A crowd of diverse people at a protest. In the background, several signs are visible, including "WE MARCH FOR JOBS FOR A DECENT LIVING", "WE MARCH FOR JOBS FOR ALL DECENT PAY", "VOTING RIGHTS NOW!", and "FREEDOM NOW EMANCIPATION". The image has a purple tint.

THE DELAWARE VOTING RIGHTS ACT

What It Is & Why It Matters

ACLU Delaware

What is the Federal VRA?

For the past 60 years, the federal Voting Rights Act (VRA) has been a critical tool in the fight against discriminatory voting laws and voter suppression practices — ensuring that voters of all backgrounds have equal opportunity to participate in our country’s democratic process.

However, over the past 15 years, the VRA has been steadily chipped away, leaving what was often described as the “crown jewel” of the civil rights era a shell of its former self.



Erosion of the Federal VRA

Over the last decade, the Supreme Court's decisions to upend key protections of the federal VRA have led to dire consequences for voters of color.

2013

Shelby County, Alabama v. Holder

The Supreme Court guts the pre-clearance program, opening the door for a wave of suppressive voting laws and racial gerrymandering tactics.

2021

Brnovich v. DNC

The Supreme Court weakens VRA protections, making it difficult — if not impossible — to challenge discriminatory voter suppression.

ON THE HORIZON

Louisiana v. Callais

The Supreme Court is currently considering whether drawing "majority-minority" maps to ensure minority representation is unconstitutional.

Our Democracy is Under Attack

These attacks are coming to Delaware. The federal government has sued the state, seeking access to sensitive voter information in connection with "election integrity" efforts.

Since the 2020 election...

