



... Ending racism and its corrosive consequences

The Legislative Advocacy Committee was busy during 2023 and the first quarter of 2024. We continued our legislative advocacy through our participation in several coalitions: Smart Justice, ACLU DVRC, RAAD, DEAC, and the newly reconstituted Police Reform Working Group. We also provided oral and written testimony before Committees on bills of importance to the Alliance and advocated behind the scenes with legislators to get them to support certain bills. Below are some of the highlights:

Town halls in 2023

January 10 – Legislative overview

Feb. 9 – Probation Reform

March 14 – Highlighting the work of Black Mothers in Power

April 18 – Forum with Unitarian Universalists and ACLU DE on Racism in the Criminal Justice system

Town Halls in 2024

Jan . 26 – Probation Reform (with ACLU DE)

Jan. 31 – 2024 Legislative Overview

April 9 – Child Support in Delaware

The Committee submitted articles on legislative priorities for Black Voices.

Here are some bills that the Committee supported that passed and, sadly, did not pass or make it to the floor.

2023 Bills that passed:

- **Law Enforcement Officers Bill of Rights: SB205, 206 passed.** Two bills were introduced: HB205 and HB206. HB205 purported to repeal LEOBOR and replace it with PODPAT, “Police Officer’s Due



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Process, Accountability, and Transparency.” The bill would provide a right of access for “sustained” findings of discharge of a firearm, use of force that results in serious injury, sexual assault, officer dishonesty, and commission of domestic violence. These narrative reports are to be posted on the websites of the Police Officer Standards and Training Commission (POST) and the Criminal Justice Council. Disclosure of sustained investigation findings pursuant to a court order is authorized. The problem with this revision is that a court order is required and while this may help in criminal defense cases, members of the public still have no access. And the victims are promised nothing at the conclusion of the investigation other than to “reasonably address concerns.” The bill also applies only to new hires. In addition, although an investigation commission is established, its 17 members are heavily weighted toward law enforcement. **The Police Reform Working Group, of which SDARJ is a part, is meeting again to work on new legislation that would give criminal defense attorneys the same access to police disciplinary records that attorneys in civil cases have.**

- **HB1, 2** - Marijuana Legalization and regulation of sale bills passed.
- **SS1 for SB1** – Tenant right to counsel in eviction proceedings. Signed into law

Bills we supported that did not come up for vote or did not pass:

- **SB4, Probation Reform**, still in the Appropriations Committee
- **HB110, Medicaid Funding for Abortion** – ended the session in House Appropriations, but with an amendment capping benefits at \$750, was discussed in House Appropriations **today**
- **HB150, Cover All Kids** would have provided Medicaid for all children meeting financial requirements, even undocumented children. The bill had a large fiscal note and could not get passed Appropriations.



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- **HB86, HB217, and HB240** – bills requiring right to counsel for indigent parents in DSCYF proceedings: Remain in the Appropriations and Judiciary Committees, respectively.
- **HB37** – Sanctions against landlords who permit dangerous conditions to go unremedied; would allow action for rent escrow by tenant or refusing to pay rent and asserting dangerous condition as an affirmative defense in eviction action – stuck in the House Housing Committee.

Bills we support this year:

- **Continue to support SB4 and HB110**
- **HB290**, SEED money for convicted felons to attend college or university
- **HB17**, Paid sick leave
- **HB55**, Homelessness Bill of Rights

HB110, HB290, HB17, and HB55 are in committee hearings today, April 16, and tomorrow, April 17. SDARJ has provided written support for these bills to the appropriate committees.

- **HB189, prohibiting municipalities from allowing entities in its boundaries to vote**

Voting Rights

- Same day voter registration legislation, early voting legislation and vote by mail legislation declared unconstitutional
- DVRC, of which SDARJ is a part, announced a multi-year campaign to educate voters and elect legislators who would support either an omnibus constitutional amendment or separate amendments to allow the legislature to enact same day voter registration, early voting, and vote by mail.