

Celebrating 60 Years of ACLU-DE

Since 1961, we've worked to defend and expand civil liberties across Delaware. As we close out our 60th anniversary year, let's take a look back on some landmark litigation and vital pieces of legislation that we've worked on.

ARTICLE BY: MITCHELL PATTERSON,
FORMER ACLU-DE COMMUNICATIONS INTERN

The Beginning

In the 1950s, we started out operating in Delaware as an extension of the Greater Philadelphia Area affiliate of the National ACLU. In 1960, then-executive director of the Greater Philadelphia Area, Spencer Coxe, tasked Irving Morris and other civil rights advocates to form a chapter of the ACLU in Delaware, with its own board of directors chosen by ACLU members who lived in the First State.

On March 2, 1961, with the first meeting held at the YMCA on

Delaware Avenue and Washington Street, our Delaware affiliate was born.

That first meeting was attended by Irving Morris, Sonia and Gilbert (Gil) Sloan, L. Coleman Dorsey, Jacob Kreshtool, Ruth Kolber, and Joan and Joseph Rosenthal, among others. They elected a seven-member board of directors, with Louis Finger elected as the chapter's first president.

It's been 60 years and an immeasurable amount of work, defeat, and victories since then, and here's just a glimpse of some of history.

The 1960s

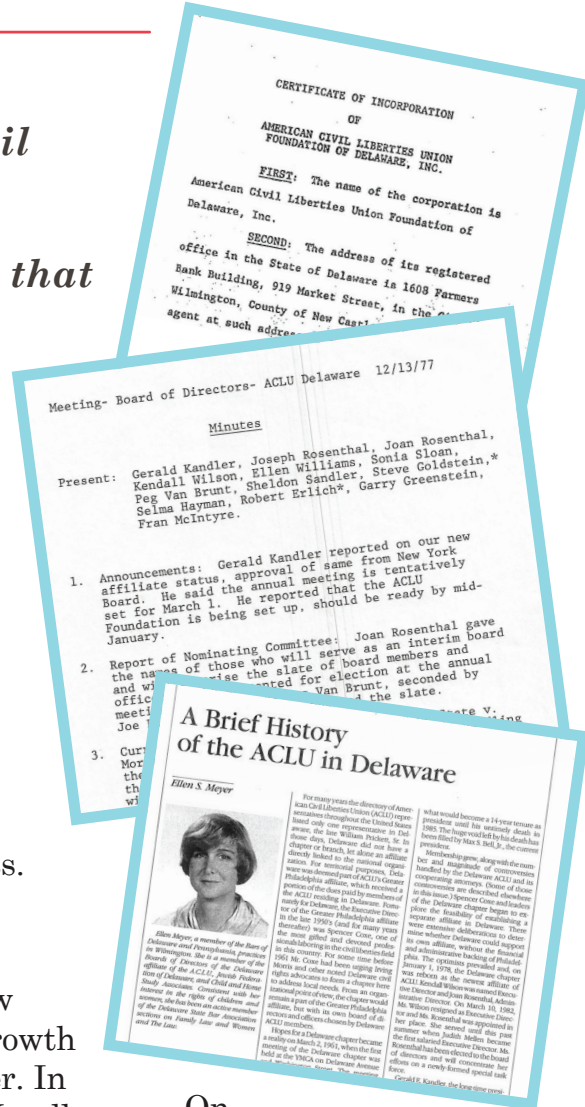
During the tumultuous 1960s, we vigorously petitioned the legislature on a number of civil rights issues, including abortion rights.

The 1970s

The 1970s saw substantial growth for our chapter. In 1975, Gerry Kandler, then-board president, led us to victory in litigation against the State of Delaware to provide children with physical and intellectual disabilities full access to education.

On January 1, 1978, we were formally reorganized as the ACLU of Delaware, Inc. (ACLU-DE), a full state affiliate in our own right, no longer

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ARTICLE 9 - ORDINANCE RELATIVE TO ABORTION
[Amended on 1/1/2021 by Ordinance #2021-]

§ 8.9.1 Purpose of Ordinance.

It is the purpose of this ordinance to

BLOCKED

the ordinance and determine whether an abortion is made by cremation or interment (if cremated), or under this Ordinance.



