



2013-2014
ANNUAL REPORT

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Letter from Our Leadership

During the summer of 1964, Mississippi experienced a pivotal moment in history when the clarion call for freedom rang out through the land. It should be that 50 years later, when we are commemorating the work of the heroes and heroines of Mississippi Summer, the story of the right to be treated equally is different. In many ways it is, thanks to the vision and struggle over the last half century of so many who took up that call here in Mississippi. But, as Roger Baldwin observed about defending the Constitution, “No battle ever stays won.” So as it is every year, our 2014 program year was marked by both victories and continuing struggles.

Our year began on a high note, with Rap superstar Macklemore urging his fans to become card carrying members of the ACLU. “If you like being free like me, get the ACLU card today.” We were encouraged as we led the public outcry against discriminatory legislation, and cheered as equality resolutions were enacted

in several Mississippi cities. We were energized as we successfully fought back against racial profiling on our highways. We remained hopeful as the Governor signed legislation into law that we supported as part of our fight against mass incarceration. Mississippi's prison population is the second highest in the nation. We celebrated when our efforts contributed to delaying implementation of the law requiring drug testing for TANF recipients. And we were, of course, elated at the Fifth Circuit's decision upholding the rights of Mississippi women to access reproductive healthcare in their home state.

The elation born of these victories, however, has been tempered by the obstructions to equality and justice that seem never to go completely away. Despite our efforts, we saw the Mississippi legislature abuse religious freedom as a means of approving legally sanctioned discrimination, and were outraged when the United States Supreme Court did much the same thing by allowing employers to use the purported religious beliefs of their owners to deny employees access to reproductive health benefits that the Affordable Care Act guarantees. We were angered when zero tolerance made

zero sense as a young Mississippi man's opportunity for education hang in the balance because he was assumed to be in a gang. Our hearts and eyes cried as we were called to protect a special needs Mississippi school child who had been thrown into the perils of the justice system when a School Resource Officer resorted to police tactics.

These ups and downs demonstrate that the fight for freedom, justice and true equality must and does continue. The ACLU of Mississippi is actively engaged in the courts, the halls of the legislature and in programmatic and organizational work aimed at overcoming each and every one of these obstructions and know that we will continue the struggle until victory is gained. This work however is not, and cannot, be done without your dedication and support.

People call and write us every day for help. They turn to us because of our reputation for courage and steadfast defense of constitutional principles. Your past support of the ACLU of Mississippi reveals your commitment to justice and your zeal to end discrimination and promote equality for all. We trust you will be energized by this annual report to continue doing so as generously

as you are able. When you get your annual renewal notice, don't forget to renew your membership at the most generous level you can so the ACLU can survive and thrive. And please consider supporting our work with a tax-free contribution to the ACLU of Mississippi Foundation, as well.

Thank you for your continued support!



Jennifer Riley-Collins
EXECUTIVE DIRECTOR



Alison Steiner
PRESIDENT OF THE BOARD OF DIRECTORS

JANUARY 2014

- We introduced four bills related to youth justice and criminal justice reform during the 129th Legislative Session.

- We celebrated the 41st Anniversary of the Supreme Court Decision in *Roe v. Wade* with a screening of the short documentary and discussion of *Motherless: A Legacy of Loss from Illegal Abortion*.

- Jennifer Riley-Collins spoke at the Mississippi Immigrants Rights Alliance press conference supporting in-state tuition equity.

FEBRUARY 2014

- Constance Gordon receives an award for her commitment to LGBTI work from Open Arms Healthcare Center and My Brother's Keeper.

- Our staff facilitated discussions at Mississippi Film Office and Crossroads Film Society screenings of *Fruitvale Station* and *Valentine Road*.

MARCH 2014

- Our Advocacy team works with two cases in Desoto County dealing with the School-to-Prison Pipeline and use of restraints and seclusion in schools.

- In partnership with the Mississippi Gulf Coast Rainbow Center and The Dandelion Project, we rallied for protections for the LGBT community at the Capitol.

- We saluted Governor Bryant for signing HB 585, a corrections reform bill which will reduce our incarceration rate and save money by getting non-violent offenders out of prison.

