and prejudice.** The United States has a long history of discrimination, both by individuals and by the law, including in ways that impact ID access. Legal segregation, for example, prevented many Black Americans from accessing hospitals, leading to higher likelihood of at-home births and, as a result, lower likelihood of receiving an official birth certificate. Today, laws and policies vary widely in terms of, for example,

allowing transgender people to update the name and gender marker on their ID or in allowing undocumented people to get a driver's license. Even beyond government policies, individuals may experience hostility or discrimination by agency staff when seeking to get or update their identity documents. Furthermore, a lack of ID can lead to increased interactions with law enforcement, and these (often discriminatory) interactions can in turn exacerbate obstacles to ID, such as through license suspensions. Whether in official policies or personal interactions, discrimination and prejudice create significant obstacles to accessing IDs.

### Lack of ID Limits Full and Equal Participation in Life

Our society's broad reliance on IDs means that when people cannot obtain an accurate ID, it can result in serious harm across many parts of life, from the day-to-day activities like driving or banking, to cornerstone aspects of participating in democracy and society like voting or registering for school. These harms include:



**Can't secure basic needs**, from employment to housing to health care. When submitting a job or rental application, applying for housing or shelter, receiving medical care or picking up a prescription, and much more, IDs are required for even the most basic of necessities. This means, for example, that a transgender person whose ID does not match their name or gender may be refused medical care or insurance coverage. IDs are also often necessary to access or maintain employment: roughly 84% of workers ages 16 and up drive to work, which legally requires a valid driver's license.<sup>1</sup> As a result, a lack of ID or accurate ID means people may not be able to access even basic needs such as these.



**Can't access essential services**, from banking and schools to disaster relief and public transportation. ID is often required to open a bank account, get a public transportation pass, or enroll in public programs like schools, benefits, or get a library card. All of these enable people to go about their daily life—and not having an ID can make things more difficult, if not impossible. For example, lifeline programs—such as Social Security, emergency or disaster assistance, food stamps, rental assistance, and more—all also require identification. Obstacles to ID can therefore prevent people from accessing important services and needed benefits.



**Can't participate in everyday life**, from traveling to picking up children from school and much more. IDs are so frequently used throughout everyday life that it is almost easy to overlook their use. IDs are needed to buy alcohol, to see certain movies, to use a credit card, and to pick up packages at the post office or open a P.O. box. IDs provide access to special services or benefits, such as discounted admission for local residents to an art museum or community theater. IDs are also necessary for travel and leisure, such as for boarding a plane, renting a car or hotel room, or applying for sport licenses such as for fishing. IDs are often required for many family responsibilities, such as picking up children from school or childcare. Rare are the parts of everyday life where an ID is not at least sometimes needed.



**Can't participate in civic life**, from voting to court services to running for office. IDs are required for many aspects of civic life and responsibilities, including registering to vote and, in many states, casting a ballot, jury duty, court services, filing petitions, getting a permit for an assembly or protest, and more. Obstacles to ID undermine the right to participate in these core civil rights and aspects of civic life.



**Causes harm to communities and public safety.** Given the broad reliance on IDs in our society, when people cannot obtain accurate identity documents, it causes harm to both the individual and the broader community. For example, when COVID-19 vaccines first became available, many locations required people to show an ID to get the vaccine, and in some cases even for COVID testing. But this jeopardizes both the health of individuals without ID or accurate ID, as well as the health and safety of the broader community given the contagious nature of the virus. In another example, if a person cannot get a driver's license due to the financial costs or circular documentation requirements, then they may be forced to drive without a license so they can still get to work and care for their families. This puts both them and those around them at risk without the safety training and knowledge that getting a license requires.

Additionally, a lack of ID or accurate ID can have criminal consequences, such as charging transgender people with fraud when their identities are not reflected by their IDs or imprisoning people who drive without a valid license, causing shockwaves of harm and disruption to their families and broader communities. And, because

obstacles to ID disproportionately impact certain communities, as discussed in the next section, this criminalization of a lack of ID can even further exacerbate the already existing racial, economic, and other disparities in the American criminal legal system—even further undermining public safety and public good.

## Obstacles to Accurate ID Impact Different Communities in Different Ways

Obstacles to accurate ID and the harms from not having accurate ID affect everyone, but they do not affect everyone in the same ways. Specific communities—such as people of color, transgender people, immigrants, low-income people, formerly incarcerated people, and more—are less likely to have valid identity documents and are disproportionately impacted by these obstacles and their resultant harms, and often in different ways. For example, while the financial cost of IDs is an obstacle for many people across the country, this is particularly true for low-income people. And the harms to civic life, such as the constitutional right to vote, are particularly salient for people of color: research clearly shows that people of color are disproportionately harmed by strict ID requirements for voting.<sup>2</sup>

That the obstacles and harms do not fall equally on everyone illustrates how access to IDs continues to entrench inequality and unequal access to opportunity in American life, and especially for communities who often already face such exclusion in many other areas of life.

## Recommendations

Structural failures create roadblocks to IDs for so many people, causing widespread yet avoidable harm. This illustrates how vital it is that policymakers, advocates, and communities work to redress these system failures, reduce obstacles to ID, minimize harms, and improve opportunities for everyone. Importantly, the recommendations emphasized here highlight the importance of collaborative, coalitional efforts to improve identity document policies for all affected, not only one obstacle or impacted community at a time.

One broad recommendation is to rigorously examine when and whether IDs are actually necessary to access many basic needs, essential services, and aspects of everyday life or civic life. In instances when ID is nonetheless required, it is important to have clearly defined and clearly communicated alternative options ready for when people inevitably do not have an ID or accurate ID.

## BY THE NUMBERS: Who lacks a valid, accurate driver's license?

<b>8%</b> of white people	<b>21%</b> of Black people
<b>12%</b> of all U.S. adults	<b>23%</b> of Hispanic people
<b>21%</b> of people ages 70+	<b>68%</b> of transgender people

Sources: American National Election Studies 2020; U.S. Transgender Survey 2015; Sivak and Schoettle 2014.

Specific recommendations, detailed later in this report, include taking targeted steps to redress each of the major system failures, such as reducing the burdensome paperwork and circular logic that often means a person must already have an ID to get an ID. Making requirements simpler not only improves access to IDs for everyone, but especially helps those who currently lack an ID or accurate ID break out of the cycle of harm caused by not having an ID, yet not being able to get one. Similarly, reducing the needlessly high financial costs (whether across the board or through waivers and targeted programs) and improving the availability of ID-issuing services (whether through expanded locations and hours or expanded online services or still other opportunities) again expands access for everyone, and especially for those with limited means, who live in rural or remote areas, and more.

## Conclusion

Because IDs are vital keys that unlock doors to nearly every part of life, there are at least two paths forward to ensure equal access and opportunity to participate in daily life, our democracy, and our society. One is to make sure everyone has or can access a key, while the other is to remove the doors themselves whenever possible. While this report focuses on improving access to IDs, the strategies and recommendations outlined can also be part of a strategy focused on thinking critically about whether, when, and for what IDs ought to be required.

Identity documents can serve important functions, but they should not and must not be an obstacle to accessing basic needs and services or participating in civic and daily life. This report shows there are clear, achievable paths forward for promoting public safety and good governance while still ensuring the rights of people to move freely, have their needs met, and have an equal opportunity to participate in civic and everyday life.

## INTRODUCTION

Identity documents<sup>a</sup> (IDs), like driver’s licenses or birth certificates, are so commonplace in our everyday life that many people don’t notice how important or how widely used they are. Identity documents are vital keys necessary to unlock the doors to everything from driving a car and getting a library card to opening a bank account or getting a job.

Identity documents as we know them today are a relatively recent invention. Their use greatly expanded in the United States in the first half of the 1900s. The use of birth certificates grew for many reasons, including following the federal government’s 1915 mandate that states collect and report such data, and further still in the World War II era as employers increasingly asked job applicants for proof of citizenship.<sup>3</sup> States’ use of driver’s licenses grew alongside increasing mobility of residents—and particularly the increasing mobility of Black residents, leading many policymakers to attempt to police or limit their movement by requiring licenses and adding racial categories to IDs.<sup>4</sup> Over time, the use of birth certificates and driver’s licenses became widespread and commonplace, and the use of these and many other forms of ID continues to grow today.

Though IDs are now a commonplace and critical part of everyday life, not everyone has an ID, or an accurate one. As of 2020, roughly one in every eight (12%) adults in the United States—nearly 30 million people—lack a valid driver’s license, and almost half of adults (49%, or over 124 million people) lack a valid passport.<sup>5</sup> More than one in ten (11%) U.S. adult citizens—or nearly 26 million people—lack *any* form of government-issued photo identification.<sup>6</sup> And even among people who do have a valid ID, that ID may be inaccurate or out of date for many reasons, from name changes to moving and more (see Spotlight on page 3). As shown on this page, and discussed more throughout this report, those lacking IDs like driver’s licenses are more likely to be people of color, transgender people, and older adults, among other groups.

System-level failures create obstacles to getting and maintaining accurate ID for many people. For example, identity documents often build on each other: if a person lacks their birth certificate, it is harder to get a driver’s license. If they lack a driver’s license, it is harder to prove their identity to get an official copy of their birth certificate. These and other system failures—including burdensome documentation requirements, prohibitive financial costs, limited availability of ID services, a confusing patchwork of policies, and discrimination—all contribute to further roadblocks to ID.

These obstacles to ID cause real and concrete harms, both to individuals and throughout society. A lack of ID or accurate ID can prevent people from securing basic needs like shelter or health care; accessing essential services like a bank account, education or emergency assistance; participating in everyday life like at restaurants, movie theaters, or traveling; participating in civic life such as voting or serving on a jury; and can harm communities and broader public health and safety.

These systems-level failures and the far-reaching reliance on IDs affect everyone, across races, genders, nationalities, incomes, and life experiences. By definition, imposing an ID requirement on a service or activity affects anyone wishing to participate in that service or activity. That said, these system failures and their resultant harms impact different groups in different ways. For example, while the unnecessary financial cost of IDs is an obstacle for many people across the country, this is particularly true for low-income people. The harms to civic life are particularly salient for people of color, who research shows are disproportionately harmed by strict ID requirements for voting.<sup>7</sup>

Identity documents can serve important functions, but they should not and must not be an obstacle to accessing basic needs and services or participating in civic and daily life. This report shows there are clear, achievable paths forward for promoting public safety and good governance while still ensuring the rights of all people to move freely, have their needs met, and have an equal opportunity to participate in civic and everyday life.

**BY THE NUMBERS:**  
**Who lacks a valid, accurate driver’s license?**

<b>8%</b> of white people	<b>21%</b> of Black people
<b>12%</b> of all U.S. adults	<b>23%</b> of Hispanic people
<b>21%</b> of people ages 70+	<b>68%</b> of transgender people

Sources: American National Election Studies 2020; U.S. Transgender Survey 2015; Sivak and Schoettle 2014.

<sup>a</sup> There are many types of identity documents (IDs). These include government-issued IDs such as driver’s licenses (or equivalent state IDs for non-drivers), birth certificates, Social Security cards, passports, municipal IDs, military IDs, immigration documents (e.g., green cards), and many more. Non-government-issued IDs can include student IDs, those issued by an employer, club, or place of business, and more. Some IDs include photo identification, and others do not. This report focuses on government-issued IDs—namely driver’s licenses and birth certificates—but the obstacles to ID and the harms from these obstacles may apply more broadly to other forms of IDs.

## KEY SYSTEM FAILURES CREATE ROADBLOCKS TO ACCURATE IDs

Despite the importance of IDs in the United States, there are many key systems-level failures that often make it difficult for many people, across all walks of life, to get and maintain an accurate ID. As shown on the previous page, an estimated 12% of all adults, or nearly 30 million people, lack a valid driver's license, with even higher rates among different communities.<sup>8</sup> Complicated documentation requirements, financial costs that can quickly snowball, long wait times at or limited availability of ID-issuing locations, a complex patchwork of policies that change from one state to the next, and discrimination and prejudice all interact to create an intricate web of roadblocks to getting accurate ID.

These challenges apply both to getting an ID in the first place and then, as highlighted on the next page, also keeping that ID up to date over a lifetime of different events and experiences that might necessitate changes.

Taken together, these system failures mean that getting and maintaining an accurate ID can be at best inconvenient, and at worst nearly impossible. And, as discussed throughout this report, many communities—such as communities of color, transgender and nonbinary people, and more—are even more likely to lack an ID

and to experience these system failures or obstacles to getting or updating an ID.