WINTER 2021 // WHAT'S INSIDE:

- 4 Harmful Local Ordinances Blocked
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- and more!

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ARTICLE BY: MIKE BRICKNER,
EXECUTIVE DIRECTOR

Letter from the ED

fully achieve the promise of America. As we grapple with a pandemic, a growing democratic crisis, and reckoning with racial injustice, hope can feel elusive. But I write to you today because I am optimistic about our future and that with your support, the ACLU of Delaware can forge a path for freedom and liberty in our state.

After reading about how far our affiliate has come in the last 60 years, and all the work we're doing now, I hope you feel hopeful about that path ahead. I do.

My hope is grounded in the reality that every day our tremendous staff,

coalitions, and supporters are making tangible progress toward a more just Delaware.

I know that many of us are tired. This work is heavy, but the consequences of not doing it are even heavier. I am constantly energized by the work happening in Delaware—by our staff and coalitions, but also by our supporters and champions of this work in the community.

The whole team at ACLU-DE joins me in sending you our thanks for your support, and our best wishes for this holiday season. 

Mike Brickner

season's greetings

CELEBRATING 60 YEARS,
CONT. FROM FRONT PAGE

dependent on funding from the Greater Philadelphia Area affiliate.

The 1980s

In the 1980s, we were part of a lawsuit that led to the desegregation of schools in the City of Wilmington—and had a ripple effect on school desegregation nationally.

The 1990s

In the 1990s, during Judy Mellen's 15-year tenure as the executive director of ACLU-DE, we pressured the state correctional system to reform the Ferris School for Boys, a juvenile detention facility detaining young boys for up to 20 days in abysmal conditions. After that victory, Ferris became a national model for juvenile care facilities.

The 2000s

We became active in combating mass incarceration, sentencing reform, and other legacies of the Regan-Era war on crime in the early 2000s. In 2003, we helped pass the Probation Reform Law that capped probation sentences at two years for a violent felony, 18 months for any drug offense, and one year for any other offense.

The 2010s

By the mid-2010s, we were on a steady growth curve—and in 2016 funding and membership increased dramatically as the public anticipated the need for us to step up and combat the incoming Trump administration on a number of human rights and civil liberties issues.

In 2018, we launched the Delaware

Campaign for Smart Justice with the goal of slashing Delaware's prison population in half to combat the crisis of mass incarceration, and addressing the racial disparities in the legal system.


Since 2020

In 2020, we settled with the State of Delaware in an historic lawsuit that would result in a systemic shift to provide additional funding for English learners, students with disabilities, and low-income students. We continue to grow our education equity work through community outreach and legislation advocacy.

Since 2020, we've been continuing our Smart Justice work, making steady progress toward our goals. As of April 2021, the First State's prison population has been cut down by 37%. Our smart justice campaign has

grown, too—we have campaigns focused on Clean Slate, police accountability and transparency, and probation reform.

We also fight for renters' rights with our Right to Representation for Eviction Defense campaign, organize with voting rights partners across the state with our Delaware Voting Rights Coalition, and our development, communications, and legal teams are all producing more work than ever before.

For over half a century, we've been fighting for your civil liberties. Our ongoing efforts today are only the next step in our organization's history. We will continue our work to protect and expand your rights in Delaware, because we know all too well that "the fight for civil liberties never stays won." 



This history compilation, researched and written by our former communications intern, Mitchell Patterson, is part of an archive project that we'll be revealing in 2022. Stay tuned for more information on that in the next newsletter!

CHAPTER 8 - MORALS AND CONDUCT
ARTICLE 9 - ORDINANCE RELATIVE TO ABORTION
(Amended on 11/1/2021 by Ordinance #2021)



BLOCKED

1. "Ambulatory Surgical Treatment Center", which means any institution, place or building devoted primarily to the maintenance and operation of a facility for the performance of surgical procedures or any facility in which a medical or surgical procedure is utilized to terminate a pregnancy.

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2. "Another Facility", which means any institution, place, or building providing health care services required to be licensed under the laws of the State of Delaware, in which abortion is legally provided.

(b) A person shall also be deemed to have committed a violation of this ordinance if he/she loiters or dawdles or prowl in a place, at a time, or in a manner not usual for law-abiding individuals under the circumstances, who, without lawful authority, obstructs or attempts to obstruct the free movement of persons or the free use of public places.

