



ACLU of Delaware Statements on Criminal Justice Reform Bills Announced Today

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WILMINGTON — The members of the General Assembly and Attorney General Kathleen Jennings announced an expansive package of bills today that aim to slow the problem of over-incarceration in Delaware and promote more fairness in the criminal justice system.

The ACLU of Delaware has prepared two statements in response. The first statement, from Karen Lantz, ACLU-DE Staff Attorney and Policy Counsel:

“Delaware has a mass incarceration problem. The United States incarcerates people at a rate higher than any other nation, and Delaware's incarceration rate is higher than the national average and higher than any of its neighboring mid-Atlantic states. We are locking people up at a rate more than double what we did 30 years ago, and it hasn't made our communities safer - in some cases mass incarceration has actually had a devastating effect on our communities. Our prisons are operating beyond their design capacity and the costs of maintaining the corrections system continue to balloon.

Our criminal justice system falls particularly harshly on people of color and the poor. African Americans make up only 23% of Delaware's population, but 60% of its prison population. Cash bail and excessive fines and fees are destroying the lives of people who cannot afford to pay them. In 2017, Delaware issued over 40,000 warrants for the arrest of Delawareans who owed on average less than 500 dollars related to misdemeanor offenses.

It is time to re-examine the laws and policies that brought us here. Mass incarceration has been the result of a series of choices that we, as a society, have made over the last thirty years, and it's time to make different choices.

Instead of focusing solely on punishment and incarceration, our criminal justice system should be keeping communities safe, treating people fairly and using our fiscal resources wisely. This package of reform bills announced by the General Assembly today will help Delaware make important progress toward that goal.

The ACLU of Delaware commends our legislative leaders and Attorney General for putting time, careful thought and effort into confronting inequities and reevaluating our approach to crime, punishment, rehabilitation, and second chances. The ACLU of Delaware and the Delaware Coalition for Smart Justice look forward to working closely with our elected officials – in both



parties - to advance these bills and move Delaware towards a more fair, equitable and smarter criminal justice system.”

The second statement, from Dubard McGriff, ACLU-DE Organizer for the Campaign for Smart Justice:

“The goal of the Campaign for Smart Justice to reduce Delaware’s prison population in half and challenge racial bias in the system is major, but absolutely necessary.

When someone goes to prison, the individual, the entire family and the whole community are impacted. Nationally, 1 out of every 28 children of all races has a parent in prison, but 1 out of every 9 black children are missing a father or mother due to incarceration.

This must change and the steps being taken here today by legislative leaders and the attorney general will help us begin to move in a more positive direction.”

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