### Burdensome & Circular Documentation Requirements



Getting or updating an ID often requires extensive, burdensome paperwork or documentation, and these requirements can also be circular, requiring one form of ID to get another form of ID. This can be complicated, confusing, and a major obstacle to securing accurate ID.

For example, to get a driver's license that is REAL ID-compliant (see Spotlight on page 5), generally, individuals must have enough pre-approved documents to prove all of the following: one's identity (i.e., full name and date of birth); lawful status in the country; Social Security Number, or for non-citizens, the appropriate letter from the Social Security Administration; multiple documents showing residency in a given state; and if one's name has changed, proof of legal name change. Note that the residency requirement alone can be enough to prevent some people from accessing an ID, especially those who are experiencing homelessness or housing insecurity or are reentering their communities after incarceration and do not yet have a permanent address.

### SYSTEM FAILURES MAKE IT DIFFICULT TO GET OR MAINTAIN ACCURATE ID



**Burdensome documentation requirements** can be complicated and even impossible—sometimes requiring an ID to get an ID—and not everyone has the resources required to get this documentation.



**Needlessly high financial costs** for IDs can be prohibitive, especially given that IDs build on one another (e.g., needing a birth certificate to get a driver's license)—meaning these costs can quickly snowball.



**Limited availability of ID services** can make getting or updating an ID more difficult for people in rural areas, people without reliable transportation, people who cannot afford to take time off work, and more.



**Confusing patchwork of policies** from one state to the next makes getting or updating ID difficult, especially for people who move frequently like military families.



**Discrimination**, whether by individuals or by the law, can prevent or deter people from getting accurate IDs, such as policies that prevent transgender people from updating their name or gender.



## People Frequently Need to Update a Government-Issued ID, And For Many Different Reasons

There are many reasons why someone may need to update an existing government-issued identity document like a driver's license or ID card.

**MOVING.** According to the U.S. Census Bureau, the average American moves nearly 12 times in their lifetime.<sup>i</sup> In 2021 alone, nearly 42 million people in the U.S.—roughly one in eight people—moved to a new location.<sup>ii</sup> Lower-income people, students, renters, and younger people are all more likely to move more frequently.

**CHANGING NAME.** Name changes can happen following marriage, divorce, adoption, gender transition, for religious reasons, or simply to choose a new name or spelling. Nationwide, nearly 30% of U.S. adults—the vast majority (94%) of whom are women—have ever changed their name.<sup>iii</sup> An estimated more than half (54%) of U.S. women have ever changed their name.<sup>iv</sup> A 2015 national survey found that 30% of transgender people have legally changed their name.<sup>v</sup>

**ADOPTION.** In addition to adoption-related name changes (such as an adopted child changing their last name), following a legal adoption, adoptive parents can be added to their adoptive child's birth certificate, which is a type of identity document that is frequently needed.

**CHANGE IN CITIZENSHIP STATUS.** According to the U.S. Citizenship and Immigration Services, over 7.3 million people became U.S. citizens over the past decade.<sup>vi</sup> Changes in citizenship status can change eligibility for certain kinds of IDs, such as driver's licenses or Social Security Cards, meaning these individuals may need to update or apply for a new ID.

**UPDATING GENDER MARKER.** Many transgender people choose to update the gender marker on their identity documents so that it matches their gender identity, which in turn helps reduce risk of facing harassment or discrimination when showing ID. A 2015 national survey found that one-third of transgender people have changed the gender marker on at least some of their IDs (21% of transgender people) or all of their IDs (12% of transgender people).<sup>vii</sup>

**EXPIRED ID.** Most identity documents have an expiration date, after which they need to be renewed. Depending on the length of time since the ID was first issued (or since its expiration), additional changes may be needed before renewing, such as meeting new or stricter documentation requirements, paying fines or fees, or updating any personal information that has changed.

**ERRORS.** Sometimes simple mistakes are made, such as misspellings of a name. However, even simple misspellings can prevent people from, for example, voting, plane travel, or other activities where an exact match is required.

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<sup>i</sup> U.S. Census Bureau. "Calculating Migration Expectancy Using ACS Data."

<sup>ii</sup> American Community Survey. "Table B07001: Geographical Mobility in the Past Year By Age for Current Residence in the United States." 2021 1-Year Estimates. Of 328.5 million people, 286.6 million are in the same house they were a year ago, meaning nearly 42 million moved in the past year.

<sup>iii</sup> American National Election Studies (ANES) 2020. Data are weighted using full sample pre-election weight.

<sup>iv</sup> *Ibid.*

<sup>v</sup> James, et. al. 2016. *The Report of the 2015 U.S. Transgender Survey.*

<sup>vi</sup> U.S. Citizenship and Immigration Services. "Naturalization Statistics." Accessed January 2022.

<sup>vii</sup> James, et. al. 2016. *The Report of the 2015 U.S. Transgender Survey.*

Importantly, this illustrates not only the system failure of overly complex documentation requirements, but also that **getting an ID often requires already having some form(s) of ID**. Getting a driver's license is much easier with a birth certificate—but if a person doesn't have a copy of their birth certificate, then they need to submit a driver's license or other forms of ID to get an official copy. Even documents that aren't government-issued forms of ID (such as bank statements showing proof of residency) may have required such ID in order to get them (such as to open the bank account). Needing one form of ID in order to get another form of ID reflects a systems-level failure that leaves many people in a vicious cycle without accurate ID—which causes significant harm, as discussed in following sections—and with little available remedy.

**Beyond getting an ID, updating IDs also often requires burdensome documentation and/or drawn-out processes.** For example, a legal name change—whether due to marriage, adoption, a gender change, or another reason—typically first requires a court order, a process that by itself can take months. Only following the court order can a person then begin the processes of updating their name on their driver's license, Social Security card, or anywhere else they use their name, such as bank accounts, health insurance and doctor's offices, voter registration, and so much more. Moving addresses means updating and establishing new proof of residency. Any number of documents may be required including utility bills, credit card bills or bank statements, pay stubs, voter registration cards, insurance policies, lease or mortgage paperwork, or other official documents. Other updates might require medical records, tax records, or further court orders or legal paperwork.

While burdensome documentation requirements affect many people across the country, **not everyone has the same access to these basic documents or to the resources required to get them.** Birth certificates, for example, were not widely and consistently available in the United States until after World War II.<sup>9</sup> This means that many millions of older adults still alive today<sup>b</sup> were born in a time when issuing of birth certificates was uncommon or inconsistent. This is especially true for many older Black Americans, who, due to legal discrimination, were denied equal access to hospitals and never issued birth certificates,<sup>10</sup> and for many older Native Americans born on reservations and also not issued birth certificates.<sup>11</sup>

An estimated 6-7% of U.S. adults, or 15-18 million people, do not have access to documents proving their birth or citizenship.

-The Brennan Center for Justice, with 2020 American Community Survey population estimates

Overall, an estimated 6-7% of U.S. adults, or 15-18 million people, do not have access to documents proving their birth or citizenship.<sup>12</sup> Research shows that some communities—including women, low-income communities, Black Americans, the elderly, and people living in rural areas—are even more likely to lack access to these documents.<sup>13</sup>

Many people also lack the financial resources to get the documents required for getting or updating IDs, as discussed in more detail in the following pages.

In short, burdensome documentation requirements reflect a system-level failure that can be difficult to overcome. Identity documents often build on or facilitate each other: having one form of ID (such as a birth certificate) makes it much easier to get another ID (such as a driver's license). However, this also means that when a person lacks an accurate ID, it makes it all the more difficult for them to get one. Additionally, not everyone has equal access to these essential documents, or to the resources required to get them, creating an uphill battle for many.

## Needlessly Expensive



Identity documents are critically important for accessing nearly every part of life, and yet they are often expensive and rarely free—reflecting another systems-level failure. Even in the rare cases a government-issued ID is free or relatively low-cost, these IDs frequently require other paperwork (as described above) that typically also costs money to obtain. As shown in *Figures 1 and 2*, the costs of state IDs vary widely across states and regions, but in all cases can pose a significant obstacle to people from all walks of life—especially given the way that costs of IDs can quickly accumulate.

<sup>b</sup> The 2019 American Community Survey estimates there are nearly 22.5 million people ages 75 and older (born in or before 1945, the end of World War II) in the United States.



## The REAL ID Act and Increasingly Strict Documentation Requirements for State IDs

Traditionally, the rules and requirements to get a driver's license and other state-issued IDs are determined by each state (see further discussion in *Patchwork of Policies*). However, in the aftermath of the 9/11 terror attacks, Congress passed the REAL ID Act in 2005, establishing stricter standards—including evidence of citizenship or legal immigration status, proof of Social Security number and date of birth, and more—for driver's licenses and other forms of state-issued identification.

By creating significantly stricter requirements for state-issued IDs, the law both worsens already existing obstacles to getting and maintaining accurate ID, and further highlights the use of IDs in government surveillance, law enforcement, and immigration policy. For example, other provisions of the law also require states to share their driver's licenses databases with each other, with the stated goal of improving "the ability of law enforcement officers at all levels to confirm the identity of the individuals."<sup>viii</sup> Other provisions also make it more difficult for individuals seeking asylum to receive those protections and enter the country.<sup>ix</sup>

Today, roughly 17 years after the law was passed, its requirements are still not fully in effect. Implementation has been tumultuous, with many states, as well as organizations across the political spectrum, opposing the requirements and added administrative burdens and costs. A phased implementation was originally planned, with portions of the law scheduled to go into effect as early as 2008, but deadlines have repeatedly changed amidst the logistical, administrative, and political complexities of implementation. The COVID-19 pandemic further slowed the process, as many states limited the hours of ID-issuing locations or closed them entirely.

Though the law's requirements are not yet fully in effect, once they are, a REAL-compliant ID will be required for all plane travel, as well as to enter certain federal facilities such as military bases or federal agencies. People are still allowed to get IDs that are not compliant, but once the law is fully in effect, those noncompliant IDs will no longer be accepted for those wishing to fly or enter federal facilities.

As of April 2021, only 43% of all state-issued IDs are REAL ID-compliant.<sup>x</sup> As of this report's writing, the current deadline for full enforcement of the REAL ID Act is May 3, 2023.

<sup>viii</sup> Department of Homeland Security. 2007. *Privacy Impact Assessment for the REAL ID Act*. p15.

<sup>ix</sup> Immigration Equality. N.d. "Real ID Act." Accessed April 2022.

<sup>x</sup> Department of Homeland Security. April 2021. "DHS Announces Extension of REAL ID Full Enforcement Deadline."

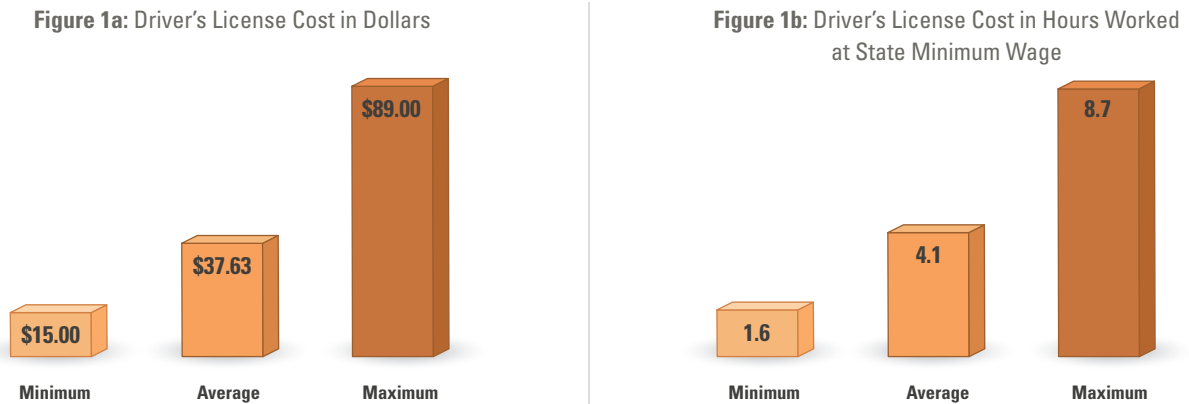
**As discussed above, the numerous documents required to get or update an ID often cost money.** For example, getting a certified copy of a court order, marriage license, or adoption papers all typically cost money, even before any costs related to the new or updated ID itself. Among transgender people who had completed a legal name change (which requires a court order), more than one-third (34%) reported spending over \$250, and another 11% spent over \$500 in the process.<sup>14</sup> Among transgender people who had not tried to legally change their name, 35% said they had not tried because they could not afford the costs involved.<sup>15</sup> For people with lower income or limited resources, the costs of required documents alone can be prohibitive, let alone when combined with the cost of the actual identity document(s).

