

# 2017

## ACLU OF MS LEGISLATIVE AGENDA

The ACLU of Mississippi stands more committed than ever to pursue an agenda that promotes justice and equality for all Mississippians. Our legislative package includes the following proposals:

### MISSISSIPPI CIVIL RIGHTS ACT

No one is protected in Mississippi until all of us are protected. The ACLU of Mississippi will again propose the Mississippi Civil Rights Act, designed to protect all Mississippians from discrimination on the basis of race, color, sex, religion, national origin, immigrant status, disability, gender identity, and sexual orientation. With the support of a coalition of organizations and the “We Are All Mississippi” Campaign, we are committed to holding our state accountable and standing on the bedrock values we believe in: respect, equality, and acting with decency towards our fellow man. After all, WE ARE ALL MISSISSIPPI!

### EXTENDING EXISTING PROTECTIONS

No one should feel less than or treated differently simply because of who they are. The ACLU of Mississippi will propose two additional pieces of legislation that strengthen current law to create protections on the basis of sexual orientation and gender identity. One bill will add those protections for current and future state employees, and the other will add those protections to those seeking housing through the Mississippi Home Corporation, a state entity that provides housing opportunities for first-time home buyers.

### SPECIAL PROSECUTOR PROVISIONS AND RACIAL IMPACT ANALYSIS

It is imperative that our justice system be fair and impartial for all Mississippians. The scales of justices cannot be tilted in such a way that favors one vocation over the rights of its citizens. The ACLU of Mississippi will propose legislation this session to create a statutory process for the selection of a special prosecutor, especially in cases where a law enforcement officer involved shooting has occurred. Special prosecutors have traditionally served as a safeguard against unfair trials, and adds a level of credibility and trust to our criminal justice system.

Before policy decisions are made, lawmakers should determine the effects these policies have on Mississippi’s growing minority population.

Mississippi disproportionately incarcerates people of color, and the laws that impact our correctional system often times overlook this disparity. The ACLU of Mississippi will propose legislation that would attach a racial disparity impact analysis tool to any legislation affecting changes in the criminal justice system.

### WRITTEN CONSENT TO SEARCH VEHICLES AND POLICIES FOR LAW ENFORCEMENT BODY CAMERAS

Police search thousands of cars each year at Mississippi traffic stops, usually looking for guns or drugs. They may often feel coerced and isolated by the side of the road. The ACLU of Mississippi’s proposed legislation ensures that drivers understand their constitutional right to say no to a request to search by requiring written consent with a simple disclosure. This will cover instances when an officer doesn’t have a warrant, is not making an arrest, or does not have probable cause. Written consent improves policing as well as protects public safety and civil liberties.

Body cameras have the potential to serve as a check against the abuse of power by police officers. A win-win, body cameras help to protect the public against police misconduct, and at the same time guard against false accusations of abuse. However, without a strong and comprehensive policy, body cameras are nothing more than an extra piece of equipment. The ACLU of Mississippi proposes a body camera comprehensive policy that will protect the public and promote police accountability and transparency, without becoming another system for routine surveillance. While our proposed legislation does not mandate that all Mississippi law enforcement officers be equipped with body cameras, it does ensure that for those that are equipped will do so within a framework of strong policies.

The ACLU of Mississippi will engage and work with the members of the Mississippi State Legislature to obtain the successful passage of these measures. We will also remain alert and determined to defeat any legislation that goes against the core principles of equality and justice.

# 200 [YEARS] OF OVERCOMING CHALLENGES

Mississippi will celebrate its bicentennial on December 10, 2017. In our nearly 200-year history, the Magnolia State has overcome many challenges and created a wealth of opportunities. We have done it with a combination of Southern tradition, diverse ideals, and a unity of purpose.

As we look forward, it is imperative that we have that same passion to achieve a greater level of equality, justice and freedom for all Mississippians. In pursuit of true equity, our state leaders must dedicate themselves to a higher calling of leadership, service, and a brighter vision for a better future.

Look inside this agenda to learn about opportunities for our state legislature and governor to dismantle barriers and promote equity. Use this agenda as an informative tool that highlights the unfinished business of achieving “justice for all” in Mississippi.