Local Government Has Power, But We Do Too.

ARTICLE BY: DANIELLE LEVREDGE
ACLU-DE COMMUNICATIONS INTERN

Our communities are subject to laws decided on a local level—not just laws passed by the General Assembly. It's important to keep an eye on what local lawmakers are proposing, and take action to support or oppose local regulations and ordinances that affect our civil liberties. Here are two recent examples.

In October, Seaford's city council proposed an ordinance that would increase financial barriers to obtaining an abortion procedure within city limits—a clear move meant to place barriers in the way of access to abortion. We sent a letter to the Seaford city council that highlighted the undue burdens and contradictions to state

law this ordinance creates.

Last month, Dover's city council members were considering an ordinance that would change their existing anti-loitering law to an anti-'dawdling,' law, which would increase the ability of law enforcement to confront people in public spaces without an assumable reason. The proposed punishment would be a fine that would disproportionately impact lower-income and homeless individuals. We sent a letter to Dover city council opposing this change.

Following our objections to both ordinances, each was tabled. We continue to monitor Seaford and Dover's city council agendas to ensure the ordinances remain dormant.

MEET OUR INTERNS



DANIELLE LEVREDGE

she/her

COMMUNICATIONS INTERN

Where are you from?

Seaford, Delaware

Who's your greatest civil liberties influence and why?

Alexandria Ocasio-Cortez is a strong influence for me. I cherish her integrity, transparency in the legislative process, her dedication to fully represent and be present in her community, and her persistence to bring urgency to actionable solutions of intersectional issues.

What's your favorite part of interning for the ACLU of Delaware?

Being a part of community mobilization that has a direct political influence in Delaware is invaluable. The work coming from ACLU-DE provides meaningful protection of civil liberties and a positive impact on the day-to-day lives of people in our state.



JALYN JOHNSON, BSW

she/her

MSW INTERN

Where are you from?

New Haven, Connecticut

Who's your greatest civil liberties influence and why?

Bryan Stevenson of the Equal Justice Initiative.

What's your favorite part of interning for the ACLU of Delaware?

How social campaigns can blossom into laws and policies that help better people's lives.

“Tyranny, like hell, is not easily conquered.”

Those were Thomas Paine’s words, published in 1776. They still ring true today.

THIS IS AN EXCERPT OF A COMMENTARY PIECE CONTRIBUTED TO OUR DELAWARE JUSTICE REAM SERIES BY: RONALD K.L. COLLINS, RETIRED LAW PROFESSOR AND AUTHOR.

TO READ THE FULL COMMENTARY, VISIT [ACLU-DE.ORG/DJT](https://aclu-de.org/djt)

We live in dangerous times. Right now we face a constitutional predicament of alarming consequence. As Robert Kagan so astutely observed: “The United States is heading into its greatest political and constitutional crisis since the Civil War, with a reasonable chance over the next three to four years of incidents of mass violence, a breakdown of federal authority, and the division of the country into warring red and blue enclaves.” What to do?

One answer: we need to wage battle in the federal courts. While that fight must continue, there are many signs that the measure of relief needed will not come from those courts as presently constituted. Merely witness how the Roberts Court manages its shadow docket and how it handled


the Texas abortion case. Meanwhile, the conservative Justices speak ever so disingenuously about the need to depoliticize the law while one of the Court’s liberal members preaches a similar gospel oblivious to reality.

As in the past, we must rally around the First Amendment and exercise those freedoms that can change minds and prick the conscience of a nation. While the spirit of that ethos is hope, and while political dissent is vital to any democracy in the throes of a crisis, one wonders if yesterday’s ideal of free speech freedom is enough to save us in today’s world.

It is said that the founders had an Enlightenment faith in the First Amendment, a hope in the value of dissent, and an abiding optimism of how its five freedoms might buttress electoral democracy. In these ways, they were not existentialists. Though they appreciated

the dangers of demagoguery, their cures to quell its force seem antiquated in post-modern times.

