

RESEARCH IN BRIEF

A Review of Policies that Impact Homeless Youth in Southern Nevada

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In this paper we explore how state and local laws and statutes impact homeless youth in Southern Nevada. When comparing existing policies to nationally recognized model statutes we find that while state and local policies may have unintended positive or negative consequences for homeless youth, a robust and targeted policy response to youth homelessness is lacking in our region and our state.

Methodology. Based on data and literature examining youth homelessness in Southern Nevada (Cook-Craig et. al., 2017), the authors identified laws that might impact homeless youth in this region. Policies were selected based on their intersection with known causes and consequences of homelessness for youth in the region. Common causes include family breakdown, economic and housing instability, residential instability, and poor educational outcomes. Common consequences of youth homelessness include exposure to trauma, criminal activity, risky-sexual behavior, and sex trafficking. This review informed **first question** this brief sought to answer: How do the current laws in Nevada impact homeless youth as it pertains to the identified causes and factors of their homelessness?

Study authors then sought to answer a **second question**: How does existing Nevada policy compare to best policy practices to address youth homelessness? In order to answer this question study researchers compared identified Nevada laws and statutes to two federal reports that propose best practices in policies to help homeless youth: (1) the American Bar Association's (ABA) *Runaway and Homeless Youth and the Law: Model Statutes* (Horton-Newell, Meyer, & Trupin, 2009) and (2) the National Law Center on Homelessness and Poverty's (NLCHP) *Alone without A Home: A State-by-state Review of Laws Affecting Unaccompanied Youth* (2012).

HIGHLIGHTS

- Nevada statutes are generally inconsistent with nationally recognized model statutes.
- Nevada policies may inadvertently have a positive or negative impact on unaccompanied homeless youth but the state lacks a clear comprehensive set of policies specifically designed to improve the lives of homeless youth.
- Some state policies may have an unintended consequence of limiting access to services for unaccompanied homeless youth.
- State statutes and local ordinances such as curfew ordinances can be incongruent and put unaccompanied homeless youth at risk of violating status offenses.

Table 1: Comparison of Policy Areas Between ABA Model Statutes and NLCHP State Law Review

Policy Domains	
I	<p>Access to Custodial Systems</p> <ul style="list-style-type: none"> • ABA (2009): Youth access to custodial systems and services • NLCHP (2012): Youth in need of supervision
II	<p>Status Offenses</p> <ul style="list-style-type: none"> • NLCHP (2012): Running away; Truancy; Curfew
III	<p>Employment</p> <ul style="list-style-type: none"> • ABA (2009): Issuance of work permits for minors • NLCHP (2012): Rights of youth to enter into contracts; Emancipation
IV	<p>Health</p> <ul style="list-style-type: none"> • ABA (2009): Access to health care for homeless youth act • NLCHP (2012): Health care access; Overcoming financial barriers Consent and confidentiality
V	<p>Discharge from Custodial Systems: Foster Care and Juvenile Justice</p> <ul style="list-style-type: none"> • ABA (2009): Youth discharged from custodial systems • NLCHP (2012): Discharge from the juvenile justice system; Interstate compact
VI	<p>Public Benefits</p> <ul style="list-style-type: none"> • ABA (2009): Supportive assistance • NLCHP (2012): Federal benefits
VII	<p>Education</p> <ul style="list-style-type: none"> • ABA (2009): Right to education; Equitable education act • NLCHP (2012): Rights of unaccompanied youth to public education
VIII	<p>Housing</p> <ul style="list-style-type: none"> • ABA (2009): Youth right to access shelter and services to prevent or end abuse and neglect; Prohibition of discriminatory conduct in real property; Youth right to contract for necessities; Designation of parental authority and custody to third party; Emancipation option for unaccompanied youth; Runaway and homeless youth act • NLCHP (2012): Services and shelters; Harboring emancipation
IX	<p>Family Law</p> <ul style="list-style-type: none"> • ABA (2009): Custodial petitions and homeless youth as parents; Access to civil protection orders
X	<p>Identification</p> <ul style="list-style-type: none"> • ABA (2009): Obtaining certified copies of birth records; Obtaining non-drivers state photo ID card; Use of technology to facilitate verification of identity
XI	<p>Access to Legal Services</p> <ul style="list-style-type: none"> • ABA (2009): Right to counsel; Suits by minors; State child support law definitions
XII	<p>LGTBQ Youth</p> <ul style="list-style-type: none"> • LGBTQ runaway and youth safety act
XIII	<p>Immigration</p> <ul style="list-style-type: none"> • Special provisions for immigrant youth

