State Index Score Card 7/25/22

Delaware

State Rank: 26
Overall Score: MEDIUM

Index 1: Voter Registration - Confidence level - MEDIUM
Delaware offers automatic and online voter registration, and after July 1, 2022, same-day registration through Election Day. Youth can pre-register to vote beginning at age 16. Depending on the types of felony, Delaware either disqualifies those convicted from voting permanently, requires the disqualification removed by pardon, or reinstates voting rights after the terms of parole or probation are complete. The state does not purge voting lists no matter how many years of nonvoting. There were zero total purges conducted in 2020. A high number of Delaware voters contacted the 1-866-OUR-VOTE legal hotline in 2020 during the last week of the election with concerns about voter registration.

Index 2: Voter Identification - Confidence level - MEDIUM
Delaware has a non-strict non-photo voter ID law. The state is a member of the Electronic Registration Information Center (ERIC) which helps states improve accuracy of voter rolls. A moderate number of voters in 2020 reported concerns about voter ID or not being on the voting list/database. Restrictive state legislation was pending in early 2022, but did not pass.

Index 3: Early Voting - Confidence level - MEDIUM
Delaware offers early in-person voting beginning 10 days before Election Day, ending the day before. There is Saturday voting. Excuse-required absentee ballot voting is available.

Index 4: Safe Voting - Confidence level - MEDIUM
After July 1, 2022, Delaware offers no-excuse absentee ballot voting and allows drop boxes as an option for submitting one's ballot. There is no proactive mailing of ballot applications to voters without request. The state offers an online portal for absentee ballot applications, provides accessible electronic absentee ballots to voters with disabilities, places no restrictions on who can return an absentee ballot for a voter in need, and provides prepaid postage to return the ballot.

Learn more about how to vote and voting rights in Delaware: VOTE411
Learn about voting laws recently passed or enacted in Delaware: State Voting Rights Tracker by Voting Rights Lab
If you or anyone you know encounters problems while voting, call the Election Protection Hotline at 866-OUR-VOTE or 866-687-8683
Learn how to take action to protect voting rights in Delaware: DemocracyMovement.us
Index 5: Ballot Acceptance - Confidence level - MEDIUM
Delaware had a moderate percentage of mail-in ballots returned in 2020, with a moderate rejection rate. There is a statutorily required statewide ballot tracking program, but it is not strong. The state has no signature verification program, and provides no codified process for voters to correct for ballot discrepancies. All mailed ballots must be received by close of polls on Election Day. After July 1, 2022, election administrators are allowed to begin preprocessing returned ballots 30 days before Election Day.

Index 6: Logistical Barriers in Voting - Confidence level - MEDIUM
Although Election Day in Delaware is a state holiday, there is no specific law allowing employees to take paid or unpaid leave to vote. The state provides low quality accessible voting machine options and has few other laws if any above federal mandates to assist disabled voters. There was a moderate number of reports from voters in 2020 with concerns about long lines and voting equipment. Delaware had a high ratio of poll workers to polling sites in 2020. It was among the bottom third of states that invested in the 2020 election to improve processes while being cost effective.

Index 7: Equipment, Security, and Auditing - Confidence level - MEDIUM
Delaware has a statewide verified paper audit trail. All voting centers use touch screen tabulators and offer Ballot Marking Devices for voters with accessibility needs. The state tests the equipment according to full federal certification standards required by statute. Delaware uses E Poll Book technology statewide, which helps reduce discrepancies. Its election security systems received fair overall ratings in 2018. The state uses traditional audit methods to double-check for machine recording errors after certification and during the statutorily required post-election period.
Index 8: Independent Election Administration - Confidence level - HIGH
Although Delaware has established the constitutional right to a secret ballot, it does not prohibit election interference by the legislature. 2022 law requires that panels of election judges be politically balanced.

Index 9: External Interference in Voting - Confidence Level - HIGH
Public opinion surveys showed that Delaware voters had some trust in the 2020 election news coverage. There were very few reports about political intimidation, mainly about intimidation and electioneering at polling sites. State law prohibits obstructing or hindering voters at polling sites, mandates that all poll workers be trained, but does not criminalize voter intimidation and false election speech. Delaware was one of five states to receive a high score in this index.

Index 10: The Role of Government and Politics – No rating given, informational only
Delaware is one of 13 states that has a Democratic trifecta, as well as a triplex - the governor, attorney general, and secretary of state are from the same political party. Based on the last two presidential elections, Delaware is a solidly Democratic-leaning state, with an average Democratic voting margin of 15.2% compared to the national average Democratic voting margin of 3%. According to the 2020 U.S. Census, the state's population grew by 10.2% (14th fastest) compared to the national average of 7.4%. Delaware is as racially diverse as the country as a whole. With the U.S. Census results, the state will neither gain nor lose any representatives in Congress.