

Delaware Begins the Journey to Smart Justice

We're tackling mass incarceration piece-by-piece until the prison population is cut in half.

The Campaign for Smart Justice has two major goals: cutting the prison population by half and challenging the racial bias in our criminal justice system. To succeed, we're creating a strong grassroots movement that clearly articulates and demands change. In order to see that change through, we also need to elect reform minded candidates who share our goals, including Delaware's next Attorney General and members of the General Assembly.

The Problem

The United States has only 5 percent of the world's population—yet we account for 25 percent of the world's prison population. Every state in America contributes to our incarceration rates and Delaware is no exception.

Despite our small size, Delaware incarcerates at a rate higher than the

national average and all our surrounding states. Our incarceration rate is 81 percent higher than New Jersey's and 79 percent higher than New York's.

Mass incarceration is fueled, in part, by the identity of those most impacted by the system. In Delaware, African Americans are 22 percent of the population, but they make up 51 percent of our prisoners. This disproportionate number is a direct result of the racial bias that runs deep in our criminal justice system—from the way we police to the way we prosecute to the barriers preventing successful reentry after someone has served their time.

The Campaign

Our aim is to educate the public about the staggering number of Delaware residents who have been adversely



HOW DID WE GET HERE?

Make no mistake: the United States, and Delaware, chose mass incarceration. Decades of "tough-on-crime" policies, stigmas and propaganda put us on a direct path to having the world's largest numbers of incarcerated people. We got here by using tactics like:

- Fear of Crime
- The War on Drugs
- Militarization of the Police
- Elimination of Parole
- Mandatory Minimums
- Consecutive Sentences
- "Three Strikes" Laws
- Overuse of Cash Bail
- Lack of Transparency and Accountability

CONT. ON PAGE 3



SUMMER 2018 // WHAT'S INSIDE:

- 5 ACLU-DE Welcomes New Board Members
- 6 An Update on Our School Funding Lawsuit
- 7 2018 Kandler Award Recipients Announced!

and more!

CONNECTION

ACLU-DE

Officers & Staff

Kathryn M. Jakabcin
President ACLU

Amy L. Simmerman
Vice President

Rev. Patricia Downing
Treasurer

Desmond Baker
Equity & Inclusion Officer

S. Elizabeth Lockman
President ACLF

Peggy E. Strine
National Board Rep

Kathleen MacRae
Executive Director

Ryan Tack-Hooper
Legal Director

David Bever
Director of Development

Karen Lantz
*Staff Attorney &
Policy Counsel*

Sucharita C. Iyengar, Esq.
Director of Legal Intake

Morgan Keller
Communications Manager

Shannon Griffin
*Community &
Project Organizer*

Dubard McGriff
*Smart Justice
Campaign Organizer*

Angela Harris
*Operations &
Administrative Coordinator*

We invite you to exercise your free speech rights by sending suggestions, letters, questions, or comments.

ACLU aclu@aclu-de.org
Delaware 302-654-5326
100 West 10th Street
Suite 706
Wilmington, DE 19801

Executive Director's Notes

A Focus on Our Partnerships

The Campaign for Smart Justice is such an exciting project. The goal of cutting the prison population in half and challenging the racial bias in the criminal justice system is ambitious and inspiring. I say, it's about time that we, as a state and a country, push back hard on the tough-on-crime approach to public policy that we've been living with since at least the 1980's. Years of research show that keeping low-level offenders out of prison and providing shorter sentences and high-quality education and job training for those we do send to prison are the keys to a safer community.

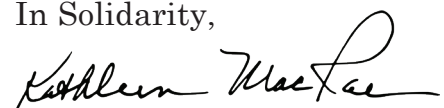
To succeed with a project like this, we need strong allies. I know that working with Network Delaware, Metropolitan Wilmington Urban League, Delaware Center for Justice, Coalition to Dismantle the New Jim Crow, Delaware United and others establishes a strong foundation from which to operate. I'm especially looking forward to the launch of the People's Platform Project—a collaboration between ACLU-DE, Network Delaware and the Urban League that will put a team of four organizers in the field to promote smart justice, education justice and economic justice policy reform.

The People's Platform organizers will build teams of concerned constituents in critical legislative districts. These teams will make sure that their neighbors are educated about the issues, registered to vote, and that they get out to vote for the primary election on

September 6th and the general election on November 6th. This essential project will help us build a team of citizen lobbyists, gain influence in Legislative Hall and provide support for the significant change that is needed to bring justice to all Delawareans.