On top of the potential costs of required documents to obtain an ID, **identity documents themselves also cost money.** Though these costs vary widely across states, even at the lower end, financial costs can create significant obstacles.

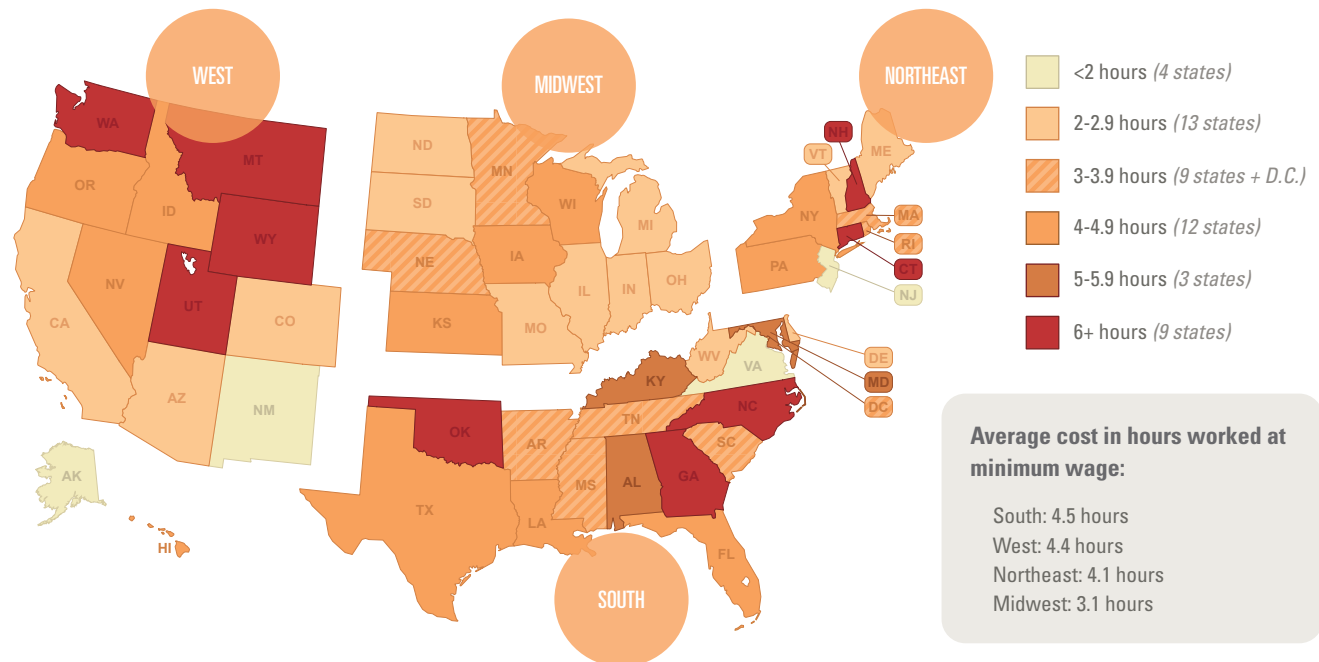
For example, as shown in *Figure 1a* on the following page, the cost of a new driver's license ranges from \$15 to \$89, with an average of nearly \$38. That average corresponds to over four hours of work at a state's minimum wage (*Figure 1b* on the following page)—not including any time spent traveling to, waiting at, and returning from an ID-issuing office, or potential wages lost while away from work.

*Figure 1c* on the following page shows that these costs vary by region. The South has the highest average

**Figure 1: Cost of a Driver's License Ranges Widely Across States, But Averages At Over Half a Day's Work At Minimum Wage**



**Figure 1c: Driver's License Cost in Hours Worked at State Minimum Wage, By State and Region**



Notes: Costs shown here are the minimum costs possible for a new license, and the true costs are likely much higher. These data reflect a standard license (i.e., not necessarily REAL-ID-compliant); do not include associated fees beyond ID issuance (e.g., road or written tests, credit card or online processing fees, etc); and if a state offers multiple price points for IDs (e.g., 4 years for \$25 or 8 years for \$40), the lowest price at the time of purchase is used. Note also that Figures 1b and 1c match each state's driver's license cost to that state's 2022 minimum wage for non-tipped workers. Federal minimum wage (\$7.25/hour) is applied to states with no state minimum wage law (AL, LA, MS, SC, TN).

Sources: Driver's license costs collected by MAP from state ID office websites (Aug 2022). Minimum wage rates from [U.S. Department of Labor](#) (2022).

cost in minimum wage hours for a driver's license, with roughly 4.5 hours of minimum wage work required. This number would be even higher in the absence of a federal minimum wage law because five Southern states—Alabama, Louisiana, Mississippi, South Carolina, and Tennessee—all lack a state minimum wage law.

Similarly, the cost for a certified copy of a birth certificate ranges widely across states. The most affordable option, typically by going in person, ranges from \$10 to \$34, with an average of just under \$19, as shown in *Figure 2a*. However, given limited availability of ID services and the added costs and time of going in person (see the following section), many people may need to order a copy online—but this increases the costs.

Figure 2: Cost of a Birth Certificate Ranges Widely Across States and Methods of Ordering

Figure 2a: Birth Certificate Cost in Dollars

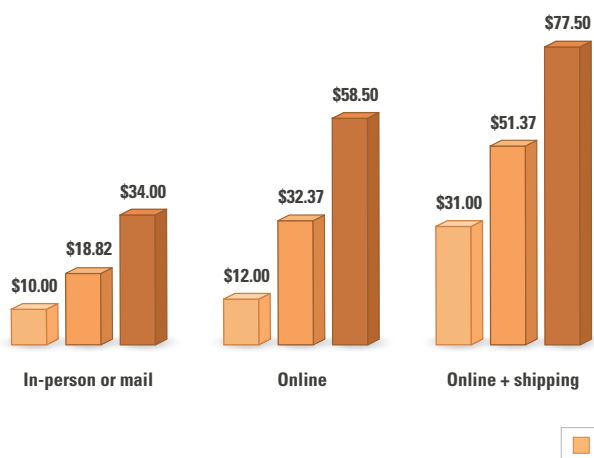
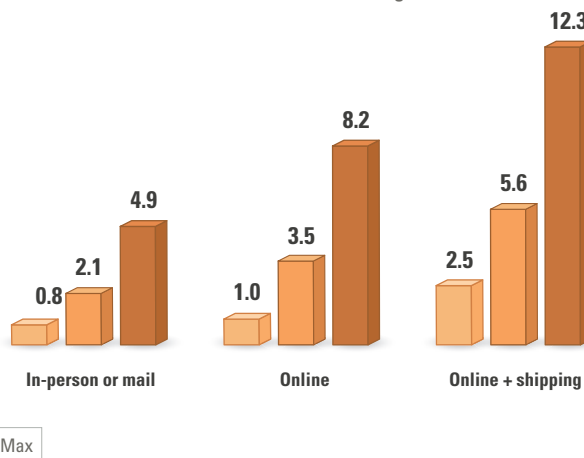


Figure 2b: Birth Certificate Cost in Hours Worked at State Minimum Wage



Note: For Figure 2b, each state's ID costs are matched to that state's minimum wage for non-tipped workers, or to the federal minimum wage if the state has no minimum wage. Source: Birth certificate costs collected by MAP from state ID office websites (Aug 2022).

Nearly all states contract with a third-party, for-profit company called VitalChek, to provide these online services, and this adds processing fees and other charges that can significantly increase or even more than double the cost. While VitalChek typically allows a free shipping option through regular mail, it also suggests a \$19 shipping option described as faster and "secure" for these vital records. Including this shipping charge, the cost of a birth certificate ranges from \$31 to \$77.50, with an average of over \$51. As shown in *Figure 2b*, that amounts to an average of 5.6 hours and a high of over 12 hours of work at minimum wage.

While some states or jurisdictions may, in some circumstances, waive the financial costs associated with getting or updating IDs, this typically requires even further paperwork or applications for such waivers, adding to the already burdensome documentation requirements discussed above.

These financial costs can be difficult, if not prohibitive, for low-income people and in fact for many people across all walks of life. Many communities of color, LGBTQ people, women, people with disabilities, immigrants, formerly incarcerated people, and others all have higher than average rates of poverty, so the obstacles created by ID-related financial costs also disproportionately impact these communities.<sup>16</sup> Even for those who are not low-income, the accumulating costs of IDs may nonetheless pose a significant obstacle.

The challenges posed by financial costs can be further compounded by the limited availability of ID services, as discussed next.

### Limited Availability of ID Services



Another systems-level failure is the limited availability of ID-issuing services.<sup>c</sup> Despite the clear importance of IDs for virtually every aspect of day-to-day life, the **government offices and agencies that provide ID-related services often have limited availability, whether due to limited open hours, long wait times, or locations that are too few in number or too far away for many people.** As a result, getting or updating an ID often takes considerable time and/or travel, posing additional financial costs and further roadblocks.

ID offices typically operate during regular business hours, with limited to no availability on evenings and weekends. In more rural parts of the country, ID-issuing locations often have even fewer open hours. This makes it difficult for people who work during those hours to access these services. This is especially true for those who work hourly wage jobs, where any time off work to

<sup>c</sup> ID offices have different names in different states. Driver's license and state ID cards are issued by offices such as the Department of Motor Vehicles (DMV) in Arkansas, the Bureau of Motor Vehicles (BMV) in Indiana, the Division of Driver Services (DDS) in Georgia, and so on. Birth certificates are issued by offices like the Bureau of Vital Records in Missouri or the Office of Vital Statistics in Delaware, and still others. This report uses "ID offices," "ID-issuing services," and other similar terms to refer to these government departments or agencies.

go to an ID-issuing office means lost income—further compounding the needlessly high financial costs of getting or maintaining accurate ID.

People who use public transportation may have to spend even more time in transit, further complicating the limited availability of ID services and compounding potential wages lost. People with disabilities, lower-income people, Black and Hispanic people, and immigrants are all more likely to use public transportation or paratransit, and so are especially impacted by this obstacle.<sup>17</sup> As researchers at the Brennan Center point out, “by definition, [people] who need photo ID will not have a driver’s license, so they cannot drive themselves” to an ID-issuing location.<sup>18</sup> This means individuals will either need to use public transportation (if available) or find other means of traveling to an ID office, further compounding the obstacles to ID.

As many people across the country have personally experienced, ID offices often also have significant wait times for service—even further exacerbated by the COVID-19 pandemic.<sup>19</sup> This limits the number of people who can access ID services, can deter people from getting or maintaining accurate ID, and again adds to the financial costs of time away from work. At least 10 states have no online options for renewing driver’s licenses,<sup>20</sup> even though a 2021 survey showed that 90% of respondents said they would pay an additional fee to



### People Are Sleeping on Concrete, Waiting at 2 a.m. in Long Lines for Driver’s Licenses

*(click to read more)*

skip an in-person appointment and instead renew their driver’s license online.<sup>21</sup>

Additionally, in many parts of the country, there are too few ID-issuing locations to serve local communities effectively and efficiently. Whether in densely populated urban areas where ID offices must serve vast numbers of people, or in rural or remote areas where people are forced to travel significant distances to access ID services (see Spotlight below), the fact of too few ID-issuing locations poses a significant roadblock to IDs for many people.

Coupled with complex documentation requirements or potentially discriminatory experiences—if a person doesn’t have all the required papers or is denied service and must come back to try again—the limited availability of ID-issuing services and the costs of time and travel can quickly snowball from obstacles to outright barriers to ID.



### Taking a Flight to Get to the DMV: Limited Availability of ID Services in Rural and Remote Communities

Many communities across the country struggle with the limited availability of ID services. In rural areas, this often means that people have to travel long distances or navigate very limited open hours at ID offices. In Alaska, the largest state and one of the most rural in the country, these challenges are especially stark.

