



## **Vote By Mail Talking Points**

*Compiled by the Delaware Voting Rights Coalition*

For more information about vote by mail and other voting rights work, visit our website:

<https://www.aclu-de.org/en/our-work/delaware-voting-rights-coalition>

### **What is vote by mail?**

- Registered voters may request a mail ballot before the election that may be returned either by mail or at a designated drop-off location.

### **Why is it important that Vote by Mail be made available in Delaware in 2022?**

- More than 160K Delawareans voted by mail in 2020, compared to only 25K in 2016. But the vast majority of those voters won't be eligible to vote by mail in 2022 unless they qualify as absentee voters.

### **How does Delaware compare with other states?**

- 34 other states have permanent universal vote-by-mail eligibility.

### **What are some of the benefits of Vote by Mail?**

- Allows voters to take time to study the issues and candidates on their ballot and get questions answered
- Decreases the number of people voting in-person at polling locations, potentially avoiding long lines and wait times on Election Day
- Maximizes the chance that elections may endure despite whatever unexpected threat emerges, including, but not limited to, another pandemic

### **People often confuse “Absentee Voting” with “Vote-by-Mail”--what’s the difference?**

- The Delaware Constitution provides that the General Assembly must enact laws providing that any voter unable to appear on election day because of military service, business, physical disability, vacation, or religion, may otherwise cast a ballot. These voters are absentee voters. **Importantly**, public health restrictions or fears are not included as qualifying reasons for not appearing on Election Day, which is why we needed emergency legislation in 2020.
- The way the General Assembly has allowed absentee voters to cast their ballot is either through mail or, in some cases, email.
- Vote by Mail is a method of voting that all Delawareans could choose to do, whether they are absent for a constitutionally authorized reason or just because they prefer to take the time to research their candidates from the comfort of their home

### **Do we need a Constitutional Amendment to allow Vote by Mail in Delaware?**

- No, the General Assembly is constitutionally empowered to "prescribe the means, methods and instruments of voting," so long as those means, methods, and instruments are available to **all** registered voters the state.
- Vote by Mail is a method of voting the General Assembly may constitutionally prescribe for all voters, just like early voting or automatic voter registration.

### **Do we still need HB 75 if Vote by Mail passes?**

- Yes, our constitution is one of the most restrictive in the nation, only recognizing certain excuses for a person to be considered an absentee voter. We need HB 75 so that all voters, no matter their reason, may receive and cast their Delaware ballot remotely if they are away from their home during an election.

### **How would VBM impact other ways folks can vote?**

- Vote by mail is an *additional* method Delawareans could use to vote. Unlike in other states that only use mail ballots, Delawarean voters could choose which method works best for them--early in person, in-person on election day, or by mail.
- VBM frees up resources for folks who choose to early vote or vote on election day.

### **How does VBM stay secure?**

- Delaware has a sophisticated electronic system that tracks ballots across all methods of voting and safeguards our democracy by making sure only one ballot is counted per registered voter.
- Implementing legislation should ensure that voters are provided an opportunity to track their ballot and to correct any errors before their vote is rejected.