



2015-2016 *Annual* REPORT



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Board President's Letter



I am deeply honored to serve as the Chairperson for the ACLU of Mississippi Board of Directors. While I am not new to the ACLU, the view from this perspective has been. I have been able to watch the energy, commitment and determination of the staff, members and volunteers with a whole new appreciation for what it takes to bring about change. I have earned a new appreciation for the complexity of advocating for and advancing freedom, while defending against tyrannical proposals pushed by state leadership.

I am fortunate to be able to work closely with Jennifer, the staff and other board members to ensure the organization has the capacity to be able to take the actions necessary to make Mississippi better.

This organization has done incredible things this year. The expertise and agility of the staff to be able to bring legal action, propose equitable legislation while

simultaneously opposing any bill that would impact the progress of liberty, and zealously advocate are amazing.

Jennifer and I both agree that nothing just happens, someone has to make it happen. We

know that within the victories and even the hard fought but lost battles, the ACLU of MS could do nothing without you, our members, supporters, and allies.

I take this opportunity to offer our sincere thank you and to ask that you continue to support this organization in this very critical time in our country and in our state. Together, we win.

Sincerely,

A handwritten signature in blue ink that reads "Cassandra Welchlin".

Cassandra Welchlin
Board President

Executive Director's Letter: Determined to Defend Freedom



The ACLU is affecting change, nationwide and across the great state of Mississippi.

You and I, as champions of civil liberties, face a very daunting environment

daily. When leaders and those vying to be leaders across the country spew divisive rhetoric, we must be ever more determined to defend freedom.

What happens in Mississippi echoes the threats to freedom across this country.

Targeted discrimination against our LGBT citizens, restrictions on women's access to safe abortions, criminalization of student code in underfunded schools where equipping law enforcement is more important than purchasing books and educational materials, creating secrecy shields for drug companies who provide execution compounds are only a few of the challenges we face. Fortunately, with your support and by the combined strength of the National

ACLU and affiliates across the United States, we stay the course and continue the fight for equality and justice for all.

Because of your support, all has not been lost.

Through litigation and advocacy efforts, we established a national model to ensure Courts are aware that it is unconstitutional to imprison a person because they are poor. We ensured that the state of Mississippi established a policy to regulate the use of restraint and seclusion in schools. We led the effort to have cities across the state recognize June 26th as LGBT Equality Day. We motioned the court to recognize the unconstitutionality of the Mississippi Education Adequate Program (MAEP). We pushed and will continue to push legislation that declares "We Are All Mississippi," which will provide state protections against discrimination for all Mississippians. We elevated conversations about key criminal justice reforms to include indigent defense, unfair forfeiture, and re-entry. As a direct result of our efforts, persons returning from

prison will have earlier access to medical and mental health care.

We don't do it alone.

Although the amazing staff works tirelessly to bring about change, we are not alone. We are grateful for the bravery of those who stood as plaintiffs and for those who rallied with us. We are greatly appreciative of our partner organizations and the many coalitions that help to make change possible. We are also humbled by the support you continue to give and for the encouragement of knowing you are standing with us.

As you read this annual report, I hope you will find it reassuring that the ACLU and the ACLU of Mississippi through its legal, communications, advocacy and legislative efforts remain uniquely capable and effective in fighting for our shared values. Thank you.

A handwritten signature in blue ink, reading 'Jennifer Riley Collins'.

Jennifer Riley Collins
Executive Director

OCTOBER 2015

- Released the "Advocating for LGBTQ Student Rights in the Mississippi Delta Resource Guide" in partnership with Nollie Jenkins Family Center.
- Filed a federal lawsuit against the City of Biloxi for running a modern-day debtors' prison.
- Launched the Sunflower County Systems Change Project website.



SUNFLOWER COUNTY Systems Change

NOVEMBER 2015

- Released a statement in response to the Governor's attempt to block Syrian refugees from Mississippi.
- Participated in the National Alliance on Mental Illness (NAMI) panel, which examined the problem of mental illness in the correction system.
- Educated law enforcement on how to interact with citizens who identify themselves as transgender in partnership with the DOJ, MS AG's office, U.S. Attorney's Office for the Southern District, and SPLC.