The vast majority, 86%, of Alaskan municipalities are not connected to the state’s road system, making travel a huge and expensive challenge for many people. In Toksook Bay, for example, in the southwestern coast of the state, the nearest ID office is 115 miles away in the town of Bethel, and residents typically travel by small planes—a flight that costs about \$200 each way. Bethel’s ID office is also the closest for residents of the Yukon-Kuskokwim Delta region, with round-trip air travel running closer to \$700. And, as with the road system, the majority of rural communities in Alaska are not connected to a major power grid, which limits internet access for online services.

The significant costs of gathering the documentation required for IDs and flying to a city with an ID office are further compounded by the high costs of living and unemployment rates in these rural areas. While certainly not all rural residents face this degree of difficulty, this illustrates how the limited availability of ID offices can quickly escalate into significant obstacles to getting or maintaining ID.

Adapted from: Becky Bohrer. Feb 15, 2020. “In Alaska, rural living complicates access to Real ID.” ABC News.  
Additional statistics from: Alaska Department of Commerce. Sept 2021. “Appendix 2: An Overview of Communities in Alaska.” *Alaska Mapping Business Plan*.

### Confusing Patchwork of Policies



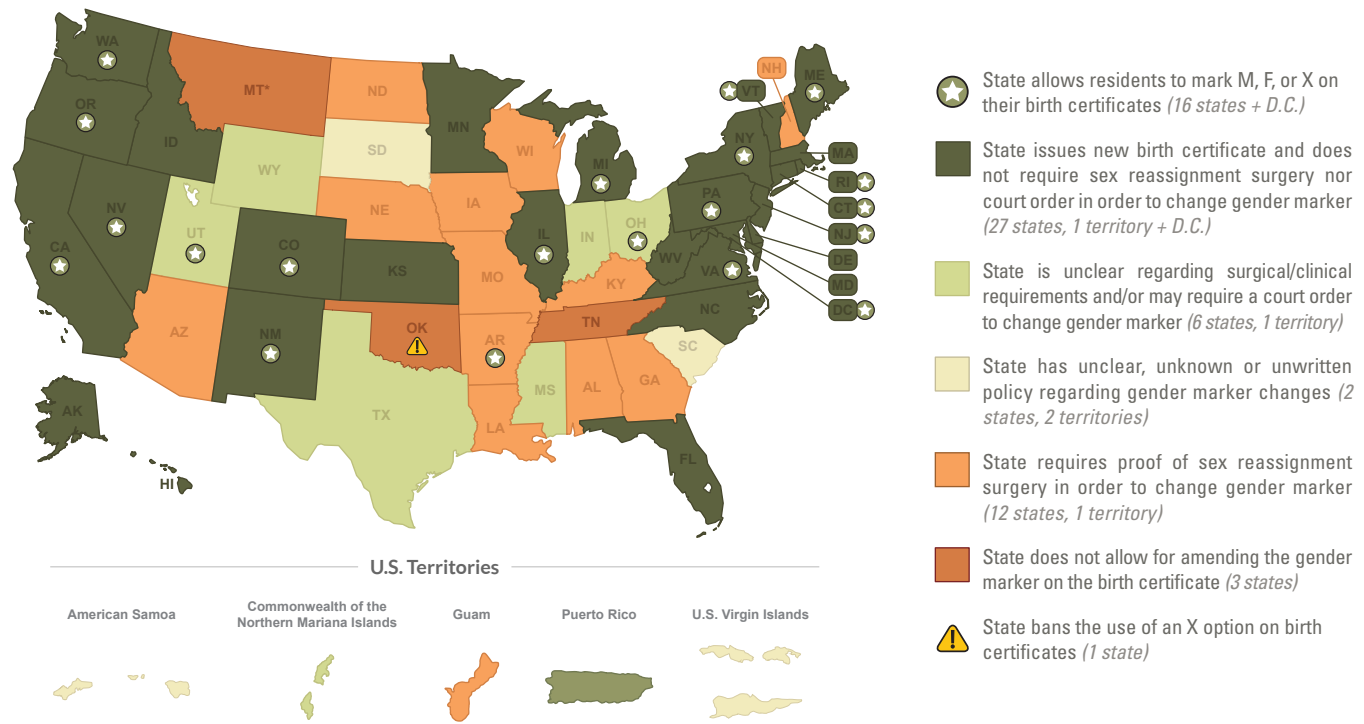
The confusing patchwork of policies and processes related to IDs is yet another systems-level failure. Some of the most common and essential IDs—driver’s licenses and birth certificates—are issued by state governments. This means that **policies about these vital IDs—what documentation is required, the costs imposed, the hours and locations available, formal nondiscrimination policies, staff training, and more—all vary widely from one state to the next.** This patchwork is confusing, and just this variation alone can be an obstacle to getting accurate ID. This is especially true for people who move frequently for work (such as military families), those living in a different state than where they were born, non-native English speakers, and others.

For example, while the federal government offers guidance on what should appear on birth certificate forms, there is no actual standard form and states are free to develop their own form and statistical record-keeping processes. This includes allowing counties and municipalities to develop their own birth certificate forms and processes. As

a result, the National Center for Health Statistics estimates there are over 14,000 different forms or versions of birth certificates around the country.<sup>22</sup> This in turn suggests there could be over 14,000 different processes for getting a copy of or amending a birth certificate, depending entirely on where a person lives or where they were born.

*Figure 3* below illustrates this patchwork of policies for just one element of one identity document: updating a gender marker on a birth certificate. Currently, three states explicitly refuse to update gender markers for transgender people, and another dozen states require invasive medical documentation, such as “proof of surgery,” before they will do so. Only about half of states issue a new birth certificate with a fairly straightforward process and non-invasive requirements. Additionally, only 16 states and D.C. currently allow people to select a nonbinary “X” option when they update their birth certificate, meaning that both the process itself and even the options available change from one state to the next. This dramatic variation is itself an obstacle for individuals seeking to update their ID, and especially so for those who may now live in a different state than the one that issued their birth certificate.

**Figure 3: State Policies Vary Widely for Updating the Gender Marker on a Birth Certificate, And Nearly One-Third of States Either Do Not Allow or Create Significant Obstacles to Doing So**



Note: Montana administrative law bans gender marker changes to birth certificates, but the state is currently under court order to accept applications for such changes, pending a lawsuit over its discriminatory policy. The state has petitioned to have this order reversed.

Source: MAP’s Equality Maps. Data as of November 1, 2022.

While allowing states and municipalities to create their own ID policies can sometimes allow for innovation (see Spotlight on municipal IDs on page 26), this patchwork also creates an environment where the ability to get or update an ID can depend entirely on where a person lives. And, as discussed in the next section, some state policies actively create further barriers to IDs or are outright discriminatory toward some communities.

Across the country, there are over **14,000** different forms or versions of birth certificates.

- National Center for Health Statistics

## Discrimination and Prejudice



Both historically and currently, discrimination and prejudice pose major obstacles to, and in many cases directly prevent people from, getting or maintaining accurate ID.

**The United States has a long history of state-sponsored discrimination, including in ways that impact ID access and that shaped how IDs were used to further discrimination.** In the Jim Crow era, for example, legal racial discrimination and segregation meant Black people were routinely denied equal access to hospitals, and many were never issued birth certificates as a result.<sup>23</sup> In fact, historical research shows that the expansion of identity documents' use in the early 20th century was a core part of controlling and limiting people of color's access to everyday life.<sup>24</sup> IDs began to include racial categories in order to track and reinforce concepts of racial "purity," to keep out immigrants (particularly those of Asian descent), and to limit the increasing mobility of Black people during the Great Migration.<sup>25</sup>

**Today, there are still many official, discriminatory policies that prevent people from getting accurate IDs.** States vary in their policies toward, for example, allowing transgender people to update the gender marker on their driver's license (as shown in *Figure 4* on the following page), or in allowing undocumented people to get a driver's license (as shown in *Figure 5* on the following page).

**Some policies, even if not discriminatory in intent, are discriminatory in their impact.** REAL-ID requirements, for example, include proof of residency. However, people who are experiencing homelessness or housing insecurity lack a home address or proof of

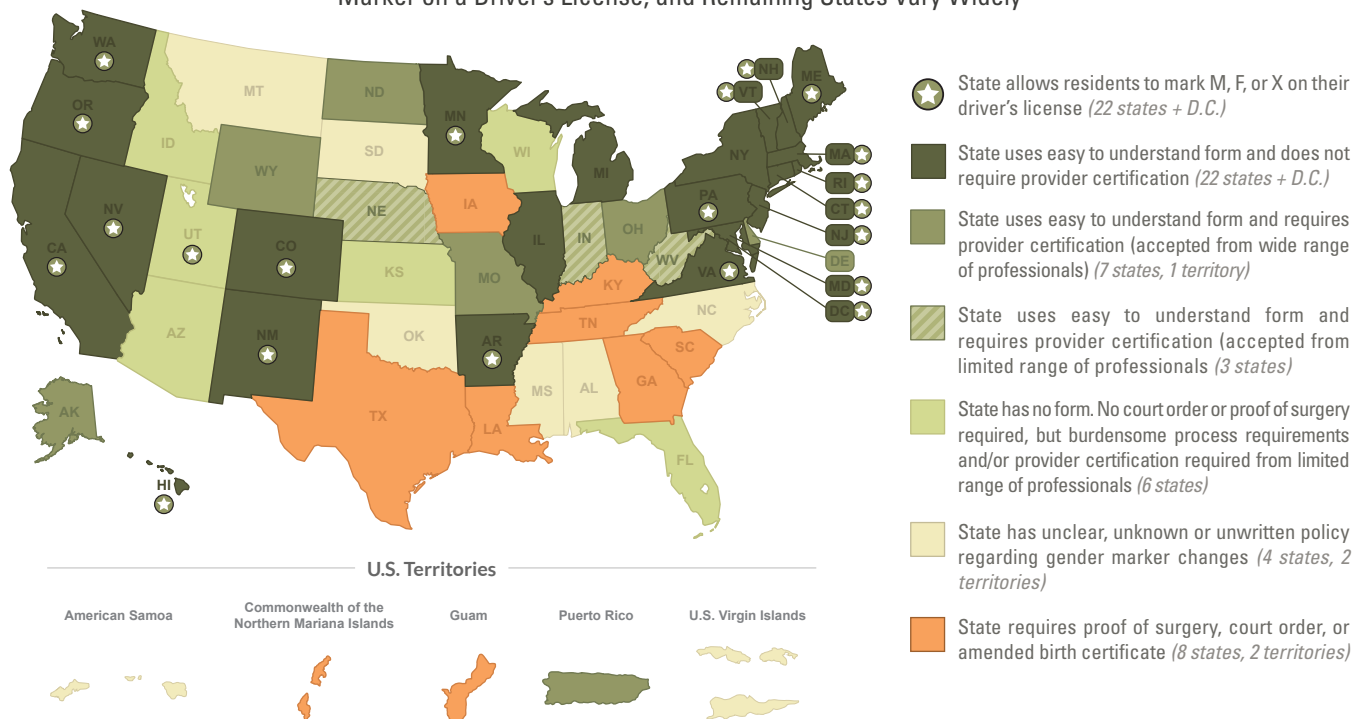
residency, and so this policy prevents them getting such an ID—even though an ID is critical for securing housing and other basic needs. Similarly, many rural and remote residences, including where many Native Americans reside, lack a traditional address and instead are described by landmarks or road intersections, or rely upon P.O. boxes or a shared, centralized mail delivery location. These too may not be sufficient to meet REAL-ID requirements, and so many rural residents and Native Americans are disproportionately likely to be prevented from being able to get such an ID.<sup>d</sup>

**Often irrespective of state policies, government staff or agencies can be actively hostile or discriminatory toward individuals seeking to get or update their ID.** Among transgender people who have gone through a legal name change process, more than one-third (36%) reported negative experiences with the judge or court staff, such as being referred to with the wrong pronouns or honorific, being asked inappropriate questions about their medical history, receiving unequal treatment or service, and/or being verbally harassed by the judge or court staff.<sup>26</sup> Similarly, Latinos report experiences of discrimination from government officials at ID-issuing locations, such as the Department of Motor Vehicles (DMV). In one story from Laredo, Texas, a U.S. citizen named Anna Ortega recounted that "[The DMV] tried to take away the U.S. citizenship cards from the Tejanos. ... They were picking up our birth certificates saying that they were fake and that we were illegal aliens."<sup>27</sup>

**There is also a reinforcing cycle of discrimination and obstacles to ID: a lack of ID can lead to increased problems with law enforcement, and experiences with law enforcement can exacerbate obstacles to IDs.** People without accurate ID face increased problems with law enforcement. For example, in a survey by the National Law Center on Homelessness and Poverty, a survey of people experiencing homelessness found that 60% had experienced police harassment or arrest if they could not produce an ID.<sup>28</sup> Transgender people whose IDs do not match the name on their bank account or credit card may be accused of fraud or identity theft,<sup>29</sup> and a national survey of transgender people found that, among transgender people who interacted with police and the officers knew the person was transgender, a majority (58%) reported some form of mistreatment.<sup>30</sup>

<sup>d</sup> A growing number of states and municipalities are working to allow address descriptions or alternative information in place of a traditional street address for state-issued IDs. However, these practices are not widespread and they may not be sufficient to meet federal REAL-ID standards.