MARCH 2014

- ACLU releases *The Uncovery*, an online advocacy tool to bring attention to the racial bias in marijuana possession arrests. A black person is 3.85 times more likely to be arrested than a white person in Mississippi.

OCTOBER 2013

- Our Annual Meeting and a Legal Symposium take place with Dennis Parker, Director of the ACLU Racial Justice Program.

NOVEMBER 2013

- We move into our new office on Capitol Street.

DECEMBER 2013

- We filed a lawsuit alleging racial profiling by state troopers on behalf of Cathryn Stout and Raymond Montgomery.

NOVEMBER 2013

- ACLU National releases report, *A Living Death*, on life sentences without parole for nonviolent offenses.

DECEMBER 2013

- ACLU releases *Healthcare Not Handcuffs: Putting the Affordable Care Act to work for Criminal Justice and Drug Policy Reform*.

- ACLU launches My Big Gay (Il)legal Wedding Contest for five same-sex couples to win a wedding.



EVERY YEAR, WE SPEND
\$3.6 BILLION ENFORCING
MARIJUANA LAWS.

APRIL 2014

- We held successful lobbying and advocacy efforts resulting in the removal of most of the discriminatory language in the Religious Freedom Restoration Act. On April 3rd, Governor Bryant signed SB 2681 into law.
- We co-hosted the 7th Annual Criminal Justice Reform Conference with Jackson State University's Department of Criminal Justice and Sociology.



MAY 2014

- Jennifer Riley-Collins is featured on PBS Religion and Ethics NewsWeekly discussing SB 2681, the Mississippi Religious Freedom Restoration Act.
- At our request, the Hinds County Detention Center complied with the Americans with Disabilities Act and installed teletypewriters for detainees with hearing and/or speech impairment.

JUNE 2014

- During the first elections requiring Voter ID, we established a statewide voter protection hotline and an online campaign to educate the public about voting rights and Voter ID.
- We helped sponsor the Youth Congress during the 50th Anniversary of Mississippi Freedom Summer 1964 celebrations.



JULY 2014

- At the request of our office, ACLU, and the Mississippi Center for Justice, the Mississippi Department of Human Services delayed implementation of HB 49, a drug testing for TANF recipients law, pending a public hearing which took place on July 22nd.



- 5th U.S. Circuit Court of Appeals ruled unconstitutional a law that would require physicians at the only abortion clinic in Mississippi to obtain admitting privileges at a local hospital, allowing the clinic to remain open.

APRIL 2014

- ACLU along with actress Marlee Matlin release American Sign Language videos to help educate and advance the rights of the deaf.