400+

**Restrictive voting bills
have been introduced.**

34+

**Voter suppression bills
have been enacted.**

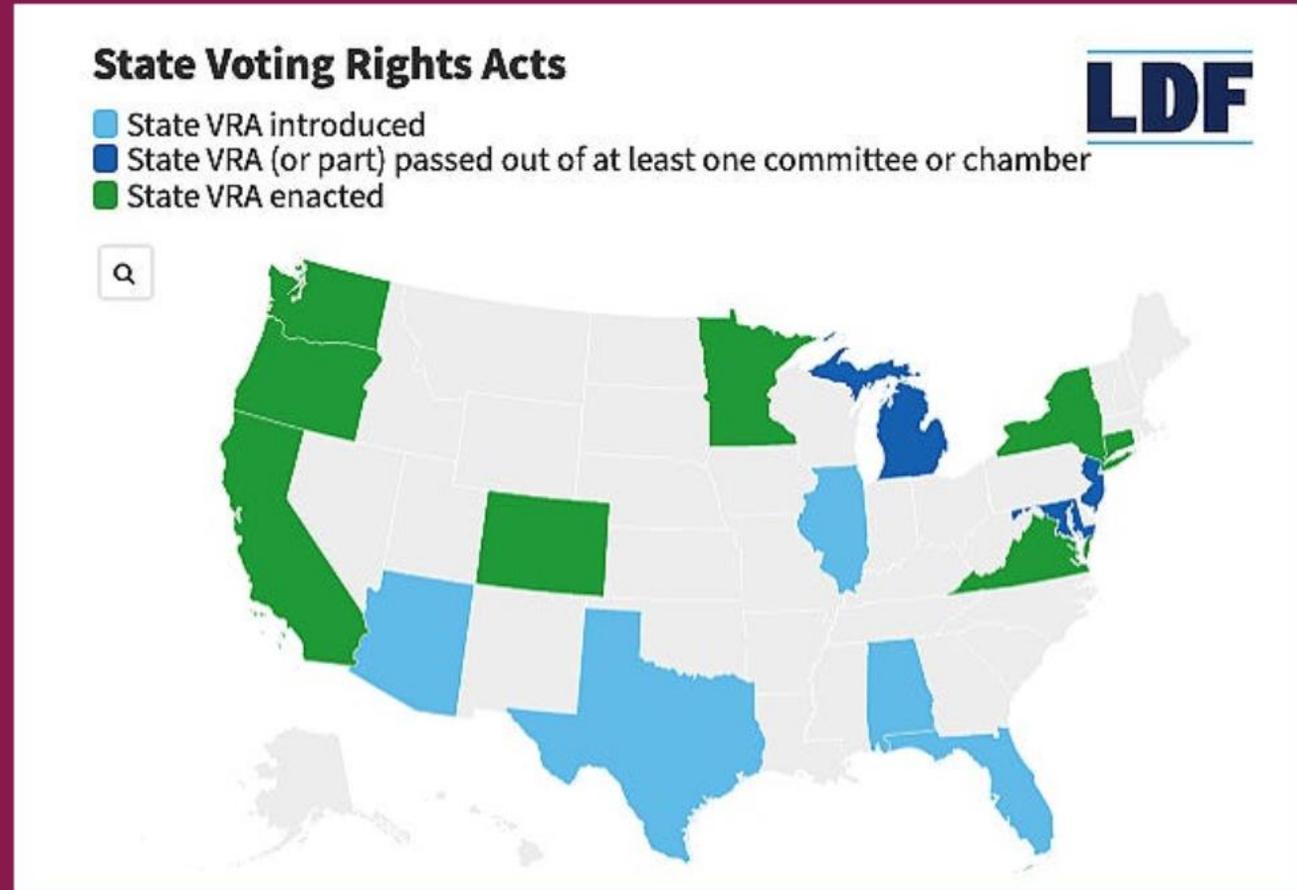
49

**States have introduced
restrictive voting bills.**

The Need for State VRAs

We can no longer rely on the federal VRA alone to uphold voting protections.

A state VRA is an important legal tool that allows states to push back against national attacks on voting rights, replace lost federal protections and strengthen weakened federal protections.



The Delaware Voting Rights Act



How Does the DEVRA Get Passed?

Federal law cannot fully address the particular needs and threats in each state – that’s why state VRAs will always be crucial, **even if the full protections of the federal VRA are restored.**

01

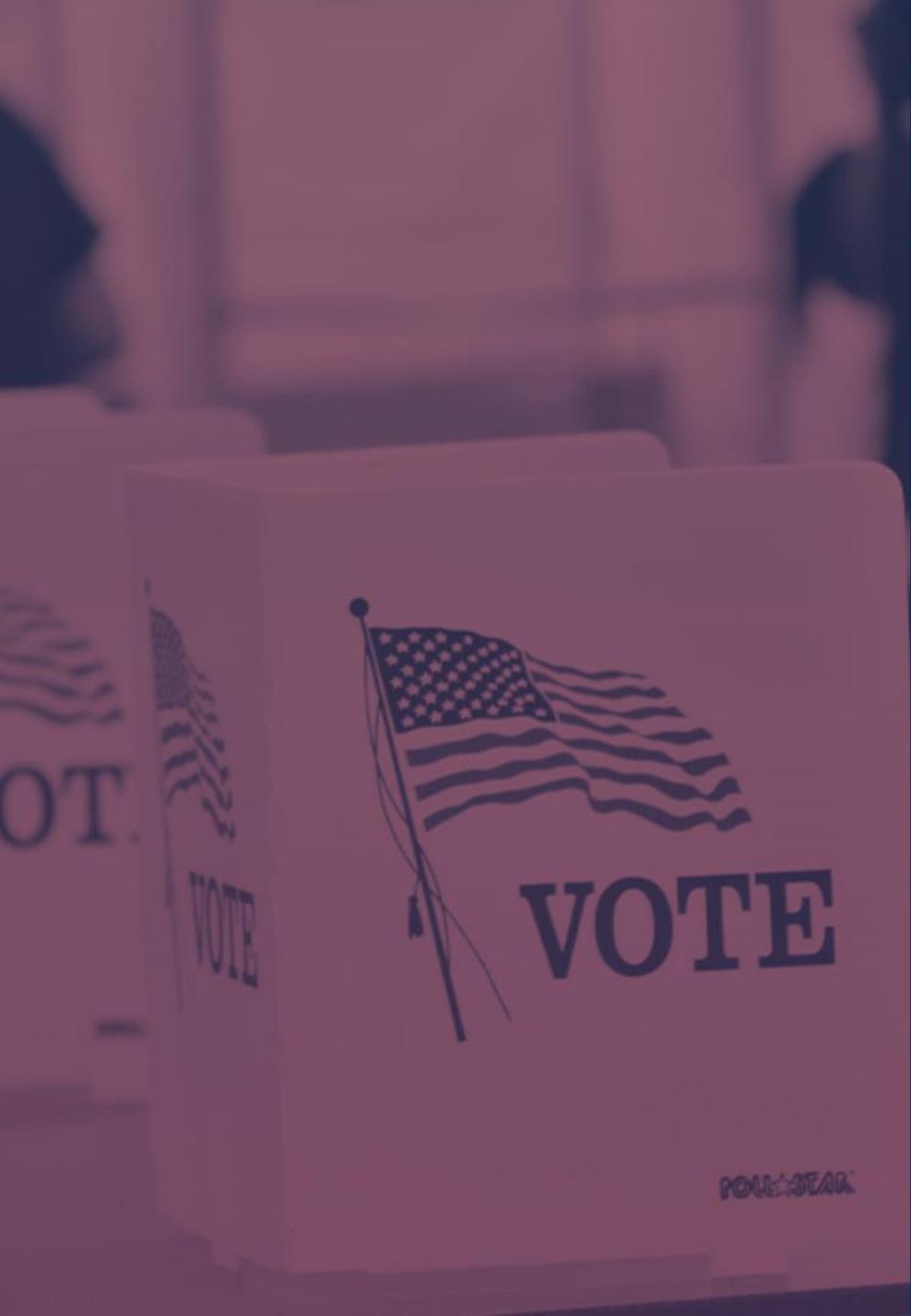
The Delaware General Assembly introduces legislation.

