

# EVERY VOTE COUNTS

A Multi-Year Campaign to Amend Delaware's Constitution



# WELCOME

Who are you?

Why are you here today?

What was the first election you cast a ballot in?

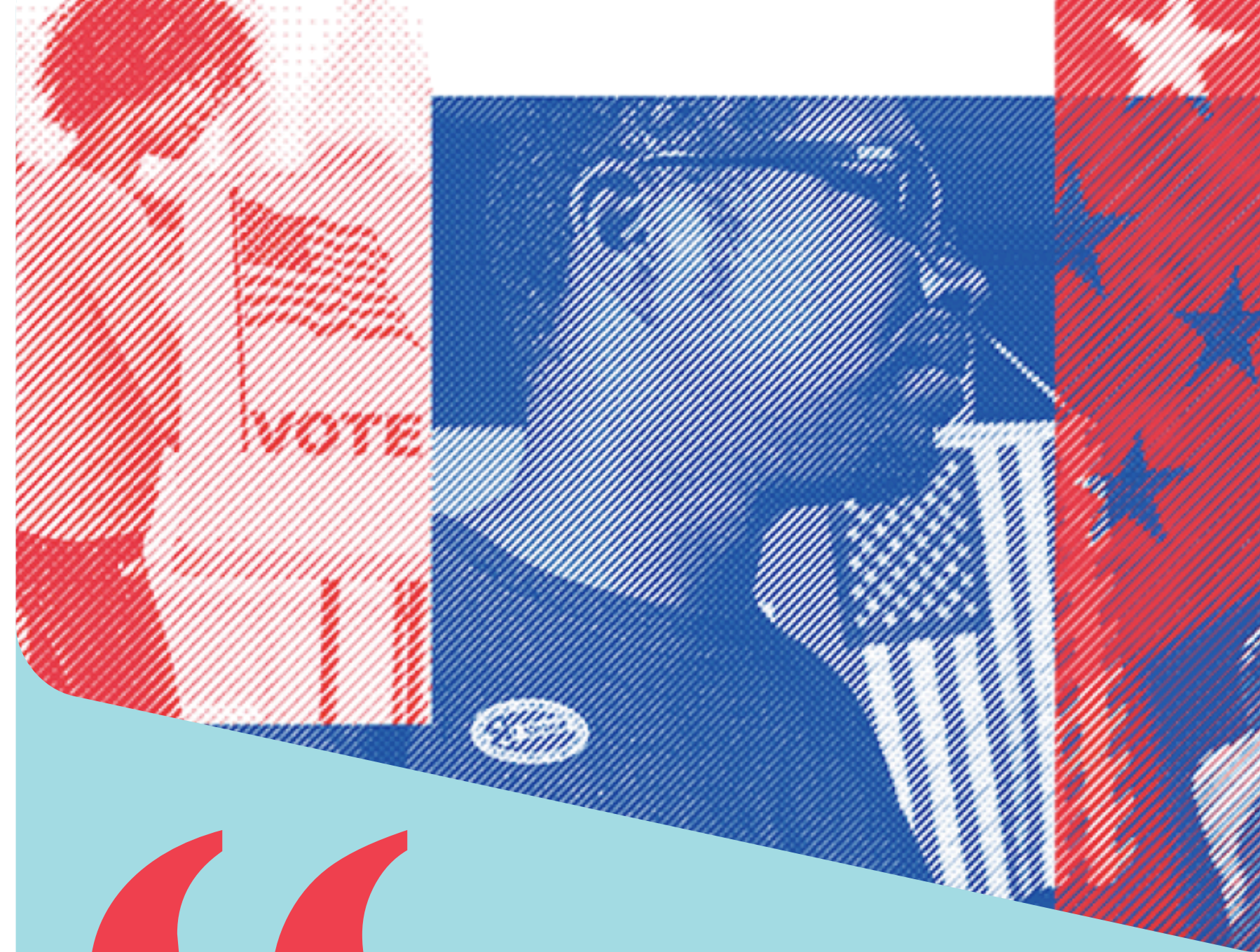


# OUR CAMPAIGN

We're pushing back against attacks on voting rights by launching Every Vote Counts, a multi-year effort to amend Delaware's constitution, bring our state into the 21st century, and ensure Delaware becomes a beacon of democracy and strong voter engagement.