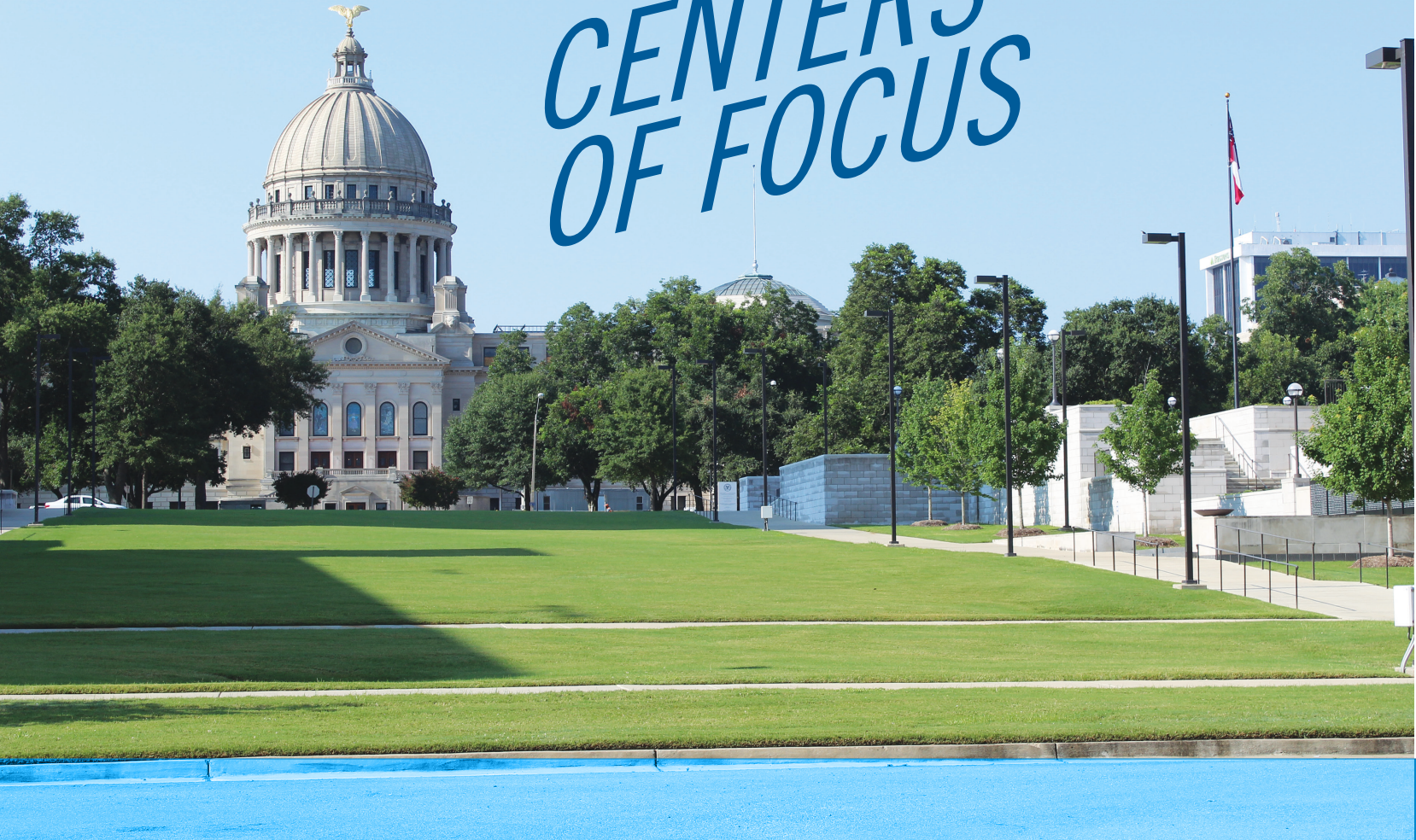
JUNE 2014


- ACLU National and ACLU-TX release a report on for-profit Criminal Alien Requirement prisons in Texas, featuring a private company that has a facility in Adams County, Mississippi.
- ACLU celebrates one year anniversary of winning the Edie Windsor case challenging the Defense of Marriage Act at the Supreme Court.
- The ACLU cites that the U.S. Supreme Court got it wrong in its rulings in favor of Hobby Lobby.
- ACLU releases report *War Comes Home* about the militarization of police in America.

JULY 2014

- ACLU files lawsuit on behalf of thousands of children forced to represent themselves in immigration court.
- ACLU applauds President Obama for signing an executive order protecting LGBT people from workplace discrimination.

CENTERS OF FOCUS





**This is where we have focused
our work over the last year.**

CRIMINAL JUSTICE REFORM

- Demand access to quality healthcare for incarcerated women
- Advocate for access to quality indigent defense
- Address systemic practices of police misconduct
- Reduce over-incarceration through sentencing reform

EQUALITY FOR ALL

- Promote equality for all regardless of race, gender, sexual orientation, or disability
- Challenge discriminatory immigration policies
- Advocate for reproductive freedom
- Protect voter rights

FREEDOM OF SPEECH AND EXPRESSION

- Protect the values of the First Amendment and religious freedom
- Challenge policies that restrict protected speech and expression

YOUTH JUSTICE REFORM

- Reduce exclusionary discipline practices
- Reduce numbers entering School to Prison Pipeline
- Create safe places for LGBT youth
- Challenge policies that criminalize youthful behavior



CRIMINAL JUSTICE REFORM

Preserving postal rights of inmates

In December 2013, we were notified that the Harrison County Jail had instituted a policy restricting inmate mail to only post cards. This policy was allegedly intended to reduce the amount of contraband entering the facility. After receiving inquiry from our office, Harrison County changed its policy and inmates received full access to their postal rights.