JANUARY 2016

- Issued 2016 Equity Agenda to guide legislative actions to ensure fairness in Mississippi.
- Released the 2015 Legislative Score Card, which held Mississippi's legislators accountable for progress on issues on equity and inclusion.
- Pursued legislative priorities for the 2016 session: Mississippi Civil Rights Act; statewide indigent defense system to rid debtors' prisons; school resource officer training; written consent to search vehicles; and policy body camera policy.
- Released statements in support of the Secretary of State's proposal for election changes and against the Attorney General's proposal to keep executions secret.



SEPTEMBER 2015

- Keynote speaker Donna Brazile joined us for our 2015 Jazz Brunch.
- We pushed MS Dept. of Education to hold public hearing regarding proposed policy on restraint and seclusion.
- After the death of Jonathan Sanders in Stonewall, MS, we advocated for police transparency and protest rights.



DECEMBER 2015

- Convened "Keeping Our Students Safe: Addressing School Discipline Town Hall Meeting," where we discussed the importance of SRO training and the need for comprehensive policy around use of restraint and seclusion in schools.
- Hosted our annual open house to introduce the community to our work.



FEBRUARY 2016

- During the ACLU of MS Legislative Advocacy Day, we launched the We Are All Mississippi campaign video during a news conference.
 - We vigorously opposed House Bill 1523, the Protecting Freedom of Conscience from Government Discrimination Act, also known as the Religious Liberty Accommodations Act.

MARCH 2016

- Assembled the Sunflower County Systems Change Advisory Council.
- Town Hall in Biloxi: presented best practices for addressing school discipline and restraint and seclusion.
- Published an editorial in the Clarion Ledger concerning the Governor's recognition of Confederate Heritage Month and the need to remove emblems from the state flag.



MAY 2016

- Initiated a series of "Community Conversations" across Mississippi to engage communities on the impacts of discriminatory policies and the need for the Mississippi Civil Rights Act.
- We brought suit against the state of Mississippi to stop the enforcement of HB 1523.
- Issued a statement and published an editorial in The Hechinger Report applauding the Cleveland School District Desegregation Order.



JUNE 2016

- Hosted the Jackson Association of Black Journalists monthly meeting to explore partnership efforts for our Sunflower County Systems Change Project.
- Conducted a week-long training for nearly 20 young men of color in the SCSCP Story For All Project.
- Concluded our We Are All Mississippi "Community Conversation" Tour.
- Settled federal lawsuit against Biloxi, establishing sweeping reforms to protect the rights of indigent persons who face jail time for inability to pay fees and fines.
- Presented our concerns of debtors' prisons violations at the Mississippi Access to Justice Commission meeting.

AUGUST 2016

- Hosted nearly 300 students and parents at the 2nd Annual Schoolhouse Rights Rock at Mississippi Valley State University.
- Participated in Annual Tougaloo Summit discussing the importance of racial equity in the criminal justice system and legislative process.
- Sent voting rights fans to churches across the state.

RECORD WITNESS REPORT

Mobile Justice



APRIL 2016

- Called HB 1523 the Magnolia State's badge of shame in a statement after governor signed anti-LGBT discrimination into law.
- Urged governor to veto Senate Bill 2237, the execution secrecy bill.
- The Mississippi Department of Education established guidelines for use of restraint and seclusion after our diligent advocacy and legislative efforts.
- Hosted a special dinner for members of the Senate Judiciary A Committee to present the need for the Mississippi Civil Rights Act.



JULY 2016

- Celebrated Judge Carlton Reeves' striking down of HB 1523 in a separate suit against the state.
- Pushed our Mobile Justice MS app with launch of re-designed pushcard.
- Testified at the Asset Forfeiture Transparency Task Force Public Hearing about the need for transparency and due process protections in legislation.
- Participated in "Know Your Rights" Forums in Mendenhall and Columbia.



