

January 13, 2026

VIA EMAIL

To the Members of the 153rd General Assembly,

For over a century, the ACLU has worked to protect and expand the rights and liberties of all people and advance justice and equity in our society. As elected leaders, you have the power to enshrine constitutional and civil liberties principles into concrete policy, safeguard freedoms through legislation, and hold institutions accountable to the people they serve.

This letter outlines the ACLU of Delaware's priority legislative goals for 2026, including bills that address voting rights, immigrants' rights, justice reform, and privacy rights.

2025 marked a year of tremendous progress for civil liberties. In the face of growing threats at the federal level, Delaware legislators took meaningful steps toward holding true to the value of freedom by:

- Protecting people from frivolous lawsuits intended to silence speech and dissent (SB 80);
- Ensuring that people have the freedom to read diverse ideas and stories in public libraries and schools (HB 119);
- Pushing back against an anti-immigrant agenda by banning local law enforcement from entering into agreements to enforce federal immigration laws (HB 182) and banning citizens' arrest (HB 152/HB 153);
- Ensuring that Delawareans can access the healthcare they need to thrive by protecting all legal medical procedures and providers from out-of-state penalties (HB 205);
- Reducing the risk of people on probation being subjected to overly burdensome requirements (SB 7);
- Allowing compassionate release for sick or long-term incarcerated people (SS 1 for SB 10); and
- Passing the first leg of a constitutional amendment to ban the death penalty (HS 1 for HB 35).



Delaware

100 W. 10th Street, Ste.706
Wilmington, DE, 19801
302-654-5326
www.aclu-de.org

Ariel Gruswitz
President

Mike Brickner
Executive Director

Dwayne Bensing
Legal Director

While there were key victories last year, there remains much to do as we begin the second leg of this legislative session. With threats at the federal level continuing to mount, Delaware must take the following steps toward remaining a beacon of progress for justice, freedom, and democracy.

Voting Rights

The right to vote, and to have one's vote accurately and fairly counted, is a fundamental right of all American citizens that underpins the rest of our civil liberties. That's why we must ensure our election system is accessible and equitable. To achieve this, we must:

- **Restore voting rights after felony incarceration (HB 180)** and allow individuals to fully reintegrate into society.
- **Protect and expand early in-person voting (SS 1 for SB 2) and no-excuse absentee voting (SS 1 for SB 3)** to increase access and participation, particularly for working families, older adults, and people with disabilities.
- **Implement same-day voter registration (HB 88)** to streamline the voting process and ease the burden on voters to ensure no one is left out of the democratic process.
- **Enact a State Voting Rights Act** to prohibit discriminatory voting policies and practices and expand access for voters with disabilities and limited English proficiency.



Immigrants' Rights

The fundamental constitutional protections of due process and equal protection apply to every person, regardless of immigration status. In order to protect our immigrant communities, Delaware must take the following steps:

- **Prohibit the arrest of people at sensitive places** such as schools, medical facilities, places of worship (**HS 1 for HB 94**) and courthouses, without a valid judicial warrant or court order to protect immigrant families.
- **Make illegal racial profiling of people (HB 58)** based on suspected or actual immigration status.

- **Create safe interactions with law enforcement** by requiring law enforcement officers to show their face and identify themselves.

Justice Reform

Delaware continues to have one of the highest incarceration rates in the northeast corridor—and reincarceration for minor technical violations continues to drive that rate up. It's time for Delaware to build a probation system that prioritizes helping people rebuild their lives:

- **Promote successful reentry after incarceration** by restricting the use of incarceration for rule violations.

Privacy

The rapid expansion of digital surveillance and the collection of sensitive personal information poses a serious threat to individual privacy and civil liberties. In Delaware, we must take action to ensure sensitive personal information cannot be weaponized against vulnerable communities. What this means in practice:

- **Ban reverse warrants (HB 145)** that enable unconstitutional government surveillance of anyone in a certain location during a certain time or who sought certain information through online searches.

Your leadership is paramount to advancing these policy initiatives. We are eager to discuss these priorities further and work alongside you to make these reforms a reality.

Please do not hesitate to reach out to schedule a meeting or request additional information. Thank you for your commitment to a fairer and more equitable future.

Sincerely,



Javonne Rich
Policy & Advocacy Director