Changing discriminatory policies

We sent a letter of demand to the Mississippi Department of Public Safety (MDPS) after being contacted by a number of individuals regarding a MDPS policy in the Driver Services Administrative Code. It requires all non-US born individuals to have their birth certificates translated into English by a Mississippi public university before receiving a Mississippi driver's license. This policy is in violation of the Fourteenth Amendment to the US Constitution and Title VI of the Civil Rights Act of 1964. We are continuing to monitor DPS' policies and will take necessary and appropriate legal action.

Protecting youth in jails and prisons

As part of a national initiative, we signed on a letter to the Governor Phil Bryant requesting he implement the Prison Rape Elimination Act (PREA) calling on him to apply the Youthful Inmate Standards and remove youth from adult jails and prisons.

In partnership with Southern Poverty Law Center, Children's Defense Fund, Mississippi Families as Allies and other organizations, we sent a letter to Mississippi Department of Corrections Commissioner, Chris Epps, pressuring him to keep community work centers open. As a result of this effort, four centers remained open.

Proposing criminal justice reform under legislation

SB 2249 required the amendment of the non-violent Habitual Offender Law (MS Code Section 99-19-81) to require that only felonies resulting in confinement trigger the enhancement. Although this legislation proposed language which made the triggering language consistent with language used in the violent companion law for violent offenses, it was opposed by prosecutorial friendly legislators.

Supporting efforts to reduce mass incarceration

We supported House Bill 585, the omnibus bill which House and Senate members passed that presents provisions compiled by the bipartisan, inter-branch Corrections and Criminal Justice Task Force. The goal of the Task Force was to develop policies to improve public safety and reduce the prison population.

Enactment of these measures proposed by the Task Force would establish several different reforms including changes to funding drug courts and creating reentry programs. We did not agree with all the recommendations proposed by the taskforce, but viewed the bill as a whole efficient at reducing mass incarceration.

As a part of HB 585, non-violent inmates are able to seek a hearing before their sentencing Judge or the Senior Judge/Assigned Judge if their sentencing Judge has retired, to determine whether they are eligible to go before the Parole Board and seek early release. Along with the Southern Poverty Law Center (SPLC), the MacArthur Foundation and other allies, we are spearheading efforts to assist eligible non-violent inmates to navigate criminal justice procedures to access this provision.

Co-hosting Annual Criminal Justice Reform Conference

In April, we co-hosted the 7th Annual Criminal Justice Reform Conference with Jackson State University's Department of Criminal Justice and Sociology and the Mississippi Public Defender Association. Guest speakers included activist Joyce Ann Brown, Judge Carlton Reeves, District Attorney Robert Smith, Judge Winston Kidd, Judge Jeff Weill, and Judge June Hardwick.

The conference featured discussion panels focusing on the need for community education, sentencing, and a review of HB 585, the corrections and criminal justice reform bill. We screened the HBO documentary film *Gideon's Army* at the conference and hosted an additional screening and discussion in Natchez.



EQUALITY FOR ALL

Changing policies for students with disabilities

Across the country, over-policing in school as a result of inadequate training of School Resource Officers (SRO) has become an issue. This year we represented Krystin Polk, a 13-year-old with autism spectrum disorder from DeSoto County, who was handcuffed, detained overnight, and sent to juvenile detention by the SRO. The SRO claimed he detained her "for her own good" because, although her IEP details her behavior when forcibly restrained, she wandered away from school. As a result of our representation, the judge dismissed the charges, but Krystin's mother Krystal (pictured left with Krystin in background) remains an advocate for children who have autism or other special needs. She is working with us to pass legislation requiring proper training for SROs and reduce the use of restraints and seclusion in schools.

Protecting the rights of the LGBT community

The freedom of expression is a fundamental right. This year we worked with two transgender men who were denied their freedom to express themselves in their gender identity.

J.B. would like to have his birth certificate and driver's license changed and we are working with ACLU of South Carolina and the ACLU LGBT Project to assist him.

We successfully intervened on behalf of C.H., a 17 year old graduating senior who had been denied the right to wear slacks under his graduation gown. Once the school was notified that we were monitoring the case, they allowed C.H. to wear clothing that reflected his gender expression.