P.O. BOX 2242  
JACKSON, MS 39225

601.354.3408  
www.aclu-ms.org

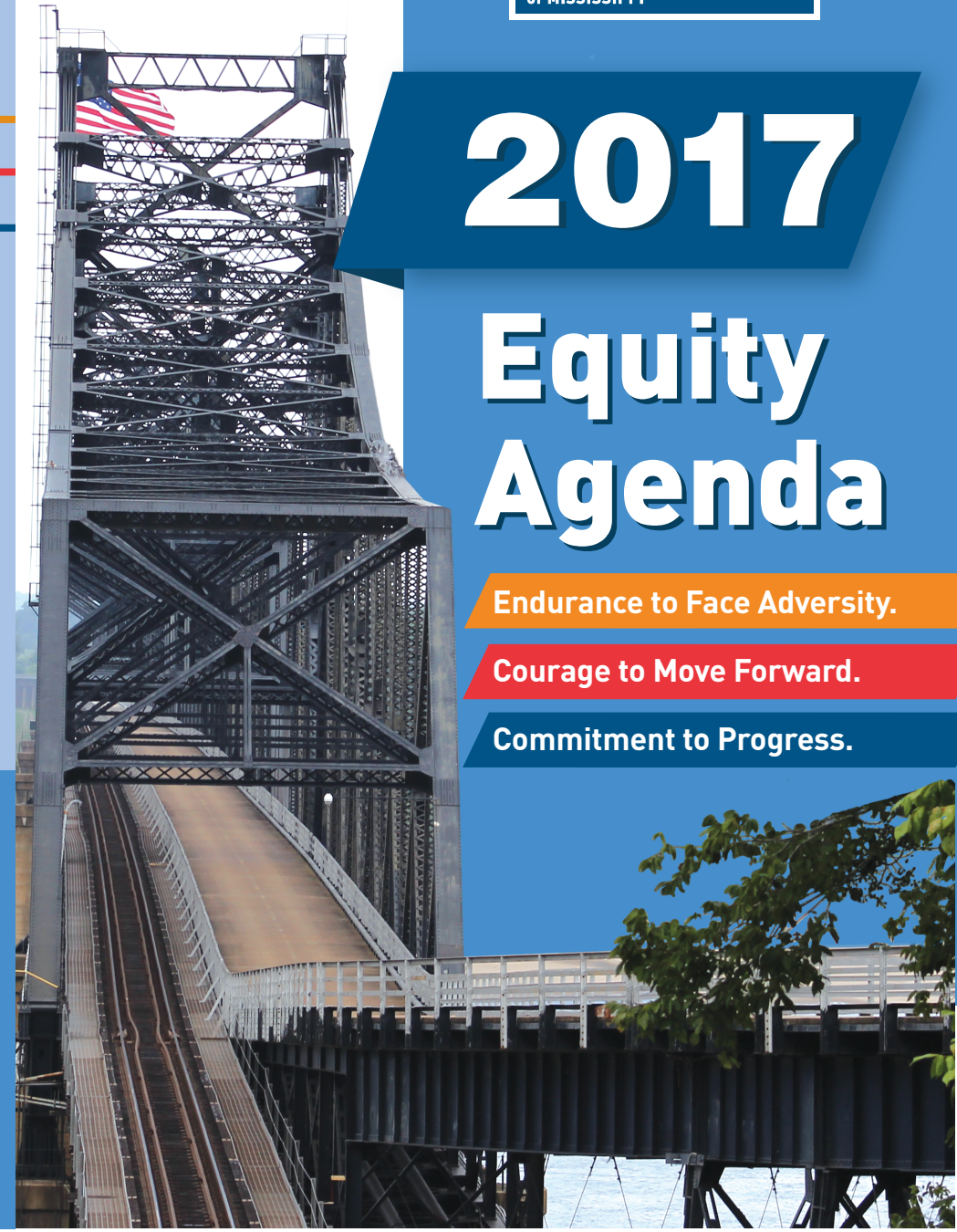


# 2017 Equity Agenda

Endurance to Face Adversity.

Courage to Move Forward.

Commitment to Progress.





1

## COMMIT TO CRIMINAL JUSTICE REFORM

“ Justice must remain an undeniable right for all, not a special privilege for some. ”

- Loretta Lynch, Attorney General of the United States

A responsible approach to criminal justice will make our state safer and help all Mississippians. This requires strong leadership, a commitment to courageous criminal justice reform, a common-sense approach to addressing practices of police misconduct and reducing over reliance on incarceration.

### PROMOTE TRANSPARENCY & ACCOUNTABILITY

Lack of police accountability and transparency presents a liability to the state of Mississippi. Law enforcement should be held accountable just like the communities they serve. Transparency is required to ensure better relations and trust between community and police. Uniformed policies that allow written consent for searches and uniformed body camera standards provide a greater level of transparency and accountability.

Everyone should have a fair trial. Even if it means assigning a special prosecutor to handle sensitive cases where justice is meted out equally and equitably.