Sources: American Bar Association, 2009; National Law Center on Homelessness and Poverty, 2012

These two reports provided a framework with which to identify gaps in Nevada laws. Table 1 outlines the thirteen substantive areas that are the focus of policy comparisons in this report. These policy areas were used to review the current codified laws in Nevada called the Nevada Revised Statutes (NRS), the Nevada Administrative Codes (NAC) and related local ordinances. In the discussion that follows we will examine the comparison of statutes and ordinances to best policy practices (recommendations) in each of the thirteen areas.

Limitations. This report is not intended to represent an exhaustive compilation of Nevada statutes that impact homeless youth. There are many situations that may not have been anticipated, however the integration of the research brief, *The State of Youth Homelessness in Southern Nevada* (Cook-Craig, et al., 2017) the ABA (Horton-Newell, Meyer, & Trupin, 2009) and NLCHP (National Law Center on Homelessness and Poverty, 2012) reports provided a framework for identifying and organizing existing laws and identifying gaps. Additionally, the many policies that are created by administrative agencies or organizations may further create barriers or protections for homeless and unaccompanied youth.

It is outside of the scope of this report to determine how statutes have been applied or interpreted within administrative structures. While some best practices that align with policy recommendations may be incorporated into the service delivery system in Nevada, our aim in this report is to compare statute language with best policy practice recommendations for policy development that advances the welfare of unaccompanied homeless youth.

Definition of Homeless Youth Under Nevada Law

Definitions used to apply to homeless youth for policy or service delivery purposes vary. Runaway or homeless youth are defined in Nevada under NRS 244.424 as a youth under 18 years of age and “Lives in a situation described in 42 U.S.C. §11434a(3)(B)(ii)-(iii) with or without the consent or knowledge of his or her parent, guardian, or custodian.” NAC 388.049 incorporates the definition of homeless youth from 42 U.S.C. §11434 (a)(2) (McKinney-Vento Act) as a youth or child who “lack a fixed, regular, and adequate nighttime residence” (HUD, n.d., p.1). This includes youth in motels, hotels, trailer parks, camping grounds, cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, emergency or transitional shelters, or who are abandoned in hospitals who do not have a primary nighttime residence. The McKinney-Vento Act additionally includes migratory children who qualify as homeless. The ABA (2009) does not have recommended language for the definition of homelessness. The NLCHP (2012), however, does recommend that states create a common

definition of "youth".

Status of Nevada’s Statutes and Comparison to Model Policies

Access to the custodial system

Nevada. Access to safe and appropriate care is relevant for homeless youth of all ages. A runaway child could be classified as a child in need of supervision. A child in need of supervision (CHINS) is under 18 years of age, and among other things, a runaway (NRS 201.090). The hearing to determine need for supervision is articulated under NRS 432B.550 and a youth may choose to remain under the court’s jurisdiction until 21 years of age (NRS 432B.594). Should the youth elect to remain under the court’s jurisdiction they are entitled to “receive services and monetary payments from the agency which provides child welfare services directly or to have such payments provided to another person or entity as designated in the plan developed in an amount not to exceed the rate of payment for foster care” under NRS 432B.594(7).

Recommendations. The ABA (2009) focuses largely on aging out of the foster care system under the Chafee Act (1999) (see LII, n.d.). While Nevada gives youth the option to remain under court supervision until 21 years of age, the ABA (2009) recommends that dependency courts retain jurisdiction over youth until they reach 25 years of age unless the court determines it is in the best interest of the youth to terminate. The NLCHP (2012) recommends that states focus on “family” in need of services rather than “children” in need of services, limit circumstances under which runaway youth may be taken into custody, and reject policies that classify runaway youth as CHINS automatically and focus on providing services. The NLCHP (2012) cautions against forcing runaway youth to return home since the act of running away “is often an act of self-preservation” (p. 33).