Before I sign off, I want to recognize three board members who have just moved off of our board of directors: George Meldrum, a senior policy analyst for the Nemours Foundation, who had only been with us for a few years but was always willing to help with our fundraising efforts; Norm Monhait of Rosenthal, Monhait and Goddess P.A. who served for over 30 years on the board and always provided wisdom and insight no matter the subject; and Helen Foss, who retired in 2000 after a long and significant career in the education field. Helen also served on the board for over 30 years and was our institutional memory in all things related to education. The ACLU of Delaware, and I personally, cannot thank these three enough for their dedication to this organization and our shared values of liberty and justice. You will be missed! 🇺🇸

In Solidarity,



KATHLEEN MACRAE
EXECUTIVE DIRECTOR



SMART JUSTICE, CONT. FROM PAGE 1

affected by the criminal justice system and how that system disproportionately impacts people of color.

A goal like ending mass incarceration is an ambitious one, but we're up for the challenge. Through public education, grassroots organizing and legislative advocacy, we will challenge the system and create change for individuals, families and communities. We're tackling every piece of the puzzle:



Sentencing Reform: Reduce both the number of people entering prison and the laws and policies that drive extraordinarily long prison sentences.



Eliminate Money Bail: Eliminate the unjust and for-profit bail system that targets poor people and people of color and hurts families and communities.



Prosecutorial Reform: Delaware's Attorney General is our state's only elected prosecutor. Prosecutorial reform must start with an attorney general dedicated to change.



Parole Reform: Ensure systems are fair, respect people's rights and promote safety and success for those returning to their communities.



Reentry: Eliminate the barriers that hold back people living with a criminal record and expand reentry programming.

#VoteSmartJusticeDE

Smart Justice in Delaware means reducing the size of our prison population so that more resources can be devoted to high quality programs inside and outside of prison. It also means dismantling criminal justice approaches that have proven to be racially biased, ineffective and crippling to the future of our society. To do this, we must elect a reform minded



Attorney General and members of the General Assembly. That's why we are targeting the upcoming 2018 primary and general elections with the aim of educating Delawareans on the policy changes that will have a significant impact and motivating them to vote for reform minded candidates.

97 percent of criminal cases in Delaware are settled with a plea deal. That means most often the prosecutor, not the judge, has the greatest impact on who goes to prison and for how long. In Delaware, the chief prosecutor is the Attorney General—the only law enforcement official elected by the voters and the one in charge of all the professional career prosecutors who work for the Department of Justice.

We submitted a candidate questionnaire to all of the Attorney General candidates to get a clear understanding of where they stand on our Smart Justice platform. We asked them about how they'll lead the fight to reform the criminal justice system and what changes they're willing to commit to.

97 percent of criminal cases in Delaware are settled with a plea deal."

VoteSmartJusticeDE.org, our campaign hub, tells you:

- What an Attorney General does;
- Why it's important; and
- How the AG candidates have answered our candidate questionnaire.

CONT. ON PAGE 4

The Key Players

We've built a coalition of partners who are committed to Smart Justice. The Coalition of Black Trade Unionists, Coalition to Dismantle the New Jim Crow, Delaware Center for Justice, Delaware United, H.E.A.D.S. U.P. in the 302, Metropolitan Wilmington Urban League and Network Delaware have signed on as founding partners of the Coalition for Smart Justice.

For more information about the Campaign for Smart Justice email Dubard McGriff at dmcgriff@aclu-de.org. 

GET INVOLVED

- **Host a Campaign for Smart Justice House Party**
- **Make sure you are registered to vote**
- **Educate yourself about the Attorney General race and our Smart Justice Platform at VoteSmartJusticeDE.org**
- **Vote in the primary on Thursday, September 6, 2018**

It's Not Too Late to Register for #ACLUcon18

Lower pricing options are now available—don't miss out!



You belong at #ACLUcon18! The ACLU Conference brings together ACLU members and activists alike for learning, mobilization and inspiration. The event is an opportunity for members from around the country to exchange ideas, to celebrate the extraordinary history of the ACLU, and to look forward to the challenges ahead.

The ACLU membership conference will take place from Sunday, June 10 to Tuesday, June 12, 2018 in Washington, D.C. The line-up of speakers, activities and entertainment is incredible. You'll hear inspiring speeches and calls-to-action from Senator Elizabeth Warren, actress Kerry Washington, former President of Planned Parenthood Cecile Richards, Delaware's own Bryan Stevenson and more.