**Figure 4: One in Six States Have Discriminatory Policies About Updating the Gender Marker on a Driver's License, and Remaining States Vary Widely**



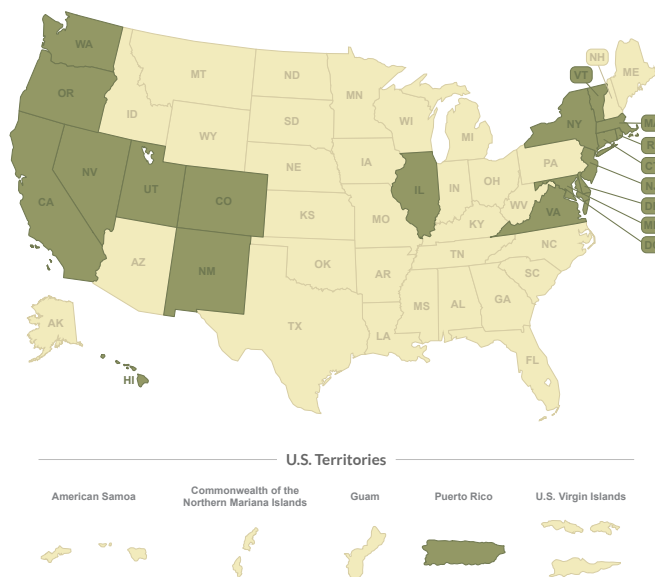
Source: MAP's Equality Maps. Data as of November 1, 2022.

In turn, these (often discriminatory) interactions with law enforcement can further exacerbate obstacles to ID. Upon arrest, a person's belongings are often confiscated, and sometimes not returned. What's more, some states and jurisdictions require jails to destroy personal IDs after a certain amount of time.<sup>31</sup> Furthermore, research clearly shows that people of color—and especially Black people—are disproportionately pulled over and searched,<sup>32</sup> fined,<sup>33</sup> arrested,<sup>34</sup> and imprisoned.<sup>35</sup> People of color are also more likely to have suspended driver's licenses, often due to an inability to pay those disproportionate fines.<sup>36</sup> This worsens the already existing racial gap in access to valid, accurate IDs, and further compounds the harms that come from not having ID, as discussed in more detail in the following section.

Whether in government policy or in personal interactions, including with law enforcement, the systems-level failures of discrimination and prejudice create significant obstacles to and even prevent accessing IDs.

An estimated **11 million people** across the country have suspended driver's licenses simply due to unpaid debt.  
 - Free to Drive Campaign

**Figure 5: Only 18 States, D.C., and Puerto Rico Allow Qualified Individuals to Get a Driver's License, Irrespective of Immigration Status**



Source: Adapted from National Immigration Law Center (NILC). NILC data as of September 2022.

## LACK OF ID LIMITS FULL AND EQUAL PARTICIPATION IN LIFE

Identity documents are keys that unlock doors to nearly every part of life. A form of identification, and frequently one with a picture, is required for many basic needs; essential services; everyday life; civic life; and more. As a result, when someone lacks an accurate ID, they are prevented from equal access to and participation in all these areas, often harming broader public health and safety as well. Put another way, obstacles to ID harm not only the individual, but also their families, broader community, and society at large.

There are, of course, times when IDs are important, such as for matters of safety and to verify that someone is who they say they are, as when picking up a child from school. However, because it is often assumed that all people have official forms of identification, IDs are often asked for even when they are not necessary or when another way is possible, such as address verification or verbal confirmation. This overreliance on IDs for so many parts of life presents key barriers for many communities, increases risk of harassment, and can prevent or deter people who lack accurate IDs—and sometimes even those with accurate IDs—from fully and equally participating in life.

## Can't Access Basic Needs



Identity documents are routinely required to access the most basic of necessities, and therefore a lack of ID or accurate ID can leave people unable to secure even fundamental needs like housing, medical care, and employment.

**Housing.** Safe, adequate housing is a basic human need. As described by the United Nations, “housing is the basis of stability and security for an individual or family,” as well as “the center of our social, emotional, and sometimes economic lives.”<sup>37</sup> However, applying to rent an apartment involves not only showing ID (if not multiple IDs), but also often submitting to a background check. A lack of ID can therefore prevent a person from being considered for housing, and an inaccurate ID—showing a previous name, for example—can lead to issues with the background check, which in turn can leave the person vulnerable to potential discrimination or denial of housing. For example:

- A 2004 survey of people experiencing homelessness found that 54% of those lacking a photo ID had been denied access to a shelter or housing services during the past month.<sup>38</sup>
- A transgender person’s former name or legal gender may be included on a background check,

### OBSTACLES TO ID CAUSE SEVERE, YET AVOIDABLE HARMS



**Can't secure basic needs,** such as housing, health care, and employment.



**Can't access essential services,** such as schools, social safety net programs, banking, and more.



**Can't participate in everyday life,** from restaurants and recreation to travel, leisure, and more.



**Can't participate in civic life,** including voting, jury duty, court services, and more.



**Undermines public health and safety** in many ways, including forcing people into potentially dangerous situations.

credit check, or on their ID submitted as part of the application process, leading to potential harassment or outright rejection of their application.

- If an immigrant or non-native-English speaker cannot show an ID required by a landlord, they may experience harassment or denial of housing, exploitation such as being charged a higher rent, or even being reported to immigration enforcement officials (irrespective of citizenship status).
- While in some cases these examples may in fact describe illegal discrimination, these communities already experience higher vulnerability and economic insecurity, and may therefore be less likely or able to report such discrimination when it does occur.

**Medical Care.** Access to affordable, quality medical care is a necessity. Yet ID requirements create obstacles to accessing needed care. Medical providers frequently require ID for routine visits, and even for existing patients. There are multiple reasons for this, including to protect patient privacy, prevent medical identity theft (i.e., using someone else's information to obtain medical care), and financial concerns such as where to send potential bills. However, this also means that a lack of ID or accurate ID can prevent or make it harder for people to access needed care. For example:

- A 2004 survey found that 45% of people experiencing homelessness had been denied medical services in the past month due to a lack of photo ID.<sup>39</sup>
- During the COVID-19 pandemic, various states and locations required ID to receive COVID-19 tests<sup>40</sup> and even vaccines.<sup>41</sup> Even if these requirements were later changed, in many cases news of such requirements spread quickly and likely deterred individuals without ID—especially those who are undocumented—from seeking out tests or vaccines.<sup>42</sup>

Similarly, picking up a prescription or even some over-the-counter medications often requires ID. While there may sometimes be relevant safety and privacy concerns, these requirements can pose serious obstacles to accessing needed medication for people without an ID or accurate ID, or even for people with accurate ID but who, for a variety of reasons, might need a friend or family member to pick up their prescriptions. These requirements can also result in unnecessary, potentially even dangerous disclosure of information, such as a person's transgender identity or immigration

## BuzzFeed News

### ID Requirements Are Meant To Stop Vaccine Tourists, But They Can Also Shut Out Vulnerable Residents

*(click to read more)*

status, that is ultimately irrelevant to obtaining that medical care or medication.

What's more, people lacking ID or accurate ID may avoid medical care, even when in need. For example, a transgender person whose ID does not reflect their gender identity might avoid medical care to avoid having to present an incorrect ID and face potential harassment or denial of care. An undocumented person may similarly avoid medical care out of fear that their lack of ID might result in their being reported to law enforcement. Research also shows that individuals without ID, particularly driver's licenses, are far less likely to drive and therefore to be able to access needed medical care.<sup>43</sup>

**Employment.** The ability to get and maintain a job is vital for the survival of many people. Additionally, employment is often required to be eligible for many key social safety net programs that are intended to help meet basic needs.

Job applications or interviews often require multiple forms of ID, particularly to show proof of citizenship or eligibility to work in the United States. Unemployment benefits also require ID, and, increasingly, multiple forms of ID verification and even facial recognition software (see spotlight in next section). Even if a person with inaccurate ID is able to secure employment, they may be required to use the inaccurate information on their ID at work, such as on a worker ID, name badge, or email handle, and this could expose them to potential harassment or discrimination on the job.

These ID requirements and the inflexibility around them can be barriers to steady work and economic security for many people, including: people experiencing homelessness or housing insecurity who may lack the paperwork necessary to obtain an ID; low-income people who cannot afford an ID; transgender people who lack the money or the legal ability to update their IDs to match their gender identity; undocumented people for whom it may be impossible to obtain the necessary ID; and still others.

## Can't Access Essential Services



ID are often required to open a bank account, use public services like schools and transportation, or to access lifeline social safety net programs such as Social Security, emergency or disaster assistance, food stamps, rental assistance, and more. All of these enable people to go about their daily life, and not having an ID can make this much more difficult, if not impossible.

**Public Services.** In order to access many public services, one must show proof of identification and, often, proof of residency. As a result, the barriers to ID as described in this report are also therefore barriers to accessing vital public services. These can include:

- Enrolling a child in school, which typically requires proof of the child's age (often established by a birth certificate) and proof of residency (often established by a driver's license).
- Obtaining a library card or accessing pools, recreation centers, community education, and other residential-based services, which typically either require an ID for access or provide discounted costs for those who can prove their residency (typically via ID).
- Picking up mail and packages from the post office. Opening a Post Office (PO) Box to receive mail—which can be important for people living in rural areas, people experiencing homelessness, and others without a permanent address or who may have trouble receiving mail—in fact requires two forms of ID.<sup>44</sup>
- Using public transportation, such as busses, subways, and trains. While in many cases people can use public transit without an ID, IDs and other documentation are typically required to get a discounted pass, such as those for students, seniors, people with disabilities, low-income individuals, members of the military, and more. Many of these groups who are most in need of low-cost transportation options are also those who face numerous obstacles to getting the ID needed to access these vital public services.

**Banking.** As recently as 2019, an estimated 7.1 million households in the United States were “unbanked,” meaning no one in the household has a checking or savings account.<sup>45</sup> When people do not have access to a bank, they are more likely to use predatory or high-cost

services like check cashing, and they are less likely to have access to credit and other long-term saving opportunities or opportunities to establish economic security.

While there are many reasons that so many people are “unbanked” or “underbanked” (a term for people who may have a bank account but more frequently use check cashing or other potentially predatory services instead), a lack of ID is often at play. Banking services—whether opening or using a checking account, savings account, or credit card, or applying for loans or other banking services—all typically require proof of ID to protect against fraud and to meet federal laws.

However, when asked in a survey why they did not have a bank account, more than one in five unbanked households (21%) mentioned “personal identification, credit, or former bank account problems.”<sup>46</sup> That same survey, conducted by the Federal Deposit Insurance Corporation (FDIC), found that unbanked rates were higher among lower-income households, Black households, Hispanic households, American Indian or Alaska Native households, and households with people with disabilities, among others<sup>47</sup>—all populations which, as this report illustrates, also face significant obstacles to the IDs necessary for securing banking services.

**Social Safety Net Programs.** There are hundreds of federal, state, and local government programs designed to provide or assist with a wide variety of basic needs, including housing, food, income (e.g., disability or unemployment benefits), disaster or emergency relief, and more.