The campaign aims to:

1. Restore voting rights after felony incarceration,
2. Protect and expand early in-person and vote-by-mail, and
3. Implement same-day voter registration.



*The right to vote, and to have one's vote accurately and fairly counted, is a fundamental right of all American citizens — and one that underpins the rest of our civil liberties.*



# QUIZ TIME

Test you Delaware democracy knowledge



## QUESTION 1

**Delaware voters must register to vote more than \_\_\_\_\_ before an election.**

- A** One week
- B** Two weeks
- C** Three weeks
- D** Four weeks

## QUESTION 1

**Delaware voters must register to vote more than \_\_\_\_\_ before an election.**

- A** One week
- B** Two weeks
- C** Three weeks
- D** Four weeks



## QUESTION 2

A 2018 estimate found that if Delaware eliminated its registration deadline, there would have been \_\_\_\_\_ additional voters.

A 4,3090

C 18,730

B 10,674

D 22,259

## QUESTION 2

A 2018 estimate found that if Delaware eliminated its registration deadline, there would have been \_\_\_\_\_ additional voters.

A 4,3090

C 18,730

B 10,674

D 22,259



## QUESTION 3

Delaware is one of \_\_\_\_\_ states that permanently disenfranchise at least some returning citizens.

A 5

B 12

C 20

D 27

### QUESTION 3

Delaware is one of \_\_\_\_\_ states that permanently disenfranchise at least some returning citizens.

A 5

C 20

B 12

D 27



## QUESTION 4

**As of 2024, felony disenfranchisement affects \_\_\_\_\_ otherwise-eligible Delaware voters .**

**A** 3,467

**C** 6,130

**B** 5,982

**D** 6,214

## QUESTION 4

As of 2024, felony disenfranchisement affects \_\_\_\_\_ otherwise-eligible Delaware voters .

A 3,467

C 6,130

B 5,982

D 6,214



## QUESTION 5

1 in \_\_\_\_\_ Delawareans relied on absentee ballots, vote-by-mail ballots, or early in-person voting in 2022 and 2023.

A 2

B 4

C 7

D 10

## QUESTION 5

1 in \_\_\_\_\_ Delawareans relied on absentee ballots, vote-by-mail ballots, or early in-person voting in 2022 and 2023.