You'll be treated to music from the ROOT's Questlove and MILCK

and laughter from comedians Greg Proops, Negin Farsad and Lewis Black. And you'll be able to learn about our most critical campaigns, and discover how to make the biggest impact with your time at the Action Center throughout the conference.

Can't afford a full-price conference pass? That's ok! In an effort to make the conference accessible to ACLU supporters of all backgrounds, we have introduced a "pay what you can" fee scale with a full-conference pass starting at just \$125.

Don't miss this once-in-a-generation opportunity—register today! Visit our website at www.aclu-de.org for the link to the conference website and if you have any questions, reach out to Morgan Keller, our Communications Manager, at 302-654-5326 ext 109 or mkeller@aclu-de.org. 

Meet Our New Board Members

At our Annual Meeting on May 16, we officially welcomed four new members to the ACLU of Delaware Board of Directors.



Adriana Leela Bohm

Adriana is humbled by the opportunity to join the ACLU board because she has spent her life working with others

to fight injustice and create a more inclusive and egalitarian society. Becoming an ACLU board member allows her to continue this work and be part of a larger movement for legal justice. Adriana finds this opportunity both exciting & energizing and looks forward to working with other like-minded community members. Ever onward!



Kathleen Epler

Kathleen has devoted her retirement to social activism. To proactively put that activism to work, she served as a board

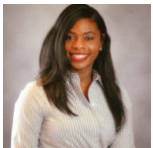
member on Planned Parenthood Delaware for ten years, serving as chair for the last four years. During her time as chairperson, Kathleen helped lead the effort to successfully codify *Roe v. Wade* in Delaware law. She believes that it is imperative that we protect all the rights guaranteed us by the Constitution, as well as advocating for those whose voice has been silenced or ignored.



Leland R. Kent Sr.

Leland is a middle school Math teacher in Wilmington, Delaware. Leland left a rewarding 19-year career as Director of

Victim Advocacy and Services to answer the call to teach. He is committed to serving our fellow citizens who are disenfranchised within our communities.



Nichelle Polson

Nichelle is a WHYY reporter who hit the ground running in the state, covering everything from human interest to social

justice stories. She has worked in multiple newsrooms since starting her career in 2004, and joined WHYY in 2012. She plans to serve the American Civil Liberties Union as a board member by fighting for the voiceless and ensuring public policies protect the civil rights of all people. ■

THANK-YOU FOR YOUR COMMITMENT

The following board members are moving onto their next chapters. Thank you for your contribution, dedication and passion while you served on the ACLU Board.

- *Helen Foss*
- *Norm Monhait*
- *George Meldrum*

'18-'19 OFFICER LIST

Kathryn Jakabcin

PRESIDENT

Amy Simmerman

VICE PRESIDENT

Rev. Patricia Downing

TREASURER

Elizabeth Lockman

ACLU OF DE FOUNDATION PRESIDENT

Tom O'Brian

TREASURER OF THE ACLU OF DELAWARE FOUNDATION

Desmond Baker

EQUITY & INCLUSION OFFICER

Peggy Strine

NATIONAL BOARD REPRESENTATIVE

Meet Our Newest Team Member

Sucharita C. Iyengar, Esq.

DIRECTOR OF LEGAL INTAKE




Suchi joined the ACLU of Delaware in April of 2018 as the Director of Legal Intake. After graduating from the University of Pennsylvania

Law School, Suchi began her career as a litigation associate at Latham & Watkins LLP in New York. She focused her work on health care litigation until she moved to Athens, Greece and San Diego, California with her family. Suchi moved to Wilmington, Delaware in 2016 and has been actively involved in racial and social justice work in her new community. ■

Thank You for Joining Us at Our Annual Meeting!

We held our Annual Meeting on Wednesday, May 16, 2018 at the First Unitarian Church of Wilmington, and we were thrilled to be joined by 70 friends—old and new!

The Annual Meeting offers Delawareans a chance to catch up on the work we've done over the year, meet new board and staff members and network with fellow civil liberty defenders from across the state. This year we focused the meeting's presentation on our newly-launched Campaign for Smart Justice.

Thank you to everyone who came out and supported us! We look forward to another exciting, justice-filled year. 




An Update on Our School Funding Lawsuit

Delaware doesn't think that our constitution requires effective schools

Every child deserves a chance to succeed. That's why we filed a lawsuit against the state in January—to try to get effective schools for all of Delaware's children. In April, the state filed motions to dismiss the case. We filed our opposition brief to those motions on May 22.