Status offenses

Nevada. Status offenses involve conduct that would not be a crime if committed as an adult. In Nevada these include offense related to tobacco (NRS 62C.075), the purchase, consumption or possession of alcohol (NRS 202.020), and truancy (NRS 392.130). Curfew laws are articulated by city and county ordinances (Las Vegas City Ordinance 10.54.010; North Las Vegas City Ordinance 9.28.010; Henderson City Ordinance 8.08.070; Clark County Ordinance 12.12.030), not state statutes. Within Clark County, the City of Las Vegas, North Las Vegas, and Henderson if you are under the age of 18 and not engaged in any lawful occupation, not accompanied by one of your parents or guardian,

you may not: loiter, idle, wander, stroll, or be upon, in or about any public streets, avenues, alleys, or other public places within the City or County after 10 p.m. weekdays, after midnight on weekends, and after 9 p.m. on the Strip. Curfew and truancies laws are particularly problematic for homeless youth as they often have no place to go and presumably may be out past curfew and lack the ability to attend school regularly. A student is deemed truant if they are absent from school without the written approval of the student's teacher or the principal of the school upon notification from a parent (NRS 392.130). A student who is absent from one period in the school day can be considered truant, and an absence of three or more times is considered habitual truancy (NRS 392.140).

Running away is not a status offense in Nevada, however a runaway youth may be taken into custody without a warrant by a peace officer. The peace officer shall then notify the youth's guardian and either release the youth into the custody of the guardian or deliver the youth to the Juvenile Court or a temporary place of detention. The Juvenile Court may then declare the youth a child in need of supervision.

Recommendations. The ABA (2009) notes that placing children in secure detention for status offense violations has shown to have deleterious effects on the youth's physical and mental detention for status well-being, as well as interfering with education and family functioning. Status offenders are often placed with delinquent youth which increases the likelihood of delinquent behaviors among non-criminal youth. Both the ABA (2009) and NLCHP (2012) recommend alternatives to secure offenders to include shelter and independent living. Some states allow exceptions to curfew for youth traveling to and from work (such as District of Columbia and Guam), which would minimize the interference in self-supporting activities. NLCHP (2012) concludes that "Curfew laws essentially criminalize their [homeless youth] existence" (p.66).

Employment

Nevada. Youth may work at the age of 14 years old without the need for a work permit, but they are restricted to a maximum of 48 hours per week or eight hours in one day (NRS 609.240) and it is unlawful for children to work under 14 years of age without written permission of a district judge or designee. There are several statutes that limit youth employment (NRS 609.250; NAC 609.150), most relevant "employing or exhibiting minor in certain injurious, immoral or dangerous activities" which includes begging or panhandling and in locations where there is gaming and/or alcohol (NRS 609.210). All children are protected by federal child labor laws under the Fair Labor

Standards Act (US Department of Labor, n.d), including emancipated youth.

Recommendations. All children are protected under the Fair Labor Standards Act which sets the minimum age for non-agricultural jobs at 14 and set the maximum number of work hours for those under 16 years of age depending on whether it is a school or non-school day. The model statute recommends proof of age, certified copy of birth certificate or baptismal record, passport, or "verification through readily available documentary evidence or collateral contact for a period not to exceed ninety days" (ABA, 2009, p.130). The NLCHP (2012) points out that a minor's inability to enter into a binding contract often includes purchasing cars for transport to work or school. They recommend that laws should permit minors to contract for necessities to include employment, bank accounts, and cell phones which are all necessary for work and subsistence.

Healthcare

Nevada. While Nevada requires a parent or guardian to apply for state health coverage providing coverage for youth living in the home from birth to 18 years of age (NRS 422 Health Care Financing and Policy), there are several conditions under which homeless youth may seek healthcare independently (see Tovino, n.d.). Independent foster care adolescents, youth who are under 21 years of age and were in foster care on their eighteenth birthday, are eligible for Medicaid (NRS 422.2717).

Under NRS 129.030 a minor may give consent for the services provided in subsection 2 for himself or herself or for his or her child if the minor is living apart from his or her parents or legal guardian, with or without the consent of the parent, parents or legal guardian, and has so lived for a period of at least 4 months. Youth in Nevada may consent to treatment for substance abuse, sexually transmitted diseases, family planning, sexual assault exams and treatment. While NRS 442.255 states that practitioner may not perform an abortion on an unmarried minor woman without notification of a parent or guardian, or with permission of a court, unless it is necessary to preserve life or health the statute has been permanently enjoined by court order; thus the policy is not in effect. In 1991, the 9th U.S. Circuit Court of Appeals found the law unconstitutional in the case of *Glick v. McKay*.

