

## Wilmington, DE

## I. Non-Discrimination Laws \*\*

|                                                                                                                                                                                                               | STATE | COUNTY | MUNICIPAL | AVAILABLE        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|--------|-----------|------------------|
| This category evaluates whether discrimination on the basis of sexual orientation and gender identity is prohibited by the city, county, or state in areas of employment, housing, and public accommodations. |       |        |           |                  |
| Employment                                                                                                                                                                                                    | 5/5   | 0/0    | 0/0       | 5/5              |
| Housing                                                                                                                                                                                                       | 5/5   | 0/0    | 5/0       | 5/5              |
| Public Accommodations                                                                                                                                                                                         | 5/5   | 5/5    | 5/0       | 5/5              |
| <b>SCORE</b>                                                                                                                                                                                                  |       |        | <b>30</b> | <b>out of 30</b> |
| <b>FLEX</b> Single-Occupancy All-Gender Facilities                                                                                                                                                            | 0     | 0      | 0         | +2               |
| <b>FLEX</b> Protects Youth from Conversion Therapy                                                                                                                                                            | 2     | 0      | 0         | +2               |

## II. Municipality as Employer

By offering equivalent benefits and protections to LGBTQ+ employees, awarding contracts to fair-minded businesses, and taking steps to ensure an inclusive workplace, municipalities commit themselves to treating LGBTQ+ employees equally.

|                                                     | MUNICIPAL | AVAILABLE        |
|-----------------------------------------------------|-----------|------------------|
| Non-Discrimination in City Employment               | 7/0       | 7/7              |
| Transgender-Inclusive Healthcare Benefits***        | 6         | 6                |
| City Contractor Non-Discrimination Ordinance        | 3/0       | 3/3              |
| Inclusive Workplace                                 | 0         | 2                |
| <b>SCORE</b>                                        | <b>16</b> | <b>out of 28</b> |
| <b>FLEX</b> City Employee Domestic Partner Benefits | 1         | +1               |

## III. Municipal Services

This section assesses the efforts of the city to ensure LGBTQ+ residents are included in city services and programs.

|                                                                               | COUNTY | MUNICIPAL | AVAILABLE        |
|-------------------------------------------------------------------------------|--------|-----------|------------------|
| Human Rights Commission                                                       | 0      | 5         | 5                |
| NDO Enforcement by Commission                                                 | 0      | 2         | 2                |
| LGBTQ+ Liaison to City Executive                                              |        | 0         | 5                |
| <b>SCORE</b>                                                                  |        | <b>7</b>  | <b>out of 12</b> |
| <b>FLEX</b> Youth Bullying Prevention Policy for City Services                |        | 0/0       | +1/+1            |
| <b>FLEX</b> City Provides Services to LGBTQ+ Youth                            |        | 0         | +2               |
| <b>FLEX</b> City Provides Services to LGBTQ+ People Experiencing Homelessness |        | 0         | +2               |
| <b>FLEX</b> City Provides Services to LGBTQ+ Older Adults                     |        | 0         | +2               |
| <b>FLEX</b> City Provides Services to People Living with HIV or AIDS          |        | 0         | +2               |
| <b>FLEX</b> City Provides Services to the Transgender Community               |        | 0         | +2               |

## IV. Law Enforcement

Fair enforcement of the law includes responsible reporting of hate crimes and engaging with the LGBTQ+ community in a thoughtful and respectful way.

|                                                 | MUNICIPAL | AVAILABLE        |
|-------------------------------------------------|-----------|------------------|
| Police LGBTQ+ Liaison/Task Force                | 0         | 10               |
| Reported 2023 Hate Crimes Statistics to the FBI | 12        | 12               |
| <b>SCORE</b>                                    | <b>12</b> | <b>out of 22</b> |

## V. Leadership on LGBTQ+ Equality

This category measures the city leadership's commitment to fully include the LGBTQ+ community and to advocate for full equality.

|                                                        | MUNICIPAL | AVAILABLE       |
|--------------------------------------------------------|-----------|-----------------|
| Public Position on Equality                            | 5         | 5               |
| Pro-Equality Legislative/Policy Efforts                | 1         | 3               |
| <b>SCORE</b>                                           | <b>6</b>  | <b>out of 8</b> |
| <b>FLEX</b> Openly LGBTQ+ Elected or Appointed Leaders | 2         | +2              |
| <b>FLEX</b> City Tests Limits of Restrictive State Law | 0         | +3              |

**TOTAL SCORE 71 + TOTAL FLEX SCORE 5 = Final Score 76**

CANNOT EXCEED 100

\*\* On June 15, 2020, the U.S. Supreme Court ruled in *Bostock v. Clayton County, Georgia* that sexual orientation and gender identity discrimination are prohibited under federal sex-based employment protections. Nevertheless, it is imperative that localities continue enacting explicitly LGBTQ-inclusive comprehensive non-discrimination laws since it will likely take additional litigation for Bostock to be fully applied to all sex-based protections under existing federal civil rights law. Moreover, federal law currently lacks sex-based protections in numerous key areas of life, including public spaces and services. Lastly, there are many invaluable benefits to localizing inclusive protections even when they exist on higher levels of government. **For these reasons, the MEI will continue to only award credit in Part I for state, county, or municipal non-discrimination laws that expressly include sexual orientation and gender identity.**

\*\*\* Unfortunately, many of the anti-LGBTQ+ state laws enacted in recent years has negated or overrode positive efforts several cities have made over the years, especially in regard to cities offering inclusive health care policies for transgender employees or transgender family members of employees. **For this reason, many cities are only awarded partial credit as their ability to provide such benefits are no longer enforceable.**

**FOR MORE INFORMATION ABOUT CITY SELECTION, CRITERIA OR THE MEI SCORING SYSTEM, PLEASE VISIT [HRC.ORG/MEI](https://hrc.org/mei).**

All cities rated were provided their scorecard in advance of publication and given the opportunity to submit revisions. For feedback regarding a particular city's scorecard, please email [mei@hrc.org](mailto:mei@hrc.org).