ACLU of Mississippi Responds to GOP House Reps Letter to Dr. Wright

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ACLU IN MISSISSIPPI OFFERS RECORD WITNESS REPORT FOR POLICE ENCOUNTERS

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ACLU Defends KKK's First Amendment Rights

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POLICE REFORM IS PAST DUE

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ACLU demands release of state report in Tupelo police shooting

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ACLU PUSHES FOR POSITIVE DISCIPLINE METHODS IN MISSISSIPPI SCHOOLS

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Same Sex Couple and ACLU Sue State of Mississippi

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ACLU Responds to Gov. Bryant's Refusal of Syrian Refugees

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ACLU sues Mississippi town that jails poor

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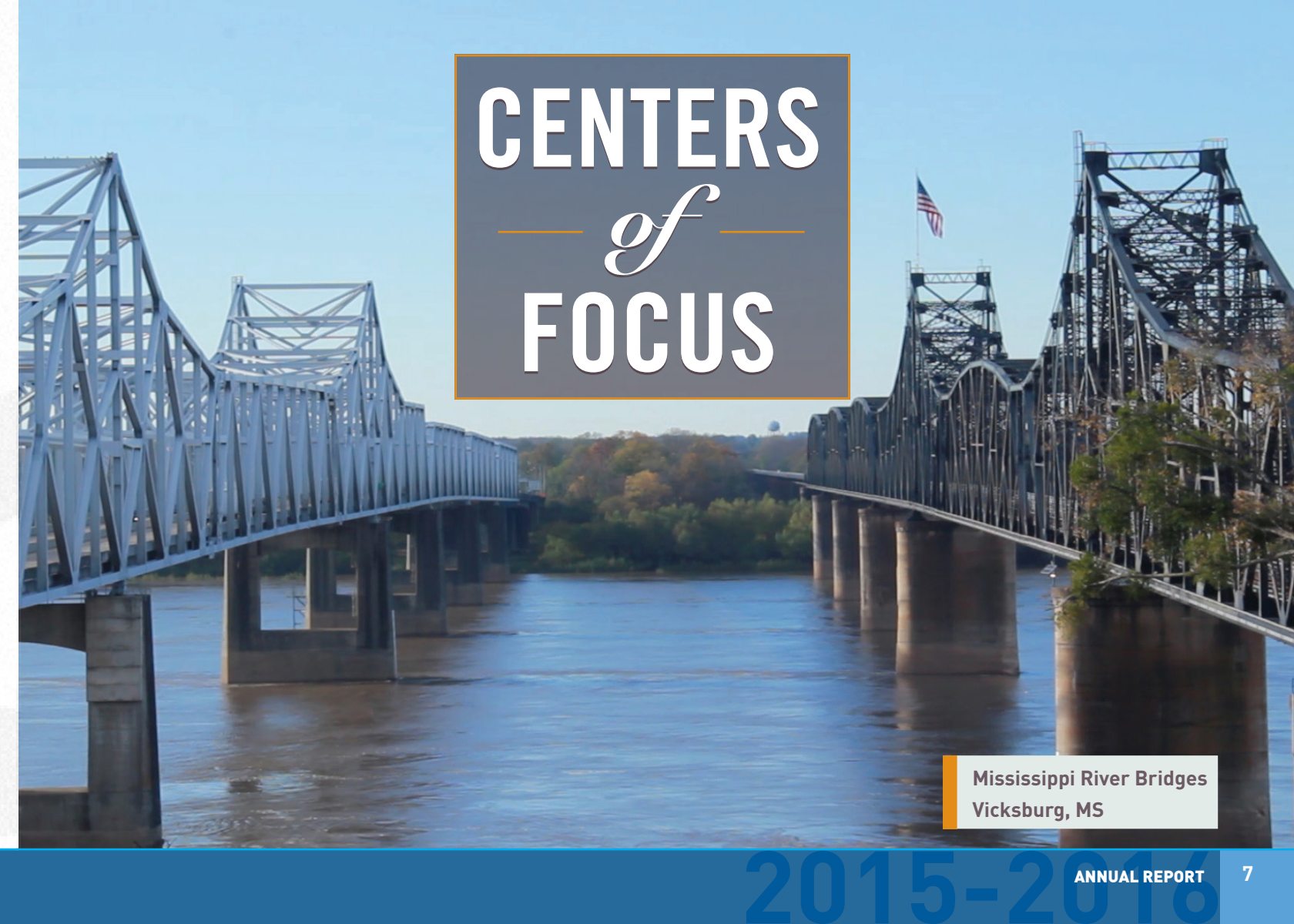
Town Hall Meeting held in Hattiesburg to discuss Discrimination in Mississippi

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CENTERS *of* FOCUS

Mississippi River Bridges
Vicksburg, MS

A man wearing a dark t-shirt, dark pants, and a green baseball cap stands in front of a high-security prison fence. The fence consists of multiple layers of chain-link fencing topped with several strands of barbed wire. The background shows a clear blue sky with some clouds. The man is looking directly at the camera with a serious expression.