Recommendations. Homeless youth are particularly vulnerable to serious health risks and have limited to no access. The ABA (2009) model statute would allow practitioners to provide care if the unaccompanied minor provides consent, the treatment is in the minor's benefit,

and the practitioner reasonably believes the youth is “unaccompanied.” It provides immunity from civil and criminal liability to the practitioners and affords confidentiality protections to the youth. The statute deems homeless youth presumptively eligible to apply for state health care benefits within certain age and income criteria.

Discharge from custodial systems

Nevada. Discharge refers to both juvenile justice and foster care systems and includes aftercare plans. Ninety days prior to a foster youth turning 18 years old long-term and short-term goals are identified and incorporated into a written transition plan (NRS 432B.595). If the youth remains under court jurisdiction, the plan will address those specific goals (i.e. education, housing, savings), offer the youth a stipend in lieu of payment that would have gone to a foster parent (NRS 432B.592). When youth are discharged from a juvenile justice facility they are placed on parole under the jurisdiction of Youth Parole Bureau (NRS 63.710). Prior to release an aftercare plan is developed based on risk and needs of youth and family, and any orders from the Court. In the case of unaccompanied or homeless youth the aftercare planning must include decisions regarding housing, healthcare, etc. Nevada has a pilot program for youth exiting the Nevada Youth Training Center (NYTC), Caliente Youth Center (CYC), and Summit View Youth Center (SVYC) in conjunction with the Children’s Cabinet that provides basic skills training, family counseling, and assistance with gathering identifying information.

Recommendations. Homeless youth in particular who do not have natural family support often need assistance with meeting basic needs to include housing, healthcare, job training or employment, education, and obtaining identification to include driver’s licenses or state ID cards, Social Security cards, birth certificates, and other records. In fact, courts and child welfare systems may require that they enroll in school or secure gainful employment as terms for probation or continued benefits for aging out youth. Additionally, in some states youth are placed in their prior homes regardless of appropriateness which can lead to continued homelessness.

The ABA (2009) recommends Individual Re-entry Plans (IRP) for all incarcerated youth prior to release which ensures medically necessary health, mental health, and substance abuse treatment, eligibility for Medicaid, enrollment in appropriate education settings, safe housing, employment and life skills training, and assistance with vital records. Similarly foster youth should also have access to transitional

independent living services, be given their “permanent documents” at no cost.

Public Benefits

Nevada. Temporary Assistance for Needy Families (TANF) is available to assist low income families, however youth derive benefits through their parent or guardian. The exception to that rule is for households where there is an unmarried parent less than 18 years of age (NRS 422A.535). However, the minor parent, unless emancipated, must live with a parent or guardian. Cash benefits are not generally available to unaccompanied youth except under the limited circumstances such as independent foster youth who remain under court jurisdiction.

Recommendations. Given the risk that minor parents who live with their own parents or guardians may be unsafe, the NLCHP (2012) recommends that states exempt them from having to live with a parent or legal guardian in order to receive assistance. California does not require that a minor parent live in an “adult-supervised or supportive environment,” and provides for child care, transportation, school expenses, and cash bonuses for good grades and completion of high school or equivalent program.

The ABA (2009) further recommends that states consider homeless youth (under age 25) as “presumptively eligible” for assistance with basic subsistence needs as well as the following as appropriate; subsidized or transitional housing, educational supports, employment assistance, behavioral and physical healthcare, domestic violence counseling, child care resources and referrals, parenting classes, legal services, and other services as identified. If the youth is a non-emancipated minor, the agency shall notify the parent or legal guardian or the local child welfare agency of the youth’s application for assistance.

Education

Nevada. The McKinney-Vento Act (HUD, n.d.) guarantees federal educational rights and supports for students experiencing homelessness, including specific supports for unaccompanied youth. Nevada incorporates the language and safeguards for homeless or unaccompanied youth which includes school selection and enrollment, immediate enrollment locally without documentation, and access to transportation. Additionally, any child with a known or suspected disability may be appointed an educational surrogate parent to make education-related decisions if a parent is not identified or unavailable. However, advocates are

limited to youth that fall under IDEA and not to all unaccompanied students.