Tuition Equity for Aspiring American Students

During the 2014 Legislative Session, we supported HB 209. This legislation would have allowed immigrant students who attend in-state high schools, graduate and meet other criteria to pay in-state tuition rates, regardless of their status. Though the bill died in committee, we spoke at a hearing regarding tuition equity in March and will continue advocating for the rights of aspiring American students.

Taking action against racial profiling

Cathryn Stout, a doctoral student on her way to study Mississippians' efforts to combat negative stereotypes of the state, and Raymond Montgomery were driving on I-55 when a Mississippi state trooper pulled them over for a perfectly legal Alpha Kappa Alpha Sorority, Inc. license plate holder. The trooper searched their vehicle despite their refusal to consent, prevented her from recording the incident on a camera phone and then sent them on their way without any ticket or an apology. In December 2013, we filed a lawsuit against the Mississippi Department of Public Safety and three state troopers alleging they engaged in racial profiling and violated First, Fourth and Fourteenth Amendment rights. The litigation is ongoing.

Protecting Mississippi's most vulnerable children

In June, with ACLU and the Mississippi Center for Justice, we successfully delayed implementation of HB 49, a law that would require Temporary Assistance for Needy Families (TANF) applicants to be screened for possible drug abuse, pending a public hearing. The July hearing was well attended by legislators, advocates, and community members. We were able to address our main concerns with the legislation. TANF is designed to help needy families achieve self-

sufficiency, but the bill was rushed through with little thought given to how it would affect those families and the children who receive its benefits. Our efforts helped to protect low income Mississippians receiving these benefits, as the Mississippi Department of Human Services has begun to embrace our concerns regarding the legal and practical problems in this misguided policy.

Advocating for reproductive freedom

After a year of waiting, the 5th U.S. Circuit Court of Appeals ruled in a 2-1 decision that the law passed in 2012 requiring doctors at the only abortion clinic in Mississippi to have admitting privileges at local hospitals was unconstitutional. But while this decision keeps the clinic open, lawmakers continue to create additional barriers for women in the state to access important healthcare. During the 2014 legislative session, legislators introduced HB 1400, which prohibits performing abortion at or after 20 weeks of pregnancy. We, along with our allies, voiced our strong opposition to the law. Despite our efforts, it was passed into law and went into effect on July 1st. Although we breathed a sigh of relief that the abortion clinic will remain open, we will continue to work to maintain access and prevent any further barriers to reproductive freedom for women in Mississippi.



**FREEDOM
OF SPEECH
& EXPRESSION**

Defending against religious discrimination

Religious freedom is one of our most treasured liberties. We have the right to believe or not to believe whatever we want about God, faith, and religion and to act on our beliefs, unless those actions harm others.

At the start of the 2014 Legislative Session, lawmakers introduced the “Mississippi Religious Freedom Restoration Act” to add “In God We Trust” to the state seal and allegedly secure the freedom of religion in the state. Rather than protecting religious freedom, the unnecessary law was written to allow for religious refusals and could allow discrimination against specific populations in Mississippi.

We led the effort in one of the most publicized fights this year, particularly after Arizona Governor Jan Brewer’s veto of a similar bill. People from all over Mississippi

rallied with us as we spoke out against this legislation including religious leaders, LGBT organizations, legal scholars and businesses. As a result, legislators acted and improved language in the bill, but closely modeled it to the federal Religious Freedom Restoration Act. Governor Phil

Bryant ignored the public outcry and signed it into law in April. Unfortunately, the law could still open the door to someone who wants to use religion to discriminate against others.

In response to its passage, we proudly supported a group of advocates and business owners who began the “If You’re Buying, We’re Selling” campaign to identify businesses where

discrimination is not tolerated. The sticker campaign made its way to business from the Gulf Coast, all the way up to Oxford, and across the country. In another public statement of support, nine cities across the state passed equality resolutions to



support the LGBT community. The public outcry and campaigns of support for LGBT Mississippians brought attention to the need for protection from discrimination. We will continue to protect the rights of the LGBT community and prevent religious discrimination to make Mississippi a positive and welcoming place for everyone.