Our case is strong. The Delaware Constitution requires effective schools and it is the role of the court to ensure that the constitutional commitment is being met. This lawsuit is important because many high poverty schools in both rural and urban areas are receiving fewer resources per student than schools with students who are better off. As a result, low income students, English language learners and students with disabilities are being left behind.

Next, defendants will submit a final reply brief, and then it will be in the hands of the Court of Chancery to decide whether our case should proceed on its merits. We'll keep you updated on progress. To read any of the briefs in this case, please go to our website. 

People Power Builds Up to Tackle Voting Rights

It's time for efficient, accessible and secure voting in Delaware.

The right to vote, and to have one's vote accurately and fairly counted, is a fundamental right of all Delawareans. That's why we're coordinating the People Power effort in Delaware by facilitating meetings, offering support and resources, and focusing on voting and voting rights in the First State.

Often, the flaws in the voting system disproportionately affect people of color and alienate already marginalized communities from the voting process, which leads to an inaccurate democratic representation of the First State.

The "Let People Vote" campaign in Delaware has a few main focuses:

- Getting new voting machines;
- Supporting legislation that removes the barriers to voting; and
- Getting out the vote.

We need your help to break down the barriers to voting and make our democracy inclusive, accessible, secure and efficient. To get involved, join us at our next meeting on Wednesday, June 13 at 6:30 pm in the Community Services Building in Wilmington. For more information, reach out to Morgan Keller, Communications Manager, at mkeller@aclu-de.org.

Save the Date!

The 33rd Annual Kandler Memorial Awards Dinner

Since 1985, ACLU-DE's Kandler Memorial Awards Dinner has recognized those Delawareans who have committed their lives to the fight for civil rights and liberties. On October 17, we hope you can join us to honor three extraordinary activists at this year's Kandler event, *Courage & Vision: Champions of Liberty*.



The 2018 Kandler Award Honorees



STEVE ELKINS

FOUNDER AND DIRECTOR OF CAMP REHOBOTH

For over a quarter century, Steve epitomized the inclusive spirit of CAMP—"Creating A More Positive"—Rehoboth. He passed away in March, leaving a legacy of activism and community spirit that endures in the organization he founded with his husband, Murray Archibald.



MARIA MATOS

PRESIDENT/CEO OF THE LATIN AMERICAN COMMUNITY CENTER

Maria has championed the LACC's mission to empower the Latino community through education, advocacy, partnerships and exceptional services for 22 years. A truly engaged civic leader, Maria is listed in Who's Who Among Hispanic Americans and Who's Who Among Professional Americans and has received numerous awards for her dedication and commitment to the community she serves.

The 2018 Clarence Darrow Award Recipient



KEVIN O'CONNELL

OFFICE OF DEFENSE SERVICES

As Assistant Public Defender, Kevin has handled dozens of capital murder cases at trial, on appeal and in post-conviction review. He is a founding member and past-president of Delaware Citizens Opposed to the Death Penalty. Kevin received a B.A. from Vanderbilt University, a law degree from Delaware Law School of Widener University and became a member of the Delaware State Bar in 1984. Kevin and his wife, Marilyn have two daughters and 2 grandchildren.

Ticket sales for the October 17 event at the Chase Center on the Riverfront will commence in mid-June. For information on sponsorship opportunities, contact Director of Development Dave Bever at (302) 654-5326, ext. 100 or via email at dbever@aclu-de.org.

WE CAN'T THANK YOU ENOUGH!

Our supporters are the heart and soul of what we do, and you came through for us yet again. Thanks to your generosity, we met—and exceeded—the Freedom & Justice Challenge, a \$25,000 matching grant from the Longwood Foundation. To everyone who was able to join us for the Freedom & Justice Victory Party on May 18, thanks for helping us celebrate—with a special shout-out to our hosts, the Big Chill Surf Cantina in Rehoboth Beach.



LONGWOOD
Freedom & Justice
CHALLENGE

American Civil Liberties Union of Delaware



Delaware

100 West 10th Street, Suite 706
Wilmington, DE 19801
www.aclu-de.org

Nonprofit Organization
US Postage Paid
Wilmington, DE
Permit No. 106



ACLU-DE.org



@ACLUDelaware



@ACLUDelaware



ACLUDelaware



ACLU_DE



ACLUDelaware



ACLUDelaware

IMPORTANT ELECTION DATES

Deadlines:

May 25:
Party Affiliation Change
July 10, Noon:
Candidate Filing
July 13, Noon:
Candidate Withdrawal
August 11:
Voter Registration

Primary
Election:
Thursday,
September 6

General
Election:
Tuesday,
November 6

For more info, visit VoteSmartJusticeDE.org