Recommendations. Some states have adopted statutes or regulations that reinforce the protections of the federal law (Colorado and Illinois) or incorporate provisions of the Act into their laws or regulations (i.e. California, Virginia, and Maryland). New York has extended the protection to remain in school of origin in the year following securing permanent housing if that is the student's terminal year. The NLCHP's (2012) recommendations include assigning an educational advocate for all homeless youth to assist with enrollment, attendance, and completion; waiving academic and extracurricular fees. Given the increased risk of unaccompanied youth of not completing their education, the ABA (2009) recommends, and various states have adopted, a policy of providing cash incentives for grades and graduation. Their model statute, the Equitable Education Act would establish a right to continuous educational services, immediate and continuous enrollment, electronic records that readily transmitted, an educational advocate, waiver of fees, and for IEPs that address subsistence needs. Both the ABA (2009) and the NLCHP (2012) recommend creating a civil action to enforce educational rights.

Housing

Nevada. Viable options for homeless or unaccompanied youth are limited. It is unlawful to lodge in a building that is vacant or without the owner's permission (NRS 207.030) subject to a misdemeanor and could be charged with trespassing (NRS 207.200). Nevada is one of only two states that delegate authority to review and approve youth shelters to local units of government. Each county may establish a shelter that must comply with federal, state, and local laws subject to county review and approval. Absent abuse or neglect, the shelter must make a "bona fide" attempt to notify the parent or guardian. Additionally law enforcement must be notified and the youth must be evaluated to determine the youth's needs and circumstances (NRS 244.428). A child determined could be placed in the juvenile justice or foster care system depending on the circumstances.

Under NRS 129.010 only emancipated minors have capacity to enter into contracts. Therefore, most youth under 18 years old are dependent on an adult to contract for subsistence needs to include housing.

Recommendations. Authorizing and appropriating funding is vital to providing targeted programs and services for homeless youth. The ABA (2009) recommends expanding housing options to include ensuring minor's rights to consent to residential shelter,

to contract for necessities, emancipation, youth tenant rights in eviction proceedings, and fair housing rights. Right to shelter laws articulate the requirements for a youth shelter and protects the youth shelter and its staff from civil liability. The ABA (2009) additionally proposes a model statute that protects youth over 18 years, but younger than 25 years of age, from housing discrimination; a minor right to contract for necessities (housing, employment, purchase of an automobile, receipt of a student loan, admission to education, medical care, bank account, shelter services and services as a victim of domestic and/or sexual violence); and the ability to delegate parental authority and custody to a third party for up to one year.

Family law

Nevada. Children in need of supervision (CHIN) are in part identified because parents are unwilling or unable to exercise parental control, provide for their children, and/or subject their children to abuse or neglect (NRS 201.090). Homeless and unaccompanied youth often fall under the CHIN definition or are removed from the home because of reports of abuse or neglect (NRS 200.508). In such cases the law may appointment a non-parent guardian whether it be another family member or the county or state child welfare system (NRS 125C.004, NAC 432B.261). Minors who are at least 16 years of age may petition for a decree of emancipation (NRS 129.080) which must be approved by the juvenile court of that county. The youth must demonstrate ability to manage their own financial affairs and is willingly living apart from the guardian with consent or acquiescence (NRS 129.080 to 129.140).

Recommendations. Emancipation lowers barriers to independence that many unaccompanied youth face. Requirements for emancipation vary widely across states from having no minimum age criteria (six jurisdictions) but the majority of the 33 states that have processes for emancipation, 23 are similar to NV in setting the minimum age at sixteen. The NLCHP (2012) advocates eliminating the minimum age criteria, while the ABA (2009) recommends the minor be at least 16 years of age and maintains the parents' joint and several obligation to support the minor but not liable for debts incurred after emancipation. The NLCHP (2012) further recommends that parental consent be eliminated as a condition, while the ABA (2009) advocates for explicit or implicit consent or acquiescence but allows the court to determine regardless of the parents' wishes if emancipation is in the best interest of the child.

