

Wilmington, Delaware  
January 15, 2026

#xxxx

**WHEREAS**, Senate Substitute 1 for Senate Bill 57 (SS 1 for SB 57), titled An Act to

**Sponsor:** Amend Title 11 of the Delaware Code Relating to Postconviction Remedy, is a legislative proposal to reform and modernize post-conviction remedies in Title 11 of the Delaware Code relating to DNA evidence and access to post-conviction review; and

**Council Member Darby**

**WHEREAS**, SS 1 for SB 57 would expand access to post-conviction DNA testing by removing current statutory limitations on when motions for DNA testing can be filed, including the elimination of a requirement that such requests be made within three years of final conviction and restrictions that disallow such motions when direct appellate review is still available. The bill would also require courts to grant motions for DNA testing when certain criteria are met, allow individuals who entered guilty pleas to seek DNA testing, and permit additional testing of previously tested evidence when new or more probative technology is available; and

**WHEREAS**, Wilmington City Council recognizes that equitable access to justice, including meaningful avenues to correct wrongful convictions and incorporate advances in forensic technology, is essential to public confidence in the criminal justice system. SS 1 for SB 57 would change the legal standard to allow wrongfully convicted individuals the opportunity to seek a new trial based on DNA evidence.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON** the Wilmington City Council hereby expresses its strong support for Senate Substitute 1 for Senate Bill 57 (SS 1 for SB 57), An Act to Amend Title 11 of the Delaware

Code Relating to Postconviction Remedy, which calls for legislative reforms that enhance fairness, uphold individuals' rights, and strengthen trust in legal institutions.

**BE IT FURTHER RESOLVED** The Wilmington City Council respectfully urges members of the Delaware General Assembly to give favorable consideration to SS 1 for SB 57 and to adopt the bill as amended to modernize post-conviction remedies, expand access to DNA testing, eliminate arbitrary time barriers, and update legal standards that advance fairness and justice for all Delaware residents.

Passed by City Council,

ATTEST: \_\_\_\_\_

City Clerk

**SYNOPSIS:** This Resolution respectfully urges members of the Delaware General Assembly to give favorable consideration to Senate Substitute 1 for Senate Bill 57 (SS 1 for SB 57), An Act to Amend Title 11 of the Delaware Code Relating to Postconviction Remedy, and to adopt the bill as amended to modernize post-conviction remedies, expand access to DNA testing, eliminate arbitrary time barriers, and update legal standards that advance fairness and justice for all Delaware residents.