Take heed: Now is not the time to take refuge in worn out cliches or remain oblivious to the enormity of the crisis confronting us. Though the risk is

great, now is the time for the American Civil Liberties Union to help in the fight to save all we hold dear. In the spirited and fighting words of the Bard: “Then will [she] strip [her] sleeve and show [her] scars. And say ‘These wounds I had on Crispin’s day.’” 



DELAWARE JUSTICE TEAM

In April, we launched a new media series in partnership with Delaware Call and the Highlands Bunker. This series is focused on podcast and written media centered around some of our core work: Smart Justice, Clean Slate, education equity, voting rights, and more. This series is now complete, and you can find all six parts on our website, including our latest—with a podcast that features Mary Beth Tinker and Susan L. Burke and the full commentary that’s excerpted here.

[ACLU-DE.ORG/DJT](https://aclu-de.org/djt)

KANDLER RECAP

Thank You for Another Great Year!

For 36 years, we've honored Delawareans who have shown a lifetime commitment to fighting for civil liberties through the Gerald E. Kandler Memorial Award. We couldn't continue this tradition without your support.

ARTICLE BY: MELISSA BRYSON,
DEVELOPMENT DIRECTOR

In October, we continued our Kandler Awards tradition by honoring Carrie Casey and Yasser Payne, Ph.D., at a hybrid event with over 100 attendees.

This year's celebration was co-hosted by Mike Brickner and former Kandler Award honoree state Senator Sarah McBride. Musical entertainment was

provided by Jea Street, Jr. and Nadjah Nicole, and the fundraiser included an online auction and raffle, left open to the public so those who weren't able to join the event could still participate in the celebration.

Thank you to all who contributed, volunteered, and attended for making this year's celebration our most successful Kandler Awards to date. 

Watch the honoree videos at:
[YouTube.com/ACLUDelaware](https://www.youtube.com/ACLUDelaware)

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Alice & Geoff Sawyer, Ariel Gruswitz, Chris & Bill Sudell, Claire & Mikki Snyder-Hall, David & Gwen Brown, Delaware NORML, Department of Africana Studies at the University of Delaware, Don Peterson, Jeffrey & Linnea Goddess, Jeffrey Raffel, Joshua Twilley, Kate Cowperthwait, Kevin & Marilyn O'Connell, Laina & Michael Herbert, Leland & Melva Ware, Marlena Gibson, Mary Jo Anderson, Metropolitan Wilmington Urban League, Mike & Katie Brickner, Nan Hunter, Norman Monhait & Marcia Halperin, Peggy Strine, Tom & Marie Foley



— celebrating our 60th anniversary —

KANDLER

awards celebration

OUR 2021 HONOREES



Carrie Casey

Manager, New Castle County Division of Community Development and Housing

Carrie Sawyer Casey is the manager of the New Castle County Division of Community Development and Housing. As a direct U.S. Department of Housing and Urban Development (HUD) Entitlement Grantee, Carrie is responsible for the management of \$20 million in federal funding annually. Under her leadership, the Division was awarded over \$15 million in additional HUD stimulus funding and the successful implementation of programs including the Neighborhood Stabilization Program and the Strong Neighborhood Housing Program. In 2020, Carrie, along with her colleagues, successfully advocated for and saw through the opening of the Hope Center, a former hotel that has been converted to serve people experiencing homelessness.



Yasser Payne, Ph.D.

Associate Professor, Department of Sociology and Criminal Justice and the Department of Africana Studies at the University of Delaware

Dr. Payne created a street ethnographic research program known as Street Participatory Action Research (Street PAR)—the process of doing research and activism with street identified populations. Dr. Payne's first Street PAR project in Wilmington, Delaware was The People's Report: The Link between Structural Violence and Crime in Wilmington, Delaware. This study trained fifteen people (20-48) formerly involved with the criminal justice system to empirically document the relationship between economic well-being and gun violence in the Eastside and Southbridge neighborhoods of Wilmington. This study was funded with generous grants issued by the American Recovery Reinvestment Act, the University of Delaware and The United Way of Delaware.

To learn more about this project, please visit: thepeoplesreport.com.



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your free speech rights by
sending suggestions, letters,
questions, or comments.

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MISSED A VIRTUAL EVENT?

Catch the recordings on our YouTube channel!

[YOUTUBE.COM/ACLUDELAWARE](https://www.youtube.com/ACLUDELAWARE)