A 2

B 4

C 7

D 10

# HOW DID WE GET HERE?

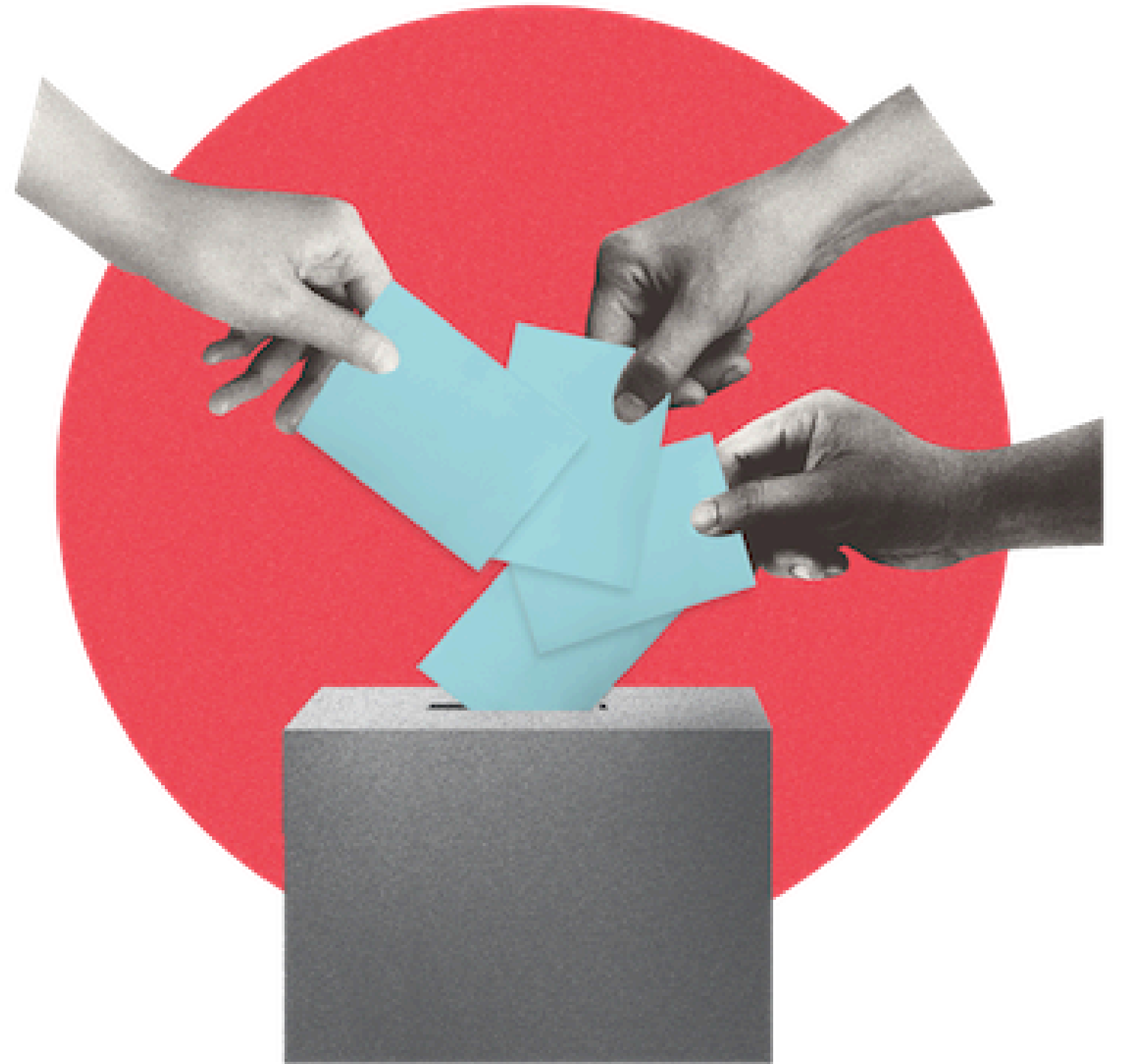
A history of voting rights in Delaware

# WHY DO WE NEED A CONSTITUTIONAL AMENDMENT?

Delaware remains a voting rights outlier due to restrictive and outdated constitutional language that has been relied upon by opponents of democracy to stymie progress.

This language has prevented simple legislation, which would allow for same-day-registration and universal vote-by-mail.

To protect and expand our democracy, we need to confront this challenge.





# HOW WE RANK NATIONALLY

**1 of 17**

## **Voter Registration**

Delaware is 1 of 17 states requiring voters to register more than 3 weeks before an election.

**1 of 12**

## **Voter Disenfranchisement**

Delaware is 1 of 12 states that permanently disenfranchise at least some returning citizens.

**1 of 14**

## **Absentee Voting**

Delaware is 1 of 14 states without access to no-excuse absentee voting.

# NO-EXCUSE ABSENTEE VOTING

No-excuse absentee voting allows any eligible voter to request and cast an absentee ballot without needing to provide a reason or justification. This system expands access to voting by offering greater flexibility for voters who cannot or prefer not to vote in person on Election Day.

2019

First leg of constitutional amendment to allow no-excuse absentee voting passes with bi-partisan support

2020

Emergency powers invoked to temporarily expand absentee voting to all eligible voters

2021

Second leg of constitutional amendment fails; remote voting seen as partisan

2022

Law passed allowing for no-excuse vote-by-mail

# NO-EXCUSE ABSENTEE VOTING

No-excuse absentee voting allows any eligible voter to request and cast an absentee ballot without needing to provide a reason or justification. This system expands access to voting by offering greater flexibility for voters who cannot or prefer not to vote in person on Election Day.

2022

Lawsuit leads to striking down of no-excuse vote-by-mail law; Supreme Court of Delaware makes clear that expanding absentee voting requires a constitutional amendment

2023

Legislation introduced to amend constitution and allow for no-excuse absentee voting

2024

First leg of amendment to allow for no-excuse absentee voting fails on partisan lines

# SAME-DAY VOTER REGISTRATION (SDR)

Same-day voter registration allows eligible citizens to both register to vote and cast their ballot on the same day, typically during early voting periods or on Election Day. This process helps increase voter participation by eliminating the need to register weeks in advance of an election.