Whether administered directly by government agencies or by non-governmental organizations contracted by the government to provide these services, many of these social safety net programs require ID to access these benefits and services. For example, programs limited to U.S. citizens require proof of citizenship, typically proven through IDs like birth certificates or passports. Some programs, such as Section 8 housing, also include “non-citizens with eligible immigration status,” but this too requires specific forms of ID or verification.<sup>48</sup>

Even emergency assistance or disaster relief programs—programs that people need in times of extreme crisis, including the potential loss of belongings like IDs—can require ID. For example:

- The Federal Emergency Management Agency (FEMA) requires that at least one member of a household be

a U.S. citizen or eligible immigrant (requiring ID to prove citizenship or eligibility) to qualify for disaster relief assistance.<sup>49</sup>

- During the early years of the lead-poisoned water crisis in Flint, Michigan, the state required photo ID before it would distribute bottled water and filtration supplies to residents (see Spotlight on this page).<sup>50</sup>
- In a survey conducted by the National Law Center on Homelessness & Poverty, people experiencing homelessness are frequently denied public benefits due to lack of photo ID: 53% were denied food stamps, 51% were denied Supplemental Security Income (SSI) benefits, and 31% were denied Temporary Aid to Needy Families (TANF) benefits.<sup>51</sup>

What's more, a form of ID is required just to enter many government buildings, making it extremely difficult for people to even apply for programs, regardless of whether those programs themselves require ID.<sup>52</sup>

In some cases, and increasingly so since the COVID-19 pandemic, states have enacted even stricter

ID-related requirements for social safety net programs. For example, as of mid-2021, at least 26 states and Washington D.C., were using "ID.me," a privately owned facial recognition software, as part of the application process for public benefits programs like unemployment and other state services, in addition to existing ID requirements.<sup>53</sup> That this heightened scrutiny comes amidst the ongoing economic tolls of the pandemic (which have hit low-income,<sup>54</sup> LGBTQ,<sup>55</sup> and communities of color<sup>56</sup> especially hard) likely only further exacerbates existing financial obstacles to ID and the harms caused by ID requirements.



**Want your unemployment benefits? You may have to submit to facial recognition first**

*(click to read more)*



### Photo ID Required for Clean Water During Crisis in Flint, Michigan

In Flint, Michigan, lead-poisoned water has plagued residents since at least 2014, when the city government changed its water source to cut costs. Failing to take appropriate safety measures to treat and test the new water supply, the city caused its aging pipes to leach lead into the water, exposing the city's more than 80,000 residents—a majority of whom are Black, and many of whom are immigrants—to severe and lasting harm. As the dangerous and even fatal consequences of these choices emerged and continued for years, residents were forced to rely solely on bottled water and/or high-end water filtration systems.



Photo by Ryan Garza, Detroit Free Press (2016)

The state government (often by court order) distributed water and filtration supplies free of charge to Flint residents—but it also required a photo ID to receive these vital supplies. In Michigan, however, state law prevents undocumented immigrants from getting a driver's license, and as a result many immigrant Michiganders lack a photo ID. This left many in Flint with little to no way to access clean water in the midst of crisis, and local advocates reported many instances of community members being turned away from water distribution sites due to lack of ID.

While the state later removed the ID requirement to access water and filters, community advocates reported the damage had largely been done, with many undocumented members of the community avoiding distribution sites and other sources of crisis-related information or relief due to fear or expectation they'd be turned away—or worse.

Adapted from: Niraj Warikoo. February 4, 2016. "Flint immigrants struggle to get help, info on water." Detroit Free Press.

## Can't Participate in Everyday Life



IDs are so frequently used or required throughout everyday life that it is almost easy to overlook. From restaurants and recreation to travel, IDs are routinely requested or required throughout everyday life.

- **Being able to drive** is important not only for accessing basic needs and services, but also for participating in everyday life, such as meeting friends or traveling to visit family.
- IDs are needed **to cash a check or to use a credit card**, and so a lack of ID or accurate ID could make it difficult to, for example, buy groceries or cash a paycheck.
- IDs are frequently needed in **social settings**, such as to enter bars or restaurants or to see certain movies. While in some cases verifying age is relevant for safety or privacy, enforcing strict ID requirements can ultimately exclude even those individuals who are clearly of age or can provide some other means of verifying their age.
- IDs can sometimes provide access to **special services or benefits**, such as discounted admission for local residents to an art museum, community theater, or other instances where proof of residency (which an ID like a driver's license can provide) is required. Ironically, the individuals most in need of discounts (e.g., seniors, low-income people) are also those commonly facing obstacles to the IDs needed to access those discounts.
- IDs are also necessary for **travel and leisure**, such as for boarding a plane (see spotlight on REAL ID), renting a car or hotel room, or applying for sport licenses such as for fishing.
- In addition to enrolling children in school, IDs are needed to **pick up children from school or childcare**. While there are certainly relevant safety considerations at play, strict ID requirements without alternative options can exclude people from being able to care for their children, share in the load of family duties, or from legal recognition of their families.

Similarly, **having an out-of-date or inaccurate ID can also prevent people from participating in everyday life, and potentially even expose them to discrimination or violence.** For example, among transgender people who have shown IDs with a name or gender that did not match their appearance, nearly one-third (32%) reported negative

## 32% of transgender people

who showed an ID that didn't match their name or gender reported negative experiences such as harassment, being denied services or asked to leave, or even being physically attacked.

- 2015 U.S. Transgender Survey

experiences such as being harassed, denied services, and/or physically attacked, with transgender people of color more likely to report such experiences.<sup>57</sup> The same survey showed that roughly one in six (16%) transgender people who showed an ID that didn't reflect their name or gender were ultimately denied services or benefits.<sup>58</sup> People of color, people experiencing homelessness or housing instability, and low-income people all may also be at increased risk of harassment by law enforcement, given they are more likely to be stopped on the street and asked to show ID or proof of residency as a way to prove they "belong" in a neighborhood.

Because of these requirements or routines of asking for ID, a lack of ID can mean that people are denied access to these parts of everyday life.

## Can't Participate in Civic life



Obstacles to ID undermine the right to participate in core civil and constitutional rights and responsibilities of civic life. IDs are often required for many aspects of civic life and responsibilities, including voting, jury duty, court services, filing petitions, getting a permit for an assembly or protest, and more.

**Voting.** Currently, and as shown in *Figure 6* on the next page, 15 states require a form of ID to vote, with ten of those states specifically requiring a photo ID. This means that nearly one in four people (24%) who are eligible to vote live in a state with ID requirements, and most of them (one in six, or 16%) live in states with particularly strict photo ID requirements. Many more states are actively considering similar restrictions.

Another quarter of the population (26%) live in the 12 states that currently have laws requesting, but not requiring, photo ID to vote. However, even requesting



government-issued ID and on their voter registration. If, for example, a person registered to vote as John but their ID lists Johnathan, that would result in a rejection, and the voter would need to take additional steps—showing even more forms of ID—before they are officially registered. Other mismatches would include a missing hyphen, an extra space, using a middle initial on one form but the full middle name on another, and many other potential ways that would delay or prevent voter registration. In the 2018 midterm elections, more than 51,000 people were flagged by this “exact match” requirement—and over 80% of those were Black, Latino, or Asian voters.<sup>70</sup> For comparison, the

state’s population at the time was only 45% Black, Latino, or Asian, meaning that Georgians of color were disproportionately harmed by this law.<sup>71</sup> A lawsuit led to the law being overturned in 2019.

As argued by voting experts, burdensome requirements such as these have “both an immediate and a long-term harm on voter participation,” because they not only prevent or hinder voting in the present moment but also discourage participation in the future.<sup>72</sup>

**Jury Service.** Serving on a jury is both an obligation and a core civic responsibility. Ensuring that juries are diverse and reflect a wide range of backgrounds and



### Texas Voter ID Law Blocks Thousands of Mail Voters—Including Those With Accurate ID

In 2021, Texas passed SB1, a law that dramatically altered many aspects of voting and elections in the state. Among other provisions, the law creates criminal penalties for people who help others get to the polls or while at the polls, and it bans drive-through voting and extended voting hours—which are especially important for communities of color and low-income people who may have less flexible work schedules or other challenges to voting.

The law also added new, stricter ID requirements for those voting by mail—a practice especially important to seniors, people with disabilities, and others who may have difficulties getting to the polls, not to mention a practice that became a vital safety measure amid the COVID-19 pandemic. In March 2022, the first election after the law went into effect, thousands and thousands of ballots were rejected due to ID-related issues, and at rates much higher than in previous elections. Houston’s Harris County, for example, reported rejecting nearly 38% of ballots due to ID issues, and Austin’s Travis County reported rejecting as many as 50% of ballots.

In short, the stricter ID provisions require that when people vote by mail, they must include their ID number (whether their driver’s license number or part of their social security number) on both the ballot and the mailing envelope. Then, the state must confirm that the ID number provided matches the ID number on the voter’s voter registration record—but voters may not remember what ID is on their record, if there is even a number on their record at all, as they may have registered to vote before such requirements were in place.

As a result, there are multiple opportunities for even a person with a perfectly valid, accurate, up-to-date ID to have their vote rejected. If they provide their driver’s license on their ballot, but the social security number on their voter registration (or vice versa), that would result in a rejected ballot. If they provide either number on their ballot but have no ID number associated with their voter registration, that would result in a rejected ballot. If they provide one number on their ballot and the other number on their mailing envelope, that too would result in a rejected ballot. And with limited options or time for fixing rejected ballots, many people’s votes may ultimately be discarded rather than counted. Given that vote by mail is more commonly used by seniors, people with disabilities, military members, incarcerated people, and others, this also means that they may be especially impacted or even disenfranchised by these ID requirements.

While voters who lack an ID or accurate ID are especially impacted by such laws, this case also highlights how strict ID requirements harm everyone. Placing heightened scrutiny on IDs and identity verification means that more people will face harm, even if they have the IDs required.

Adapted from MAP interview with Sean Morales-Doyle of the Brennan Center for Justice, NPR’s Ashley Lopez’s “High numbers of mail ballots are being rejected in Texas under a new state law” (Feb 15, 2022), and NPR’s Ashley Lopez’s “Why Texas election officials are rejecting hundreds of vote-by-mail applicants” (Jan 20, 2022).

experiences is equally important to improve the chance that people can receive a fair trial.<sup>73</sup> To be selected for jury duty, individuals are randomly chosen from lists of registered voters, lists of citizens with driver's licenses, or other similar processes.<sup>74</sup> This means that the pool of potential jurors is already narrowed, and especially less likely to include low-income people and people of color, among others, who face obstacles to registering to vote or getting a driver's license. Additionally, a form of ID is required upon reporting for service, making barriers to ID a barrier to being able to serve on a jury.

## Undermines Public Health & Safety



Obstacles to accurate identity documents undermine health and safety for both individuals and for their broader communities. Not having an ID can mean that individuals and their families must go without basic needs and essential services, which can harm or jeopardize not only that individual's health and safety, but also the health and safety of their family, community, and the broader public.

For example, when states required an ID or proof of residency to receive COVID-19 tests or the vaccine, it endangered the health of both of individuals without ID, as well as the broader community around them, given the contagious nature of the virus.<sup>75</sup> In another example, if a person is unable to get a driver's license due to the financial costs or documentation requirements, then they may be forced to drive without a license—and the safety training and knowledge that getting a license requires—so they can still get to work, make ends meet, and care for their family. Additionally, if a person lacks the ID required for job or housing applications, they may be forced into positions where they can be exploited or mistreated, such as being paid under the table and subject to unsafe working conditions, or in similarly unsafe housing conditions.

A lack of ID or accurate ID can also have criminal consequences, such as charging transgender people with fraud when their identities are not reflected by their IDs, or imprisoning people who drive without a valid license. And, because obstacles to ID disproportionately impact certain communities, as discussed in the next section, this criminalization of a lack of ID or accurate ID can even further exacerbate the already existing racial, economic, and other disparities in the American criminal legal system—even further undermining public safety and public good.

## OBSTACLES TO ID IMPACT DIFFERENT COMMUNITIES IN DIFFERENT WAYS

Our far-reaching overreliance on IDs and the systems-level failures about IDs affect everyone, across races, genders, nationalities, incomes, and life experiences. By definition, imposing an ID requirement on a service or activity affects anyone wishing to participate in that service or activity.

That said, these system failures and their resultant harms can uniquely impact or play out differently for different groups, or may be more common for some groups than others. For example, and as shown in *Figure 7*, some communities of color are less likely to have a valid, accurate driver's license: while nationwide 88.2% of adults have a driver's license, 80% of multiracial adults, 79% of Black adults, and 77% of Hispanic adults currently have a valid driver's license. Among transgender adults, this number drops to a remarkable 32%, given the vast majority of transgender people who lack any ID that matches their name or gender identity.<sup>76</sup> With respect to specific obstacles and harms, while the unnecessary financial cost of IDs is an obstacle for many people, this is particularly true for low-income people. The harms to civic life, especially obstructing the constitutional right to vote, are particularly salient for people of color.

