

2018 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.

STATE CIVIL RIGHTS PROTECTIONS

In our continued fight for equality for all, the ACLU of MS will again propose the Mississippi Civil Rights Act with two additional pieces of legislation that strengthen current law. This legislation is 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. We are also asking the legislature to add sexual orientation and gender identity protections for current and future state employees and to those seeking housing.

SPECIAL PROSECUTOR PROVISIONS AND RACIAL IMPACT ANALYSIS

The ACLU of MS advocates for the creation of 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 add a level of credibility and trust to our criminal justice system.

The criminal justice system in Mississippi has a disproportional impact on people of color. Historically, laws creating changes in the criminal justice system overlook this disparity. The ACLU of MS proposes legislation to require racial impact analysis for each piece of legislation affecting changes in the criminal justice system. This analysis will serve as a valuable tool to inform decision makers and stakeholders of the potential disparate impact of any legislation impacting our criminal justice system.

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

Oftentimes, drivers don't know that they can deny consent to police officers when stopped by the police. The ACLU of Mississippi is again proposing legislation to ensure 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.

Police body cameras have the potential to serve as a check against the abuse of power by police officers. However, without statewide guidelines in place for their use, body cameras present a potential invasion of privacy and lack of accountability and transparency. The ACLU of MS' legislation will not mandate that all Mississippi law enforcement officers be equipped with body cameras, but it will ensure that law enforcement agencies do so within a framework of standardized policies.

EDUCATION PROFESSIONAL ADVANCEMENT

Beginning immediately, school boards across the state have new directives for the hiring of superintendents. According to a 2017 amendment, school superintendents must only come from districts with an "A" or "B" rating or a school that has made an improvement in rating during their tenure. This amendment inherently discriminates against majority black and rural low-resourced districts, disenfranchising teachers and administrators who vehemently hold up public education in the state. By placing a scarlet letter on struggling districts and stunting growth for career educators, this amendment disproportionately affects African Americans and women. The ACLU of MS will introduce legislation to rectify this effect by adding emphasis to professional experience as opposed to subjective, arbitrary criteria.

EXPANDING VOTER ACCESS

Common sense reforms, like early voting and online voter registration, boost turnout, make the voting process easier for everyone, including election officials, and help to ensure that people can exercise their fundamental right to vote. The ACLU of MS supports legislative efforts to permit a two-week period prior to Election Day for eligible voters and to further develop a secure internet website established by the Secretary of State that would allow for online registration.

The Mississippi Legislature first convened in 1817. This body has seen many changes and enacted many laws over the last 200 years. Now more than ever, progress in Mississippi must be the main priority. The burden of achieving this progress may be heavy and the work involved may be cumbersome, but we contend that it is not unbearable nor impossible. In fact, we believe that it is imperative that for this state to continue forward, equality, accountability and justice must be at the forefront of the legislative process. Without these principles, growth and prosperity are hollow and short-lived.

This is why we urge the adoption of the ACLU of MS' 2018 Equity Agenda.

ACLU Mississippi

The ACLU of Mississippi will engage and work with the members of the Mississippi State Legislature to obtain the successful passage of these measures. At the same time, we will remain alert and will work diligently to defeat any legislation that goes against the core principles of our aforementioned prioritized areas of focus.

Our 2017 Legislative Report Card highlights "Champions" of equity and inclusion, and holds those accountable who fail to promote racial, cultural, and economic justice. Find it and more legislative resources at www.aclu-ms.org.

ACLU
Mississippi

2018

**Equity
Agenda**

**Making Mississippi a Just
and Equitable State for All**

1 / COMMIT TO CRIMINAL JUSTICE REFORM



Members of the Mississippi Legislature are commended for their commitment to criminal justice reform; however, we implore them to do more. We know that mass incarceration continues to be an incredible financial and social burden on this state.

SUPPORT RESTORATIVE AND RACIAL JUSTICE

Legislators must reform sentencing practices and improve our re-entry policies so that people are employed and are fully able to be civic participants once their time has been served. Since incarceration greatly impacts people of color in this state, there is a need to create a legislative mechanism to determine the impact future correctional legislation will have on communities of color.

PROMOTE TRANSPARENCY AND ACCOUNTABILITY

Uniformed policies that allow written consent for searches and uniformed body camera standards provide a greater level of transparency and accountability. Special prosecutors are needed to handle sensitive cases so that justice is meted out equally and equitably, particularly in officer-involved shootings.

2 / EXTEND EQUALITY TO ALL MISSISSIPPIANS



Supporting protections for all Mississippians regardless of race, ethnicity, gender, gender identity, sexual orientation, disability, familial status or immigrant status in all facets of societal life is true hospitality and the right thing to do. Mississippians should not face discrimination in employment, housing, public accommodations, health care, state government programs, or education. Religion should never be used as a tool of discrimination.

3 / GUARANTEE EDUCATIONAL OPPORTUNITIES



Education professionals should be able to advance in their careers based on their merits. These dedicated professionals should not be denied opportunities based on arbitrary criteria that invokes an unfair bias towards them.

Legislators should review the superintendent qualifying standards set forth in state law, remove any language that creates racial and gender discrimination towards persons being hired, and provide the proper funding necessary for academic success in every school district.



4 / PROTECT VOTING RIGHTS



One of the most important civil rights battles in American history was waged heavily in the State of Mississippi. Men and women of all races and faiths fought for, and some literally died for, every citizen to have the right to vote. The right to vote is as sacred in the constitutional lexicon as the freedom of speech and expression. Legislators should continue to do everything within their power to protect and enhance this right.

Creation of online registration and early voting opportunities are critical to ensuring that every voting age Mississippian has the opportunity to exercise this fundamental right. Any legislation that increases access to the polls should be strongly supported.

5 / GOVERN WITH TRANSPARENCY AND ACCOUNTABILITY



Lack of police accountability is a protection liability on all Mississippians. The right to personal privacy and governmental access should never be compromised. Legislators, as stewards of the public trust, must make sure that transparency and accountability are instilled in the philosophy of governance in our state.

As we embark on the 2018 Legislative Session and look forward to the next 200 years, let us work together to make Mississippi a more just and equitable state for all. Our legislators, who we entrust with leadership to speak out for those who have no voice, can take action to ensure that Mississippi is a state that is beneficial to all its residents and visitors. No longer can marginalization and division be a part of our state's history or blueprint. We are stronger together. We hope that the members of the Mississippi Legislature will embrace the American Civil Liberties Union of Mississippi 2018 Equity Agenda as their own agenda.

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.



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