2021



Legislation creating SDR is introduced

2022



Legislation passes with a simple majority

2022



SDR law is struck down in the same lawsuit striking down no-excuse vote-by-mail; the Supreme Court of Delaware asserts that SDR requires a constitutional amendment

Post-2022



No effort has been made by the Delaware legislature to amend the constitution to reinstate SDR



# THE IMPACT

Registration deadlines tend to be one of the nation's largest sources of disenfranchisement because many people like college students, renters, and low-income people do not always have the time, knowledge, or resources to finalize their registration weeks before the election.

**22,259**

*A 2018 estimate found that if Delaware voters had access to same-day registration, there would have been 22,259 additional voters.*

# FELONY DISENFRANCHISEMENT

Felony disenfranchisement refers to the practice of restricting or revoking the voting rights of individuals convicted of felony offenses, either temporarily or permanently, depending on the laws of the state. This policy can vary widely, with some states restoring voting rights after completion of a sentence, while others impose lifetime bans for certain crimes.

2023

Constitutional amendment introduced to limit felony disenfranchisement to periods of felony incarceration is introduced

2024

Amendment was not brought for a vote

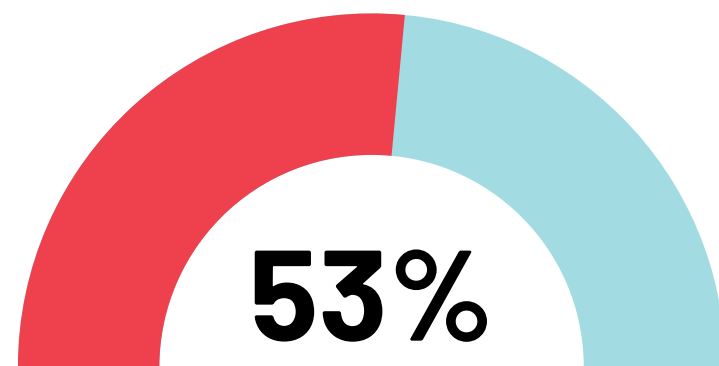
Delaware's Constitution disenfranchises:

1. Citizens currently incarcerated for felony convictions
2. Citizens currently on felony probation, parole, work release, or another form of community supervision
3. Citizens who have committed particular felonies
  - a. Citizens in category 3 are permanently disenfranchised

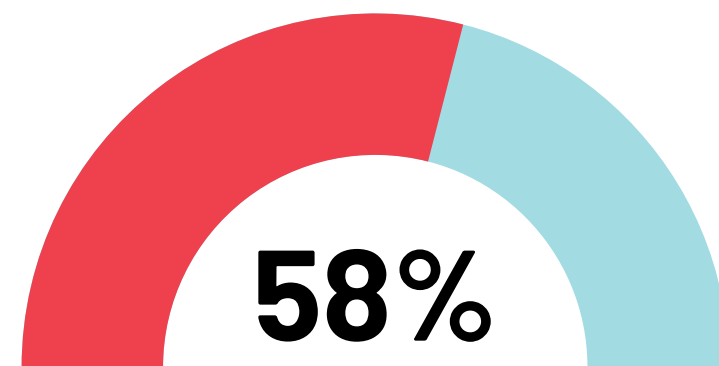
# THE IMPACT

In Delaware, thousands of people who are on probation or parole are disenfranchised every election, even though they are living in and contributing to our communities. Some Delawareans are permanently disenfranchised if convicted of certain crimes.

As of 2024, felony disenfranchisement affects 6,214 voters, 53% were Black, and 58% were no longer incarcerated.



■ Black



■ No longer incarcerated

# JIM CROW ORIGINS

*Criminal legal disenfranchisement laws have a direct connection to Civil-War era Jim Crow laws, which sought to deny Black Americans the right to vote.*

# EARLY IN-PERSON VOTING

Early in-person voting allows eligible voters to cast their ballots before Election Day at designated polling locations. This option provides greater convenience and flexibility, helping to reduce long lines and congestion on Election Day itself.

