Autumn 2024

ACLU of Delaware

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The American Civil Liberties Union (ACLU) has existed at the national level for over 100 years and worked in courts, legislatures, and communities to protect the constitutional rights of all people. The ACLU not only keeps an eye on civil rights at the national level, but also has affiliate offices in each state to keep an eye on state and local issues and advance civil liberties in their state. Here in Delaware, the ACLU of Delaware (ACLU DE), we protect rights found not only in the U.S. Constitution, but also those in the Delaware constitutions. We do this through education, advocacy, and legal work, without consideration of political association. We work on big issues and institutional problems, so that when we win, we can have a positive impact for many here in Delaware.

Main Contacts

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Organizing Background

- **Organizing** prioritizes deep investment in relationships building, leadership cultivation, and strengthening communities because these lead to durable and significant changes for people
  - Organizers have two ways conversations with supporters, activists, priority constituents, and impacted communities to help create feedback loops to ensure that our priorities and work reflect the priorities of communities on the ground who have the most at stake if we win or lose
  - Organizing builds political power by engaging, strengthening, and agitating those people to advocate for change for themselves and their communities

WhatsApp – Idea and Problem

Our immigration is one of our newest campaigns and we are working on growing our presence in the community. As part of this goal, we need to identify the best method to share information and opportunities with community members, hear about issues going on in the community, and get connected with members of the community who are already doing organizing work. After talking with Charito, our Immigrants' Rights Organizer, we zeroed in WhatsApp was the ideal messaging system to communicate with this community. We had two main reasons for choosing WhatsApp

1. Many people in the community are already on the app. If that's where the people we want to talk with are, it makes sense for us to be on the app.
2. We believe that members of this community are more likely to join a WhatsApp group instead of opting into our email list (which is what we primarily use to communicate/update our network).

Ultimately, we want to use this platform in two main ways: a mass communication system to spread information about events, opportunities, and other critical information and a way for community members to be able to directly reach out to ACLU staff about issues impacting them and/or their community.

However, we have run into problems and questions that have kept us from getting this platform off the ground. There are four main problems that we've identified:

1. **Privacy**
   The ACLU believes that every person has a right to privacy and actively works to expand that right, increase the control individuals have over their personal information, and ensure civil liberties are enhanced rather than compromised by technological innovation. So, we need to better understand WhatsApp privacy policy and see what privacy measures on available for individuals. For example, for individuals using the app, we need to know if phones can be hidden and what ability people might have to keep their names private.

   Given the importance the ACLU places on privacy, when volunteers or constituents opt-in to communications with us, we want them to have the ability to become informed about their data, such as explaining how and why we collect data, how we protect data, and what are the individual's rights. In cases when we are using a third party – such as Slack or WhatsApp – we also want to let people know the potential risks to their information because that party isn't governed by the same rules and regulations we use. These privacy statements explain these issues to individuals. Below are a couple of different explainers and notices to examine. These are intended to show how the ACLU and ACLU DE think about privacy protection and guide you on what to think about and investigate. Also included is the Privacy information and policy for slack itself, which the ACLU sends to its volunteers who sign up for their Slack group.
   - ACLU of Delaware Privacy Statement
   - ACLU Slack Info
     - Privacy Statement - General
     - Privacy Policy – Slack
     - User Terms - Slack

2. **WhatsApp Community Function**
   WhatsApp has a relatively new function – Communities. Communities on WhatsApp bring people together into a large group, which can have smaller sub-groups of channels that people can be added to. However, no one in the ACLU DE has used this function, so a better understand of how this running of this program – such as the nuts and bolts of setting up a

community and groups, process for adding and removing members, and idea of all the administrators can do – is needed.

We also need to get a sense of how easy this function is to explain to individuals who would be joining the community. While many will use the app for 1 on 1 conversations or small group chat (such as a family group chat or a friends chat), most probably haven't used the community function or are really familiar with it. Is this function intuitive and easy to use? Or would it require spending time with getting individuals up to speed on the system?

3. **Used By Others**
   We want to get a good sense of if other organization that organization and/or work with the immigrant community are using. Are they using WhatsApp and if so, did how have they gotten around the privacy questions and how easily did people take to the app.

4. **Balance Between WhatsApp and Concerns**
   Ultimately, if the answers to those questions above, we come to the final question. Do the benefits of using WhatsApp outweigh the privacy and tech limitations that we might have?

Other Organizations to Talk With

1. Other ACLU affiliates that also have large immigration populations, including New York, Florida, Texas, Arizona, and California[1] . We are happy to facilitate any introductions, when ready to reach out.

[1] Note – California has 3 affiliate office: Northern California, San Diego & Imperial Counties, and Southern California