02

The legislation passes hearings, committee votes, and floor votes in both legislative chambers.

03

The Governor signs the legislation into law!



Current Elements of the DEVRA

1

Protects Against Vote Dilution and Voter Suppression

2

Establishes State-Level Preclearance

3

Protects Against Voter Intimidation

4

Expands Language Assistance

5

Implements a Central Public Repository for Election Data

6

Instructs Judges to Exercise Discretion in a Pro-Voter Way

The Elements Explained

Protects Against Vote Dilution and Voter Suppression (the sword)

Addresses the Supreme Court's efforts to chip away at Section 2 of the federal VRA, a provision that has always applied to Delaware.

Establishes State-Level PreClearance (the shield)

Requires review of new election policies before implementation, aims to stop discrimination before it occurs.

Protects Against Voter Intimidation

Creates strong protections against voter intimidation, provides a private right of action to combat voter intimidation, and supplements existing criminal prohibitions.

Expands Language Assistance

Requires DOE to determine languages other than English for which election-related assistance must be available, as well as accurate translations of election and voting-related materials.

Implements a Central Public Repository for Election Data

Fosters transparent, evidence-based practices in election administration, reduces the burden of open records requests, and streamlines access for the public.

Instructs Judges to Exercise Discretion in a Pro-Voter Way

Ensures officials act in favor of the right of people to register to vote and have their ballot counted, and builds off existing legal doctrines directing judges to interpret election statutes in a pro-democracy way.

The Key Takeaways

Urgency

Attacks on voting rights are only escalating, and Delaware is not immune. **This legislation is needed immediately.**

Protection

The draft legislation protects against voter dilution, suppression, and intimidation, establishes pre-clearance, creates an election database, and strengthens language access.