2019

Legislation introduced to allow for at least 10 days of early voting

Legislation passes with overwhelming bi-partisan support

2022

Lawsuit brought to challenge the early voting law

2024

Early voting declared unconstitutional by a Delaware court

2024

Supreme Court of Delaware reverses lower court decision, protecting early voting in 2024 but leaving it open to future challenges for no-excuse vote-by-mail



# THE IMPACT

Early in-person and vote-by-mail allows for more young people, low-income communities, minorities, those without access to transportation or limited schedules, and those with high-risk health conditions to have their voices heard in the upcoming elections.

**1 IN 4**

*1 in 4 Delawareans relied on absentee ballots, vote-by-mail ballots, or early in-person voting in 2022 and 2023*

# THE CAMPAIGN

We have a plan.

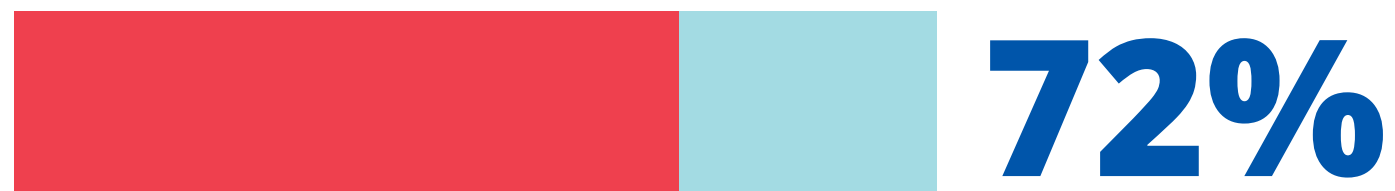
# DELAWAREANS WANT VOTING RIGHTS REFORM



**59%**

## IMPLEMENTING SAME-DAY REGISTRATION

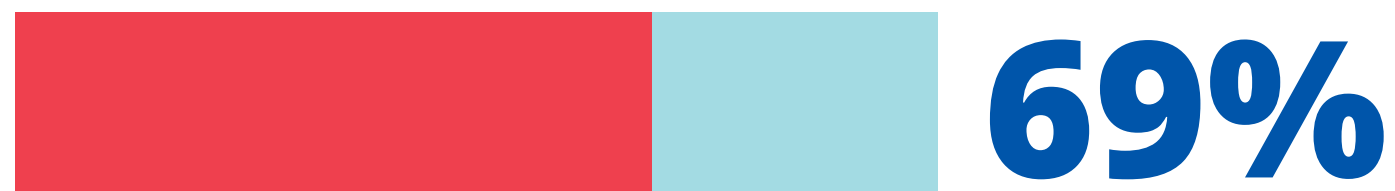
59% of Delawareans support eliminating Delaware's registration deadline and implementing same-day registration.



**72%**

## ENDING FELONY DISENFRANCHISEMENT

72% of Delawareans support restoring voting rights upon release to people who are disenfranchised after committing a felony.



**69%**

## EXPANDING EARLY IN-PERSON VOTING

69% of Delawareans support extending Delaware's early voting period.



**57%**

## IMPLEMENTING VOTE-BY-MAIL

57% of support allowing all voters to vote by mail.