### SUPPORT RESTORATIVE AND RACIAL JUSTICE

Sentencing reform and improved re-entry policies will ensure that Mississippians gainfully attract employment opportunities so that they become full civic participants once their time has been served.

While incarceration rates are going down, Mississippi still locks up black people more than three times greater than white people. A legislative mechanism is necessary to determine potential disparities of proposed legislation prior to adoption and implementation.

2

## EXTEND EQUALITY TO ALL MISSISSIPPIANS



Photo: Lucian Dixon

No one person can tell the story of Mississippi because of our diverse citizenry. We should want all Mississippians to feel safe and welcomed here. This can be achieved by prioritizing equality for all.

### PROTECT CIVIL RIGHTS

Supporting protections for all Mississippians regardless of race, color, religion, ethnicity, gender, gender identity, sexual orientation, disability, familial status or immigrant status in all facets of societal life will surely help to reshape the narrative. No one should face discrimination in employment, housing, public accommodations, health care, state government programs or education.

### EQUAL TREATMENT FOR ALL PEOPLE

All Mississippians should have equal access to affordable health care and fair wages. No Mississippian should be criminalized for contracting an illness, denied access to health care because of who they are or disrespected because of their status or identity. A woman's access to health care and the right to make informed decisions regarding her health care should be protected. Mississippians deserve an increased minimum wage and higher paying jobs to support their families.

### PROTECT VOTING RIGHTS

Any legislation that increases access to the polls should be strongly supported. Creation of online registration and early voting opportunities are critical to ensuring every voting age Mississippian has the opportunity to participate in this fundamental right. Mississippi should restore voting rights with past criminal convictions so that they can gain full civic participation in society.

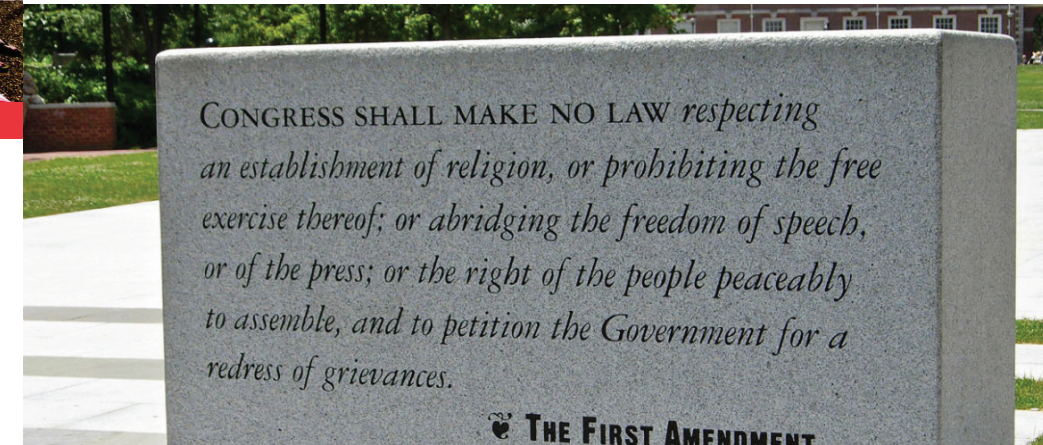
3

## GUARANTEE FREEDOM OF SPEECH & EXPRESSION, PRIVACY & ACCESS

Sections 13 and 18 of the Mississippi Constitution of 1890 protects Freedom of Speech and Freedom of Religion, and holds both of those rights as fundamental. Members of the Mississippi Legislature take an oath to uphold these and other rights embedded into that same Constitution. No legislative action should be introduced or voted upon that jeopardizes or compromises in any way these First Amendment rights given to all Mississippians.

### DEFEND & PROTECT THESE FREEDOMS

Religion should never be used as a tool for discrimination. Freedom of speech and expression should never be should never be infringed upon. The right to privacy and access should never be compromised. Legislators are asked to promote policies that protect these freedoms and oppose any legislation which attempts to deprive citizens of these values.



We have hope that the members of the Mississippi Legislature will embrace the American Civil Liberties Union of Mississippi 2017 Equity Agenda as their own agenda. Providing a foundation for a more equal and just Mississippi is a standard that is not too lofty to attain. Encouraging respect amongst their fellow Mississippian is not too altruistic to comprehend and visualize. Courageously tearing down barriers to progress while protecting the rights of its citizens is not too difficult a balancing act to perform.

This agenda should serve as a tool to help those entrusted with leadership in this great state to speak out for those that have no voice, and provide a blueprint for a Mississippi that will be beneficial for the many citizens that inhabit it. It is our desire to see the actions of this legislature reflect a spirit of collaboration by joining with us to see this agenda brought forward.