Access to legal services

Nevada. The circumstances where children may be appointed representation is limited in Nevada to juvenile

and family law proceedings to include termination of parental rights (NRS 128.100), in cases of abuse or neglect (NRS 432B.420), or with the appointment of a guardian ad litem where a defendant is a minor under the age of 14 years of age (NRS 12.050). In juvenile court youth have a right to representation based on procedural due process (there is no comparable right to counsel in civil proceedings) and the court may appoint an attorney (NRS 62D.030), the responsibility for payment lies on the parents within parameters.

Recommendations. The model statute states that youth should have the right to court-appointed counsel for all dependency, emancipation, expulsion and change in immigration status cases (ABA, 2009).

LGBTQ youth

Nevada. The Nevada legislature provides for youth shelters under NRS 244.421 that provide “necessary services” to children under 18 years of age who are runaway or homeless with or without consent or knowledge of a parent, guardian, or custodian. However, it does not acknowledge the particular risk of homelessness for LGBTQ youth or provide for non-discriminatory competent services and/or specialized housing. Nevada bans discrimination based on sexual orientation and gender identity or expression in employment, housing, education, and public accommodations like restaurants, hospitals, and retail stores (NRS 613.330, NRS 118.095, NRS 388.122, NRS 651.070). Nonetheless, these protections fall short of ensuring competent, safe services for LGBTQ homeless youth.

Recommendations. The model state statute recognizes the disproportionality of homelessness for LGBTQ youth and the heightened risks they face to include from service providers. The statute sets aside funds for specialized housing and services to include street outreach and transitional living programs. Additionally, non-discrimination policies would include LGBTQ youth and staff as a protected category and LGBTQ competence training would be required. The appropriate state agency or department shall develop minimum standards for service delivery and ensure that there are accountability measures and determine safety needs within educational and work settings. All low-income youth will have access to comprehensive health insurance through 24 years of age via Medicaid (ABA, 2009).

Immigration

Nevada. Although immigration law is the jurisdiction of the federal government, unaccompanied minors’ ability to access services, education, or benefits could be impacted by their immigration status and/or the status of

their parents. In federal immigration law an Unaccompanied Alien Child 1) has no lawful immigration status in the U.S., 2) has not attained 18 years of age, and 3) has no parent or legal guardian in the U.S., 4) or has no parent or legal guardian in the U.S. available to provide care and physical custody. In 2017, there were 229 unaccompanied youth released to sponsors in Nevada (Office of Refugee Resettlement). The Immigration and Nationality Act (INA) (USCIS, 2013) allows a youth who has been declared a dependent of a state court to be granted Special Immigrant Juvenile Status (SIJS) up to their twenty-first birthday, which creates a path to becoming a legal permanent resident. The Office of Refugee Resettlement (ORR) may have physical and legal custody of a child, but state juvenile courts may file to take over jurisdiction and/or jurisdiction is transferred when ORR places the child with a sponsor. Determinations of best interests of children are reserved for state courts. Children with SIJS are granted employment authorization while their cases are pending which enables them to get a social security number, and are eligible for limited public benefits. A child who has SIJS is “lawfully present” and states have the option to remove the 5-year waiting period and cover lawfully present immigrants. Nevada AB 142 requires a court to enter an order setting forth findings that enable a child to apply for status as a special immigrant juvenile and to appoint a guardian in certain circumstances. It was approved by the Governor on May 30, 2017 and became effective October 1, 2017. The protections of the McKinney-Vento extend to undocumented youth ensuring them a public education if they meet the definition of homeless under the Act. Conversely, TANF is not available to non-citizens unless they are asylees, refugees, or victims of human trafficking. Nevada incorporated the federal Trafficking Victim’s Protection Act (22 USC 78) under NRS 201.303 specifying that unaccompanied youth who are trafficked are presumed to be victims. Thus, if an unaccompanied minor trafficking victim, asylee, or refugee is a parent, they may be eligible for TANF in Nevada (NRS 422.080).

Recommendations. The ABA (2009) recommends, among other things, that all youth under 21 years of age be eligible to seek dependency orders, regardless of citizenship or immigration status and length of residency, and that full faith and credit be given to other states’ dependency orders. It also specifies that SIJS petitions be filed before a juvenile ages out, youth have access to competent counsel. These youth should be granted access to alternative to foster care as appropriate, all services and state benefits available to other dependent youth regardless of citizenship or immigration status to include Chafee benefits, and if in state care should be considered homeless for purpose of federal education laws.