*\*Based on polling of Delawareans in October of 2023*

# THE CAMPAIGN ROADMAP

## ELECTION WINS

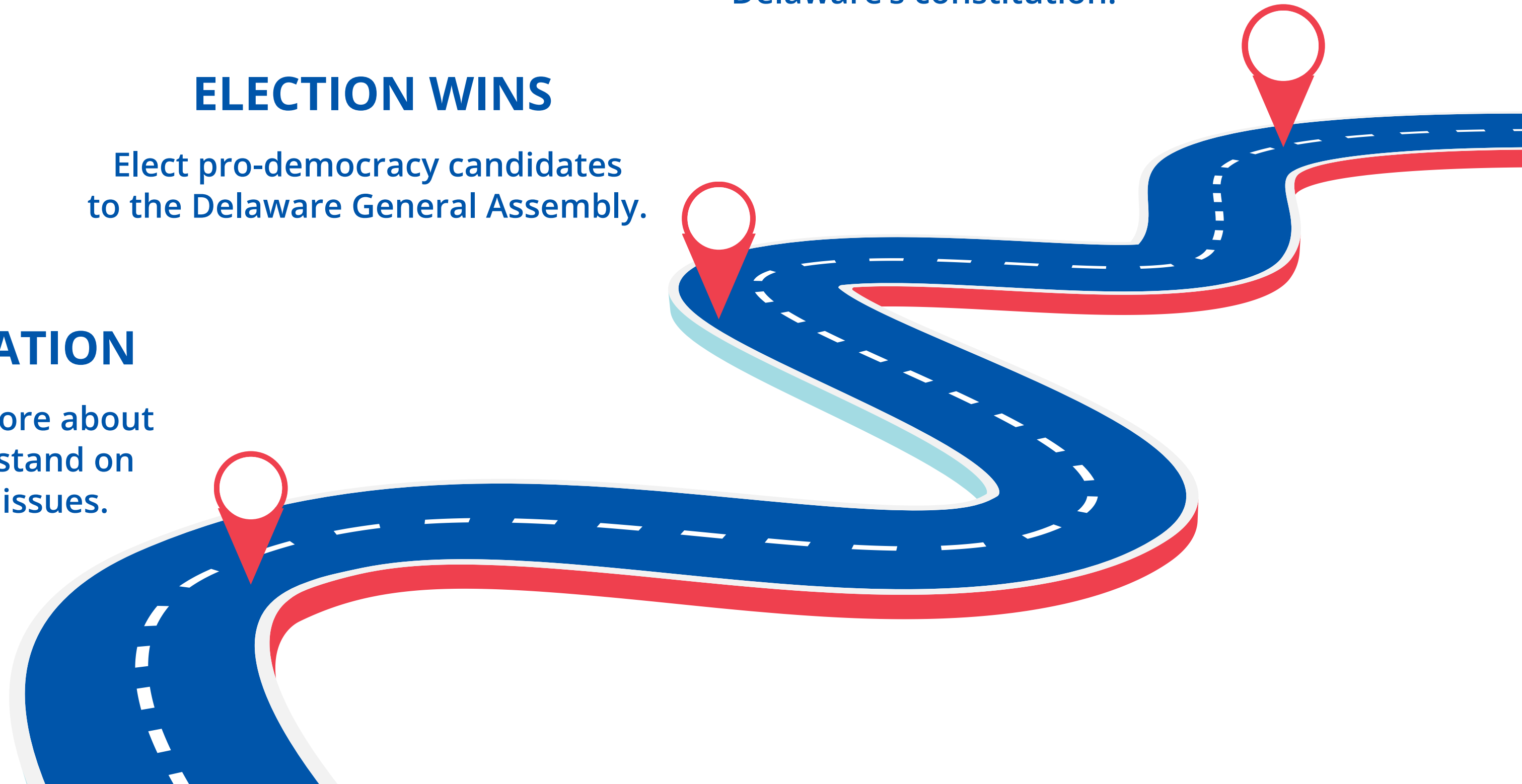
Elect pro-democracy candidates to the Delaware General Assembly.

## VOTER EDUCATION

Help voters learn more about where candidates stand on key voting rights issues.

## VICTORY!

Secure 2/3 majorities in successive General Assemblies to amend Delaware's constitution.



**JOIN THE FIGHT**

Here's where you come in.