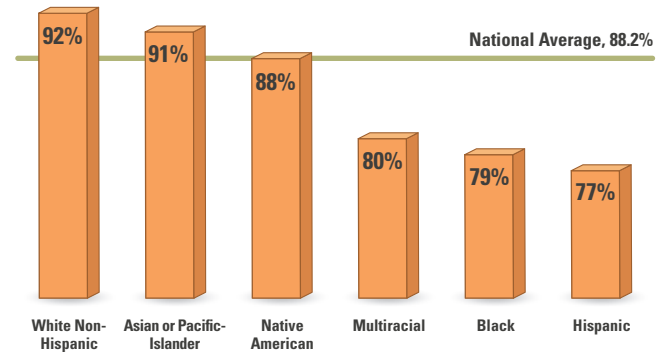
Throughout this report, there are many examples of the ways these many obstacles and harms affect different communities. The following section briefly highlights a few key examples as they affect specific communities, and links to standalone infographics that offer a more holistic look at the experiences of different groups as they relate to identity documents. Importantly, and as always, people have many different identities, and so may be affected in multiple and unique ways.

**Only 32% of transgender people** have any form of ID that matches both their name and gender identity.

- 2015 U.S. Transgender Survey

**Figure 7: Many Communities of Color Are Less Likely to Have a Driver's License**

% of adults in each racial/ethnic group with a non-expired driver's license, 2020



Note: All racial/ethnic groups are non-Hispanic, except for Hispanic. Data are weighted using full sample pre-election weight.

Source: American National Election Studies 2020. Data analyzed using University of California-Berkeley's Survey Documentation and Analysis (SDA), Version 4.1.3.

### Black Communities

- Overall, an estimated 21% of Black adults lack a valid driver's license, compared to 12% of all U.S. adults.<sup>77</sup>
- Historical discrimination, including legal segregation in hospitals, left many Black Americans without official government-issued birth certificates,<sup>78</sup> and contemporary police practices lead to disproportionate searches and fines that in turn contribute to disproportionate rates of suspended licenses among Black adults.
- IDs are required for essential services like opening a bank account, but as of 2019, 13.8% of Black households were unbanked—meaning no one in the household had a checking or savings account—compared to 5.4% of households nationwide and 2.5% of White households.<sup>79</sup>
- Contemporary voter ID laws disproportionately harm Black voters and other voters of color, including through rejected registrations and ballots, decreased voter turnout, and more.<sup>80</sup>

[Click here](#) to learn more about identity documents and Black communities

## Indigenous and Native Communities

- Many older Native Americans were born at home or on reservations and not issued U.S. birth certificates.<sup>81</sup> While many Indigenous nations issue tribal IDs, U.S. government officials may not accept these IDs for a variety of reasons, including being insufficiently trained and unfamiliar with these IDs.<sup>82</sup>
- Indigenous researchers estimate that the majority (54%) of all American Indian and Alaska Natives live in rural areas and small towns, with rates even higher in some states (e.g., 80% of Native people in North Dakota live in rural or small-town areas).<sup>83</sup> Many residences in rural areas, both on and off reservations, lack a mailing address and instead rely on P.O. boxes or a shared, centralized mail delivery location. Yet IDs like driver's licenses require a clear, fixed mailing address, posing another obstacle to ID for many rural residents, including Native Americans.
- Due to centuries of discrimination and forced displacement, Native American communities are far more likely to live in poverty, making the financial costs of IDs all the more difficult. Nearly one in four Native Americans are currently in poverty, almost twice the national rate (24.1% vs. 12.8%).<sup>84</sup>
- IDs are required for essential services like opening a bank account, which is also vital for building economic security and stability. But as of 2019, 16.3% of Native households lacked any checking or savings account—the highest of any racial or ethnic group, and more than three times the nationwide rate of 5.4%.<sup>85</sup>
- Contemporary voter ID laws disproportionately harm voters of color, including Native Americans. For example, in 2018, a voter ID law in North Dakota required a residential address but explicitly excluded P.O. boxes as an acceptable address.<sup>86</sup> The Brennan Center for Justice estimated that nearly one in four Native Americans in North Dakota lacked an ID with a home address, more than twice as many non-Native Americans in the state.<sup>87</sup>

[Click here to learn more about identity documents and Indigenous and Native communities](#)

## Transgender and Nonbinary Communities

- An estimated 68% of transgender and nonbinary adults lack any government-issued ID that matches both their name and gender identity.<sup>88</sup> By contrast, about 12% of all U.S. adults lack a valid driver's license.<sup>89</sup>
- State policies vary dramatically regarding legal name changes and updating gender markers on driver's licenses and birth certificates. Some states require extremely burdensome and invasive medical documentation, and some states explicitly refuse to allow such changes.
- Research shows that having accurate ID is directly related to transgender people's health and wellbeing. For example, transgender people living in states with restrictive identity document policies have poorer health outcomes across a number of measures, even controlling for other factors like age and income.<sup>90</sup> Transgender people with accurate IDs report better mental health, including fewer suicidal thoughts.<sup>91</sup>
- Having accurate and consistent gender markers on IDs also matters to transgender people's safety. In a 2015 national survey, nearly one-third (32%) of transgender people who showed an ID that did not match their name or gender identity were harassed, denied services, or even physically attacked.<sup>92</sup>
- Lack of accurate ID restricts the constitutional right to vote, particularly in states with strict voter ID laws. Research shows that nearly half of transgender people in states with voter ID laws lack an ID that matches their name and/or gender identity, exposing them to substantial barriers to voting and even potential disenfranchisement.<sup>93</sup>

[Click here to learn more about identity documents and transgender and nonbinary communities](#)

## Immigrant Communities

- Immigrants, both authorized and unauthorized, face unique and often extreme challenges to ID. For example, authorized immigrants face extraordinarily burdensome documentation requirements and processes, which can sometimes take years and depend upon employment and other strict requirements not asked of citizens. Unauthorized immigrants must navigate the patchwork of state policies, as only 18 states and the District of Columbia—and some cities—currently issue ID cards to otherwise-eligible individuals regardless of immigration status, and even those policies still vary widely in procedure and documents required.<sup>94</sup>
- These obstacles to ID create similarly extreme harm for immigrants when it comes to securing employment and accessing even the most basic of needs and essential services. In the early days of the lead-poisoning water crisis in Flint, Michigan, IDs were required to receive bottled water and water filtration supplies. More recently, IDs were requested or required to get both COVID-19 testing and later the vaccine—putting not only individuals without ID at greater risk, but also their families and the broader community.

[Click here to learn more about identity documents and immigrant communities](#)

## Low-Income Communities

- Financial costs of IDs are a particularly difficult obstacle for low-income communities, who by definition have less income to spend. Lower-income individuals are more likely to work hourly jobs, which further increases the potential costs of IDs due to lost wages when taking off work to go to an ID-issuing office.
- Lack of ID causes many harms, and for low-income communities it can be especially harmful by further entrenching poverty and restricting access to jobs, stable housing, and essential services that can help improve a family's economic security. For example, IDs are required for essential services like opening a bank account, and having a bank account is critically important for building economic security

and stability. However, lower-income households are far more likely to lack a bank account: 23.3% of households making less than \$15,000 per year are unbanked, more than four times the national rate of 5.4% of households.<sup>95</sup>

- Some states offer waivers or reduced fees for IDs for specific populations, such as people over age 65 or people with disabilities, and these populations are also typically lower-income populations. However, these waivers—valuable as they are—do not expand access to all low-income communities regardless of age, disability, or other factors. What waivers do exist vary greatly across states and may not always be clearly communicated or easy to access, and in some cases also require further burdensome paperwork.

[Click here to learn more about identity documents and low-income communities](#)

## People Experiencing Housing Instability or Homelessness

- For people experiencing homelessness or housing insecurity, getting an ID can be nearly impossible. The financial costs are obviously a major obstacle, but so too is one of most basic pieces of information required for many forms of ID: having a permanent mailing address, which is now required to meet REAL-ID-compliant standards.
- Even for those who do have ID, people experiencing homelessness are at higher risk for losing that ID, whether due to the difficulty of keeping belongings safe without stable housing, higher vulnerability to being the victims of violent crimes and robbery,<sup>96</sup> or having their belongings (including ID) destroyed in police or municipal sweeps of homeless encampments.<sup>97</sup>
- A lack of ID causes severe harm, including being denied access to basic needs and essential services. In a survey conducted by the National Law Center on Homelessness & Poverty, people experiencing homelessness are frequently denied public benefits due to lack of photo ID: 53% were denied food stamps, 51% were denied Supplemental Security Income (SSI) benefits, and 31% were denied Temporary Aid to Needy Families (TANF) benefits.<sup>98</sup>



## Suspending Driver's Licenses Over Debt

In Ferguson, Missouri, a woman received three tickets during a single incident in 2013 when she pulled over to allow a police car to pass—but was then ticketed by that same officer for obstructing traffic, failing to signal as she pulled over, and not wearing a seatbelt. The woman appeared in court to challenge those tickets and their financial penalties, and was told a new trial date would be mailed to her. It never was, and several months later she instead received notice from the Missouri Department of Revenue that her license had been suspended over failure to pay and failure to appear. When she called the court, they also told her a warrant was now out for her arrest. In her own words, “I am a hard-working mother of two children and I cannot by any means take care of my family or work with my license being suspended and being unable to drive. I have to have a valid license to keep my job...not to mention I drive my children back and forth to school, practices, and rehearsals on a daily basis.”

This is just one of millions of stories of individuals having their driver's licenses suspended for unpaid fines and fees, such as traffic tickets or court costs—effectively stripping people of their ID because they are too poor to prevent it. Free to Drive, a national coalition of over 100 organizations working to end this practice, estimates that **over 11 million people currently have their driver's licenses suspended due to unpaid debt across the country**—though this is likely an underestimate because there is no national standard for data collection on driver's license suspensions. Research also shows that people of color—and especially Black people—are disproportionately likely to have suspended driver's licenses,<sup>xv</sup> often due to an inability to pay fines related to disproportionate and discriminatory rates of being pulled over and searched,<sup>xvi</sup> fined,<sup>xvii</sup> arrested,<sup>xviii</sup> and imprisoned.<sup>xix</sup>

As argued by the Fines & Fees Justice Center (FFJC), “driver's license suspensions cost people their livelihoods.” The 2020 American Community Survey shows that **roughly 84% of Americans drive to work**, but a suspended license means people cannot legally drive to work, let alone take their children to school, go to the doctor or grocery store, and so much more. This leaves many people with little choice but to continue driving, but now with the added risks of more fines and fees, a criminal conviction, and even incarceration. This can also leave individuals in a perpetual cycle of debt, unable to get to work to earn the money to pay off their debt.

**Despite the clear harms to both individuals and public safety, over half of states still suspend licenses over unpaid debt.** However, Free to Drive reports that since 2017, 22 states and Washington D.C. have enacted reforms to limit or entirely end debt-related license suspensions. Efforts are underway in many states to fully end the practice nationwide.

Adapted from: Fines & Fees Justice Center's “Free to Drive: National Campaign to End Debt-Based License Restrictions” (no date) and “Personal Narrative: Missouri, Ferguson Report” (March 3, 2015).

<sup>xv</sup> Joyce, et al. 2020. “Individual and Geographic Variation in Driver's License Suspensions: Evidence of Disparities by Race, Ethnicity and Income.” *Journal of Transport & Health*. DOI: 10.1016/j.jth.2020.100933.

<sup>xvi</sup> Pierson, et al. 2020. “A Large-Scale Analysis of Racial Disparities in Police Stops Across the United States.” *Nature Human Behavior*. DOI: 10.1038/s41562-020-0858-1.

<sup>xvii</sup> U.S. Commission on Civil Rights (UCCR). 2017. *Targeted Fines and Fees Against Communities of Color: Civil Rights & Constitutional Implications*. Washington D.C.: UCCR.

<sup>xviii</sup> The Sentencing Project. 2018. *Report to the United Nations on Racial Disparities in the U.S. Criminal Justice System*. Washington D.C.: The Sentencing Project.