Protecting the Freedom of Speech

In *Fletcher v. Diamondhead*, we sought to protect the First Amendment rights of Diamondhead residents to fully participate in the political process. A lawsuit was filed in Federal Court on behalf of Diamondhead, MS residents who allege that the Diamondhead Property Owners Association (POA) covenants, rules and regulations prohibit yard signs and door-to-door campaigning violate their First Amendment right to freedom of speech. While this matter is still pending litigation to determine issues regarding whether the POA is a state actor, we won an initial victory on behalf of the citizens. The POA agreed to allow placement of political signs and door to door campaigning.



YOUTH JUSTICE

Proposing Youth Justice Reform Legislation

- **HB 1132** requires sanctions for school district which failed to comply with reporting requirements on the success/failure of alternative school programs. The legislation encourages transparency, efficiency, and accountability of the schools diverting Mississippi students from the School-to-Prison Pipeline. This bill was signed into law by Governor Phil Bryant on March 27, 2014.
- **SB 2306** requires School Resource Officers to complete a uniform statewide training program, including adolescent development, cultural competence and building relationships with students, deescalating violent situations, identifying the social, emotional, and mental needs of students, and directing youth to appropriate services rather than using force, prior to beginning employment. In January, the Department of Justice and the Department of Education released joint guidelines recommending training prior to employment for School Resource Officers.

This bill passed both the Senate and House Education Committees. Unfortunately, the bill was tabled as it proceeded to the House floor for presentation.

Desoto County: Our work continues

Impact litigation is a key element which is essential to change laws, policies and discipline structures that discriminate against our students and often violate their constitutional rights. We prepared to do battle on behalf of Dontadrian Bruce, a student at Olive Branch High School, when the Assistant Principal pointed to a photo of the 15-year-old posing with his classmates in front of their biology project — a model of the DNA molecule built with Lego blocks — and said, “This is a gang sign. You’re a gang banger.” In the same district, we had to stand in the gap for a Krystin Polk in the same school district (see her story on page 10). The Desoto County School District has a record of disproportionately disciplining students of color. In 2011 (the last year data was available), student enrollment was 60.4 percent White, 31.8 percent Black, and 6 percent Hispanic — yet Black and Hispanic students who were suspended totaled 58.8 percent.

We have been battling with Desoto County School District for several years over disproportionate, discriminatory and downright harsh disciplinary practices.

Reforming a system as broken as this one requires substantial effort, but we remain committed to the process. We see progress occurring in parents and students having input related to school policies, especially related to the safety of the kids. We still have a long way to go, but to finally see the wheels turning in the right direction is incredible.

Youth of Color Campaign

Through our Youth of Color Campaign, we have educated hundreds of LGBT youth across the state about their rights and protections. Through partnerships with members of the LGBT Advisory Board we established, we were able to conduct statewide Prom Watch activities to monitor student discrimination at prom. We also initiated a social media campaign to educate LGBT students on their right to fair housing, employment, and an emphasis on rights in the schools regarding fair treatment during the 2013-2014 school year.

Know Your Rights Trainings

We held regional youth justice convenings to address specific issues contributing to student entry into the prison pipeline

within the local community. The convenings focused on advocacy with the goal of overcoming student suppression and criminalization and in building a true statewide youth movement. We are confident that by focusing community engagement efforts on strategies to reduce suspensions, expulsions and youth court referrals that we helped to create safe and healthy school environments.

Freedom Summer Youth Congress

Along with partner organizations, we helped to sponsor and facilitate the Freedom Summer Youth Congress (FSYC), an element of the commemorative activities of the 50th Anniversary of Mississippi Freedom Summer. During the FSYC, the youth, who came to Tougaloo College in Jackson, strategized, collaborated and shared ideas about political power, how to change perception, and how to change the power structure. Attending the FYSC were representatives from the Dream Defenders, United We Dream, Freedom Side, The Young People’s Project, Advancement Project and many other groups.



LOOKING AHEAD



This is where we will be taking our work over the next year.