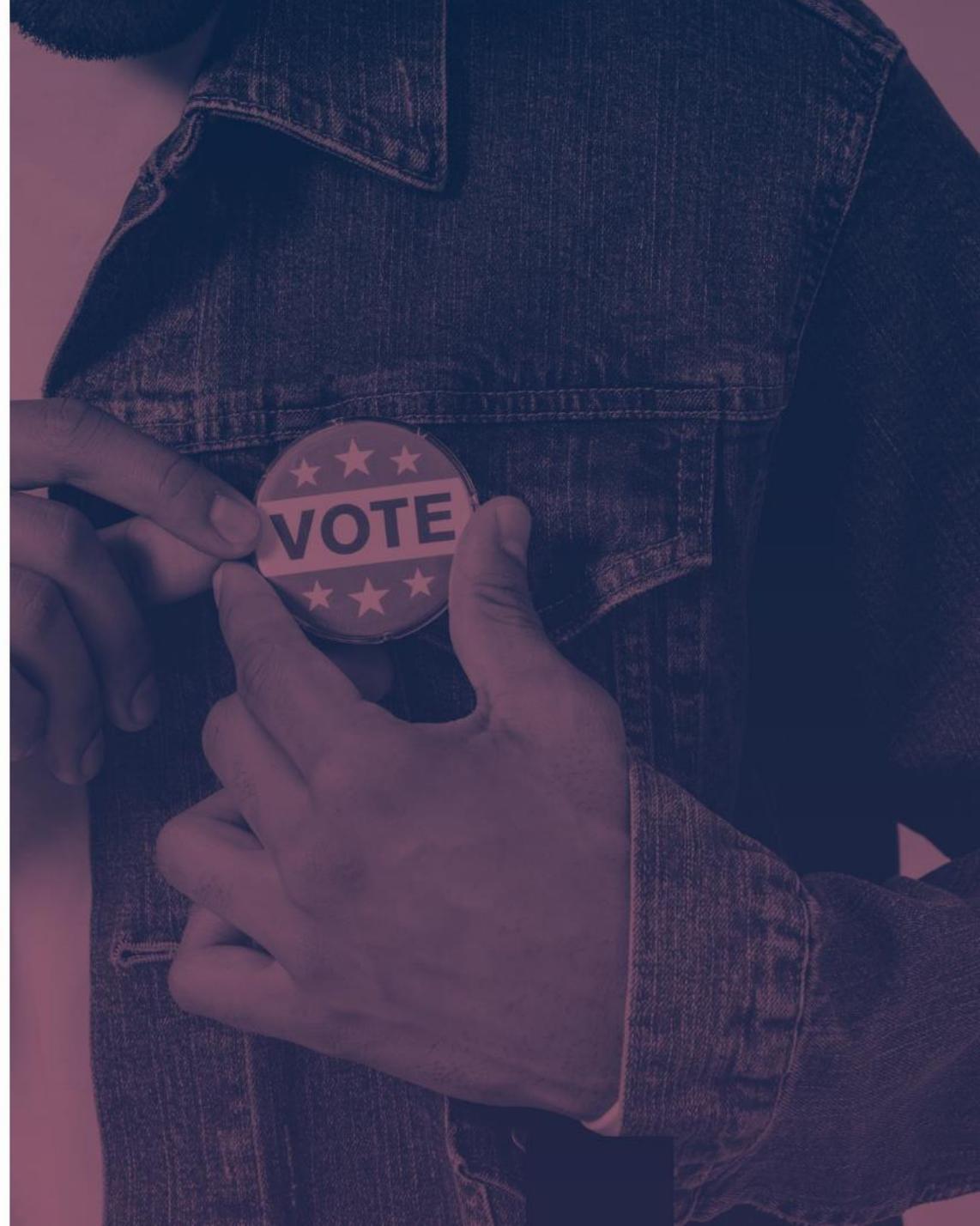
Collaboration

We are eager to collaborate with stakeholders to gain insight and support throughout this process.

Stay Updated on DEVRA



aclu-de.org/vra



Join the Fight for DEVRA



Voting Rights Volunteer

We'll be in touch with opportunities, events, and more.



Share Your Voting Story

Your story – however big or small – will help us advocate for voters like you.

A crowd of people at a protest, with various signs visible in the background. The signs include "WE MARCH FOR JOBS FOR A DECENT...", "WE MARCH FOR JOBS FOR ALL...", "VOTING RIGHTS NOW!", and "FREEDOM AND EMANCIPATION". The image has a dark, semi-transparent overlay.

QUESTIONS?

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