<sup>xix</sup> *Ibid.*

- At least 22 states and Washington D.C. offer free or reduced fee IDs for at least some people experiencing homelessness, for at least one form of state-issued ID. However, these policies vary widely and may also require additional paperwork, such as an official letter verifying the person's homelessness signed by a social worker or service provider—which assumes the individual has safe and reliable access to such a provider.<sup>99</sup>

[Click here](#) to learn more about identity documents and people experiencing housing instability or homelessness

## Formerly Incarcerated People

- Each week, more than 11,000 people leave state and federal prisons to return home and begin the next chapter of their lives.<sup>100</sup> After potential years in prison, however, any ID they may have had is likely expired, but valid ID is crucial for securing immediate needs like stable housing and employment—basic needs that may also be required conditions of parole or release. As a result, immediately upon exiting prison, many people are already experiencing system failures about IDs.
- People of color, LGBTQ people, low-income people, and other communities are disproportionately targeted and harmed by the criminal justice system, leading to higher rates of incarceration among these populations.<sup>101</sup> This means many formerly

incarcerated people face unique ID-related obstacles and harms as a result of their incarceration, as well as related to their race, LGBTQ identity, income, and other experiences.

- As argued by the U.S. Justice Department, “issuing state identification while people are still incarcerated is the most effective model to support successful reentry.”<sup>102</sup> Yet only 17 states currently have laws to provide individuals with some form of state-issued ID as they exit incarceration, and these laws vary widely in terms of what kind of ID, whether it is temporary or permanent, and more.<sup>103</sup>

[Click here to learn more about identity documents and formerly incarcerated people](#)

## RECOMMENDATIONS

Structural failures create roadblocks to IDs for so many people, causing widespread yet avoidable harm. This illustrates how vital it is that policymakers, advocates, and communities work to redress these system failures, reduce obstacles to ID, minimize and repair harm, and improve opportunities for everyone. Additionally, the fact that different communities are impacted in different ways highlights the importance of strategies that work across movements and communities, as well as those targeted to address the unique experiences of these different communities.

This report highlights the ubiquitous role that IDs play today, and the far-reaching overreliance on IDs for even the most mundane of tasks. **As a result, one key recommendation is to rigorously examine when and whether IDs are actually necessary** to access many basic needs, essential services, and aspects of everyday life or civic life. There are many instances where an actual government-issued ID, such as a driver’s license or birth certificate, is unnecessary; in many cases, verbal verification, proof of residency, or many other methods can easily suffice. Decreasing our collective reflex to ask for government-issued ID at every opportunity, and instead only asking for information that is strictly necessary to the task at hand, can help ensure that every person has equal access to and a fair chance to participate in life, which in turn can further support both public health and public safety.

In instances when ID is nonetheless required, it is important to have clearly defined and clearly communicated alternative options ready for when people inevitably do not have ID or accurate ID. Having these options clearly defined will help ensure that such a policy is consistently followed, and having these options clearly communicated can also help ensure that people without ID or accurate ID know that such options exist and that they are not excluded from these aspects of life.

Because IDs are vital keys that open doors to nearly every part of life, there are at least two paths forward to ensure equal access and opportunity to participate in daily life, our democracy, and our society: making sure everyone has or can access a key, and removing the doors themselves whenever possible. While this report focuses on the former (improving access to IDs, as further outlined below), the strategies and recommendations offered here can also be part of strategies focused on the latter (removing obstacles to basic needs, essential services, and the ability to participate in everyday and civic life).



**Simplify documentation requirements and processes.** These government-imposed obstacles, or “administrative burdens,” make it more difficult to access or maintain accurate ID than is necessary, and in general administrative

burdens tend to fall the hardest on people of color, people with disabilities, LGBTQ people, and lower-income people, among other communities.<sup>104</sup> Removing or easing these administrative burdens and system failures—such as requiring one form of ID to get another ID—is a clear imperative. The overall processes and requirements for getting or updating ID must be simplified wherever possible. For example, states should simplify and modernize the processes to update gender markers on ID, eliminating burdensome and invasive requirements like medical records or doctor’s permission—or, states could remove gender markers all together, as is increasingly called for by both advocates and leading health organizations like the American Medical Association.<sup>105</sup> Additionally, removing requirements for or allowing alternatives to a permanent mailing address can help remove obstacles to IDs for rural residents, Native American communities, people experiencing homelessness or housing insecurity, and more.



**Reduce the needlessly expensive costs of getting or updating IDs.** If IDs are essentially required for most parts of life, then they should be free or as affordable as possible.

States should reduce or eliminate the cost for a driver’s license, birth certificate, or other state-issued IDs for as many people as possible, or at least for targeted populations who are especially likely to



## Innovations in ID Services and Delivery



In Michigan, the Secretary of State's Office (which administers IDs, vehicle registration, voting and elections, and more) has installed over 160 self-service stations across the state. These stations can renew driver's licenses or other state-issued IDs, register people to vote, and provide other services. The services are available in eight languages and the stations are conveniently located in places of public use, such as grocery stores, community recreation centers, and within ID offices themselves to further reduce wait times and improve access.



In North Carolina, the state's Division of Motor Vehicles' Mobile Offices—originally a fleet of RV-style vehicles, and now a fleet of specially equipped SUVs—take driver's license services to residents of more than 25 small towns and remote areas across the state. While these services have paused during the COVID-19 pandemic, the state says this was the first program of its kind in the nation.



In Virginia, DMV Connect takes mobile ID services to a larger scale by going to larger settings or hosting mobile ID events for residents who may not be able to travel to a DMV office: "The program was originally created to provide identification cards to incarcerated individuals pending release, as identification is necessary to secure jobs, open bank accounts, enter public buildings, and apply for benefits. While DMV Connect still provides services to inmates, the program has expanded to serve customers at retirement communities, government centers, homeless shelters, and more. Advances in technology allow needed equipment to fit in one suitcase," allowing DMV Connect teams to bring services—including applying for REAL ID—to state residents beyond DMV offices.



Photo by Ryan Garza, Detroit Free Press (2016)

experience obstacles to ID. For example, in Washington D.C., getting a copy of one's birth certificate is now free for residents experiencing homelessness,<sup>106</sup> and non-driver IDs (which can still be REAL ID-compliant) are free for people ages 65 and older, those released from prison within the last six months, and for those experiencing homelessness.<sup>107</sup> If costs cannot be entirely eliminated, states can and should also expand the use of fee waivers—though being careful not to make such fee waivers require additional burdensome documentation.

Reducing the financial costs of IDs also includes ending the practice of suspending driver's licenses over unpaid fines and fees, such as traffic tickets or court fees (see Spotlight on page 23). Despite the clear harms to both individuals and public safety, over half of states still suspend licenses over unpaid debt, with an estimated over 11 million people currently facing debt-based license suspensions<sup>108</sup>—which research shows are disproportionately people of color.<sup>109</sup>



**Increase access to ID services and to ID themselves.** Expanding the open hours of existing ID offices and opening additional ID offices, particularly in already under-served areas, can begin to immediately address some of the most common obstacles to ID, while also investing in local communities that have historically been under-resourced. Similarly, expanding the methods of ID service delivery—

such as through online services, mobile services or pop-up ID events, kiosks in commonly used places like grocery stores, and many more methods (see spotlight on innovations)—can significantly reduce barriers to IDs. This is especially true for methods that target communities particularly harmed by barriers to IDs, such as special programs tailored to providing ID services to senior citizens, people newly returning from incarceration, people experiencing homelessness, and more.

Additionally, access to IDs themselves can and should be expanded, whether through more public education and outreach about existing ID options (such as non-driver state IDs, which are often cheaper and with fewer documentation requirements), expanding the types of IDs available (such as municipal IDs, see Spotlight on next page) or through expanding eligibility for various types of IDs (such as allowing undocumented immigrants to apply for driver's licenses). Expanding access to and eligibility for IDs themselves can help to break the cycle where a person without ID cannot get ID, and all the harms that result. Expanding access to IDs also promotes better safety, health, and economic wellbeing for all by improving driver safety and training, the ability of all residents to move freely (including to get needed medical care), access to better jobs irrespective of location, and the ability to participate in and contribute to community life and businesses.<sup>110</sup>



## Working Across Movements to Reduce Barriers and Provide Municipal IDs

While most IDs are issued by state or federal governments, a growing number of cities and counties across the country are issuing their own municipal IDs, intentionally designed to reduce barriers to ID and alleviate the harm caused by a lack of ID or accurate ID. These municipal IDs illustrate some of the many ways to improve access to IDs nationwide. Additionally, the coalitions driving these efforts further illustrate how ID issues impact people across many communities, and the importance of working across movements, rather than in isolation, to create effective solutions that also reach across many communities.

For example, in Michigan, the Washtenaw County ID Project began in 2012 as a “collaborative effort of community representatives, advocates, law enforcement, county government staff, and county elected officials,” spanning local immigration rights groups, the local LGBTQ community center and advocates, faith communities, local businesses, and many more.<sup>xii</sup> Following several years of advocacy and public education, the County Board of Commissioners voted in 2014 to approve the creation of a county-level ID, issued by the county clerk.

Reflecting the diversity of coalition partners as well as the diversity of existing obstacles to ID, the Washtenaw County ID is unique and uniquely accessible in multiple ways. For example, the ID is available to all, regardless of immigration status. Documentation requirements are far more flexible, including accepting tribal records, student IDs, and even allowing someone else (who themselves already has a valid photo ID) to vouch that the ID-applicant is who they say they are. Fee waivers are available for anyone. The ID includes a “Known As” field to allow people to display a preferred name if different than their legal name, and the ID does not have a gender marker at all. And, for those who may not have a mailing address, the ID is printed the same day the application is submitted. The coalition worked with local businesses, pharmacies, law enforcement, and many others to help educate about the existence and legal validity of the ID, and many local businesses even offer discounts to those with the county ID to promote wider use of the ID. Research conducted in 2015 showed that 77% of Washtenaw ID holders had no other form of locally accepted ID, showing that even within the first year of implementation, the local ID was already improving access to IDs.<sup>xiii</sup>

Other similar municipal IDs exist in Chicago, where the ID, established in 2017, is free to all residents and also serves as a library card, public transit card, a prescription drug ID card, and a benefits card for discounts at museums, businesses, and other establishments.<sup>xiiii</sup> In New York City, the municipal ID program began in 2015 and is free to all residents. Applications are available in 35 languages, and the ID provides access to all city buildings that provide public services, is accepted for affordable housing applications, public libraries, and much more.<sup>xv</sup> As in Michigan, these efforts were driven by a diverse coalition of communities and institutions, each with different experiences and interactions with IDs. By working together across movements, these groups were able to successfully push for policy changes—or in this case, entirely new forms of ID—that reduce many kinds of barriers and positively impact people from many communities all at once, rather than working in isolation.

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**Set minimum standards or requirements for accessibility of IDs across the country** to reduce the confusion and obstacles caused by the existing patchwork of policies. States can and will still develop their own practices administering IDs like driver's licenses and birth certificates, but a federally issued rule or minimum standards—much like the process that led to REAL ID requirements—would help standardize policies that currently vary widely by state, such as the availability of gender-neutral “X” markers or the outright refusal of some states to update gender markers at all on birth certificates. Even if not federally required, a recommended set of best practices can help guide local, state, and federal ID policies toward improved accessibility.



**Reduce discrimination in both ID policies and their administration.** All levels of government should eliminate discriminatory policies or practices, including as they relate to identity documents. This should include, for example, allowing people to easily update the gender marker on their ID, and without requiring third-party approval (e.g., doctor's permission or court order); allowing otherwise-eligible individuals to get an ID, regardless of immigration status; and ending the practice of suspending licenses over unpaid debt. As stated above, simplifying documentation requirements and easing the overall administrative burdens related to IDs will also alleviate the disproportionate impact of these burdens on communities of color, transgender and nonbinary people, lower-income people, and others that are especially harmed by current ID policies and practices.

ID-issuers and service providers should also ensure staff are regularly trained to appropriately and respectfully assist individuals in these processes, such as treating transgender people with courtesy and using their proper name and pronouns as they work to update their IDs.

Additionally, as part of redressing the harms of historically discriminatory policies even if they no longer exist in practice, ID agencies should heavily invest in outreach programs and fee reduction or waiver programs designed to target the communities most impacted by historically discriminatory practices—such as waiving the costs of birth certificates for elder Black and Native American residents.

## CONCLUSION

Identity documents can serve important functions, but they should not and must not be an obstacle to accessing basic needs and services or participating in civic and daily life. This report shows there are clear, achievable paths forward for promoting public safety and good governance while still ensuring the rights of people to move freely, have their needs met, and have an equal opportunity to participate in civic and everyday life.

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