Criminal Justice Reform

Reduce Mississippi's prison population 25% by 2020 by:

- Monitor private prisons
- Petition for the release of non-violent offenders
- Report on the conditions in target prison facilities
- Advocate for Medicaid expansion to enroll "soon to be released" detainees

Report on healthcare access for incarcerated women

Launch smartphone app to report police misconduct

Improve school safety through our School Resource Officers Initiative

Equality for All Mississippians

Champion TANF recipient protection

Promote voter protection and education

Advocate for "Person First" legislative changes

Continue LGBT Know Your Rights Project

Advance college tuition equity for undocumented in-state students

Reduce the use of restraints and seclusion in schools

Freedom of Speech and Expression

Protect First Amendment rights

Continue minority religion public education campaign

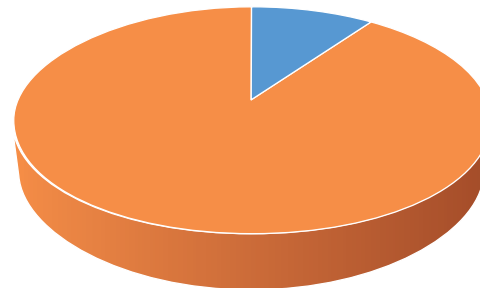
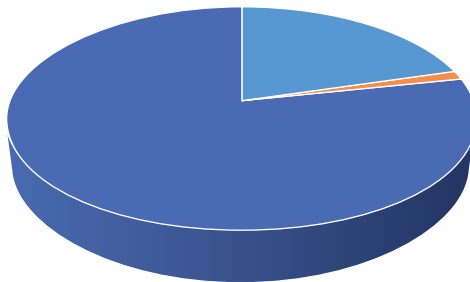
2014 FINANCIALS

Substantial financial resources are essential for the ACLU of Mississippi to effectively defend and advance civil liberties.

The ACLU of Mississippi's financial engine is driven by the dedicated work of committed Board members, staff and volunteers.

The ACLU of Mississippi receives no government funding. We depend entirely upon private donations, foundation grants, court-awarded legal fees, membership dues and, as a small affiliate, significant investment from our National organization.

ACLU of MS, Inc



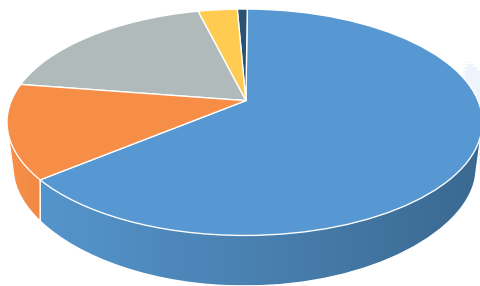
REVENUES AND SUPPORT

Support from National ACLU	26,196
Membership Income	1,085
Fundraising, Donation & Event Income	60
Professional Fees	0
Bequests	110,011
Other Income	0
Unrealized Gain (Loss) on Investments	0
Total revenues and support	137,352

EXPENSES

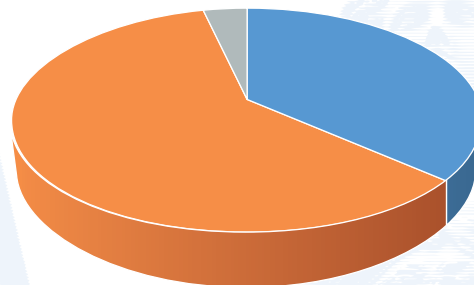
Administrative and General	8,721
Programs	79,381
Total Expenses	88,102
Net Assets	49,250

ACLU of MS Foundation, Inc.



REVENUES AND SUPPORT

■ Support from National ACLU	554,167
■ Fundraising, Donations & Events	117,567
■ Grants	161,101
■ Revenue	27,320
■ Passive Income	5,298
Total revenues and support	865,453



EXPENSES

■ Management/General	339,602
■ Programs	553,672
■ Fundraising	32,228
Total Expenses	925,502
Net Assets	(60,049)

SUPPORT OUR WORK

JOIN the ACLU as a member

DONATE to the ACLU

GET ACTIVE in your community

VOLUNTEER with ACLU

SUBSCRIBE to the Action List

FOLLOW our work online:



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ACLU of Mississippi

SOURCE: Financial Statements for the year ending March 31, 2014. Audited Financial Statements are available upon request by writing ACLU-MS, P.O. Box 2242, Jackson, MS 39225-2242.



**P.O. BOX 2242
JACKSON, MS 39225**

601.354.3408

www.aclu-ms.org