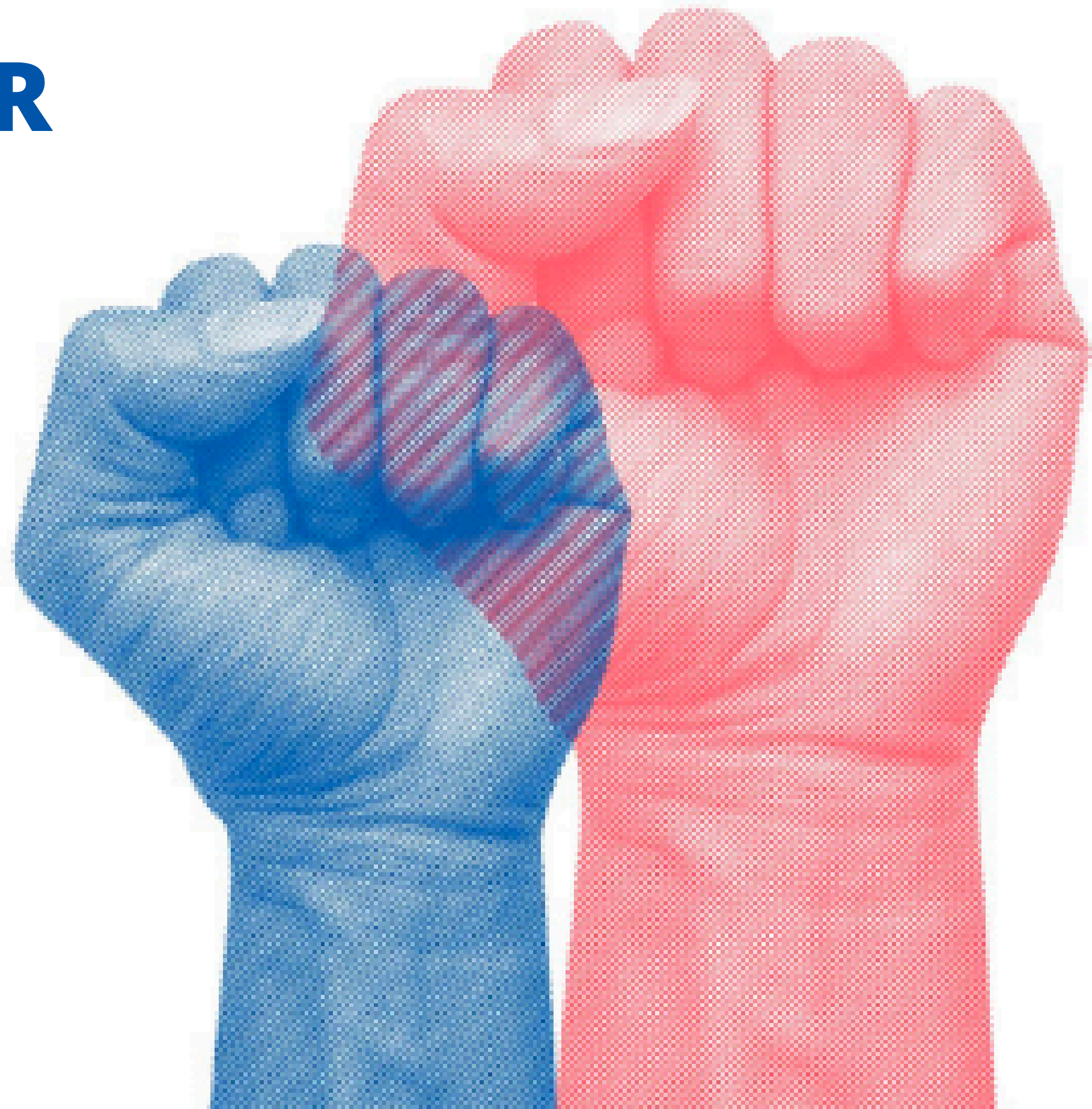


# BECOME A CAMPAIGN VOLUNTEER

We can't do it without you. Volunteers are needed at the forefront of organizing, lobbying, and other efforts.

Actions you may lead or assist with:

- Tabling
- Post-Card Drives
- Phone-banks
- Canvassing
- Speaking at future events
- Lobby Days
- Drafting Op-Eds



# **SIGN UP NOW!**

**Submit this form and a staff member will be in touch with volunteer opportunities and other ways you can get involved in the fight to expand voting rights in Delaware.**



**[ACTION.ACLU.ORG/VOTER-VOLUNTEER](https://action.aclu.org/voter-volunteer)**

# TALKING POINTS

## **NON-PARTISAN**

We work across party lines with politicians who have given us a reason to trust them to champion key voting rights reforms.

## **MULTI-YEAR PROCESS**

Amending the constitution will take time (supermajorities in consecutive sessions). We are in this for the long haul!

## **AN OUTLIER**

Delaware has become a tragic outlier in our nation. Without changes, it is the voters—of all political parties—who will suffer.

## **WHEN DEMOCRACY WINS, WE ALL WIN**

The power of American democracy has always resided with the people first. Make no mistake, democracy will win in Delaware.

# YOUR TURN!

Let's practice.