Identification

Nevada. Identification is a necessary for subsistence, it is required to acquire benefits, to work, and to meet other basic needs, yet youth are largely reliant on parents and guardians to secure such documents (driver's license, ID card, Social Security card) and securing them involves fees. The Nevada ID card is available to those at least 10 years of age with a Social Security card, proof of identity and residency.

NRS 83.417 affords homeless persons the ability to petition for a fee waiver for duplicate licenses. Additionally, unaccompanied or homeless children may enroll in school without documentation under the McKinney Vento Act.

While youth may seek to circumvent the road blocks by securing a fake ID, it is a crime for a person under 21 years of age to prepare, transfer or use of false identification (NRS 205.460).

Recommendations. The task to secure documents can be a rabbit hole; i.e. to request a copy of your Social Security card you need some form of identification, and to secure a driver's license or state ID a youth will need proof of residence which is an inherent challenge for the homeless. If a youth has a guardian (i.e. in foster care) or an attorney they can request on their behalf. The ABA (2009) recommends making school IDs or both school records, medical records, or an affidavit from an individual who is able to demonstrate his or her relationship with the requestor. Additionally acceptable proof of residency for those without a fixed address could include a letter from a homeless shelter or transitional housing or a description of the location they frequent regularly and a mailing address.

Conclusion

The synthesis of this review of laws and statutes highlight several important issues that need to be addressed in designing policy that works to maximize Nevada's ability to respond to the needs of homeless youth in our state.

Issue #1: Across all of the policy domains we reviewed, we found that Nevada statutes are not consistent with the model statutes reflecting best policy practices for responding to the needs of homeless youth. As a region, Southern Nevada is differentiated by the wrong metrics. For instance, we are consistently on the top of the list as having the highest rate of unsheltered, unaccompanied homeless youth (Cook-Craig et al, 2018). In the policy landscape we are

missing the opportunity to distinguish ourselves as leaders in responding to youth homelessness through the adoption of policies that align themselves with best policy practices. The roadmap has already been created. What it would take to get there is the will to codify already existing model statutes into Nevada law.

Issue #2: Nevada lacks a targeted policy strategy that is designed to meet the unique needs of unaccompanied and unsheltered youth. Policies designed to address issues other than youth homelessness, such as policies to establish services for youth in foster care, may sometimes have a positive impact on some homeless youth. Others, such as curfew ordinances, can lead to unintended negative impacts such as creating status offenses. This creates the need for two actions.

First, negative unintended consequences of existing policies on homeless youth need to be addressed. Second, and perhaps most importantly, Nevada is in need of a set of cogent, deliberative policies that are designed for and about homeless youth. Unaccompanied homeless youth deserve to be seen and treated with equal attention and urgency in the policy landscape as other vulnerable youth populations such as foster care youth.

Issue #3: The current policy landscape can have the affect of limiting access for unaccompanied homeless youth. The focus of some policies that regulate access to systems and services and other policies that require parental consent or permission can have the effect of limiting resources that are needed but remain out of reach for unaccompanied homeless youth. This may for instance be particularly problematic for unaccompanied youth that may not receive services in the child welfare system but are considered too young to enter in a contract and therefore cannot sign a lease to rent a place to stay.

Issue #4: Disconnection between state policy and local statutes can contribute to homeless youth being in violation of status offenses. When state law and local ordinances do not agree it can create both confusion (leading to unintended harm) and need for discretion (allowing for decision making in the moment). Curfew ordinances are a good example of this. While it is not against state law to be a runaway in Nevada being an unaccompanied homeless youth can by definition violate local curfew ordinances. In a system that

has shelter and housing resources commensurate with the need this issue could be mitigated. Nevada, and the Southern Nevada region in particular, does not have emergency shelter and housing options for homeless youth that adequately address that need. This creates the effect of criminalizing a homeless youth for being homeless. It also puts professionals in a decision making bind. On the one hand they may want to promote adherence to the curfew by helping youth access safe shelter. In the absence of that resource they are left with a less than optimal decision: criminalizing the curfew violation in favor of safety or leaving the youth in an unsafe unsheltered situation.

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