# GRAB A PARTNER!

## SCENARIO 1

A community member who believes their vote doesn't matter because they feel that elected officials don't represent their interests.

**How would you explain the importance of voting in local elections and advocating to expand voting rights for all — despite whether a person chooses to vote or not?**

## SCENARIO 2

You encounter someone who is concerned about recent laws that could make voting more difficult for certain groups, like people with disabilities or those from marginalized communities.

**How would you discuss the ways the EVC campaign is addressing these issues and encourage them to get involved in the fight?**

# GRAB A PARTNER!

## SCENARIO 3

A community member who mentions that they've heard about efforts to make early voting more accessible in Delaware but aren't sure why it's such a big deal. They mention that they've always just voted on Election Day and don't see why early voting is necessary.

**How would you explain the significance of early voting, particularly for those who face barriers to voting on Election Day?**

## SCENARIO 4

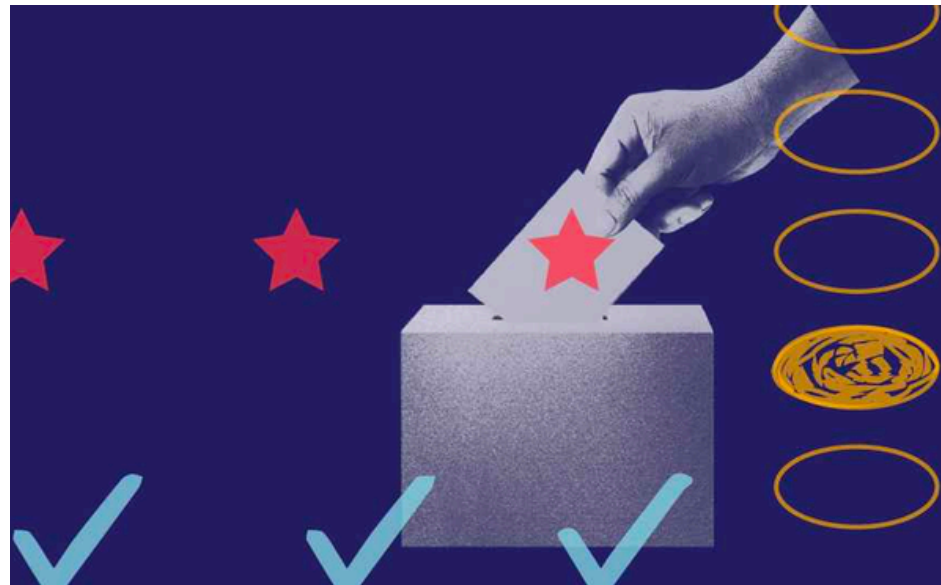
A community member who believes that individuals with felony convictions should not be allowed to vote, arguing that they have broken the law and, therefore, forfeited their right to participate in the democratic process.

**How would you approach this conversation to explain the importance of restoring voting rights as a step toward a more inclusive and fair democracy?**



# HELP FUND THE FIGHT

During some of our efforts, we will be seeking donations to support the campaign. We may ask for donations while tabling, at voting rights house parties, during presentations, and other community events.



- Direct them to donate by handing out our self-addressed giving envelope
- If asked, let donors know that their donation is tax deductible
- Gifts of any amount are welcome appreciated

Talking about money doesn't have to be scary!  
It's normal to feel uncomfortable and at the same time want to share your enthusiasm for voting rights.

**Remember: They want to support this work.**



# DONATE NOW

This vital work depends on your support. Donate now to help expand voting rights in Delaware.



[ACTION.ACLU.ORG/VOTER-DONATION](https://action.aclu.org/voter-donation)

# UPCOMING EVENTS

Stay in the loop on all upcoming events and opportunities to get involved by visiting the Every Vote Counts Campaign hub.



# QUESTIONS?

Contact Andrew Bernstein at  
[abernstein@aclu-de.org](mailto:abernstein@aclu-de.org)

# SHARE YOUR THOUGHTS

If you enjoyed the event or have suggestions, please take 3-5 minutes to share them with us. We appreciate your thoughts and opinions and will use your feedback to shape future programs and events.

Your responses are anonymous and confidential.



[ACTION.ACLU.ORG/EVC-SURVEY](https://ACTION.ACLU.ORG/EVC-SURVEY)