CRIMINAL *Justice* REFORM

Joseph Anderson
Biloxi, MS

Being Poor Is Not A Crime

The ACLU of Mississippi brought national attention to the Mississippi Gulf Coast when it sued the city of Biloxi in October 2015 for exercising a modern-day debtors' prisons. In March 2016, we, along with our national partners in the ACLU Racial Justice Project, reached a major settlement agreement for the plaintiffs. The policy reforms that are the outcome of the settlement will serve as a national model.

We filed the federal lawsuit on behalf of indigent people who were arrested and jailed on warrants charging them with nonpayment of fines and fees. One of those plaintiffs was Joseph Anderson (pictured). Mr. Anderson, a person with a disability, relied on limited income from his Social Security check to pay his bills. Mr. Anderson was handcuffed and arrested in front of his stepson, then jailed for several days for failure to pay traffic fines and fees. As a result of our lawsuit, he and so many others in Biloxi no longer face the unconstitutional

practice of being jailed for being poor. The efforts of the ACLU of Mississippi and the willingness of Biloxi to see the problems and provide meaningful solutions serve as a roadmap for how to protect all citizens.

We will continue to expose these debtors' prisons and push for the Biloxi model statewide.

Reentry Reforms

Mass incarceration won't be solved by simply lessening the term of incarceration for nonviolent crimes. Recidivism will remain a problem as long as formerly incarcerated people face impossible hurdles to successful reentry. One of those hurdles is the considerable lapse in medical and mental health coverage encountered by ex-offenders seeking to obtain healthcare benefits after incarceration.

We effectively advocated for reforms that will be included in the Reentry Council's report to the legislature. As a result of our efforts,

As a result of our efforts, state leadership has realized the need for mental health care, specialty courts, rehabilitative programs, and alternatives to incarceration.

state leadership has realized the need for mental health care, specialty courts, rehabilitative programs, and alternatives to incarceration. An MOU has been executed between the Social Security Administration and the Department of Corrections (MDOC), providing that SSI eligible inmates will be able to qualify for benefits pre-release. Supplemental Security Income (SSI) eligibility would also lead to Medicaid eligibility. By immediately providing SSI funding and Medicaid coverage upon release to formerly incarcerated people with mental health issues, they will have resources to access mental health treatment and get their medications. We also worked with

the Council to include recommendations to remove the SNAP disqualification for people with a felony drug conviction.

In addition, we raised awareness about the need for successful reentry reform by communicating important resources during #ReentryWeek.

For-Profit Policing

Just like the profit motivated culture highlighted by our debtors' prison litigation, civil asset forfeiture laws have encouraged for-profit policing. To combat the practice of incentivized law enforcement officers aggressively policing minor offenses, we successfully advocated for the establishment of a legislative civil asset forfeiture taskforce. Also to increase accountability and transparency, we pushed for legislation that would require officers to acquire written consent to search after clearly communicating a person's right to refuse a search of their vehicle and we continued to push police body camera legislation that encompasses privacy protections.

Secret Executions

The ACLU of MS was adamant in its opposition of Senate Bill 2237. The bill, authored by the Attorney General, keeps secret basic details of planned executions, including the execution team and lethal injection drug providers. Although this bill unfortunately became law, we will continue to insist that the execution of persons sentenced to death must remain transparent and the government accountable to the people of this state in whose name it is carrying out this ultimate and irreversible punishment.

Law Enforcement Transgender Training

We partnered with DOJ to co-sponsor the "Law Enforcement and the Transgender Community Training." Law enforcement officers from across the state received



tools to help them serve transgender communities more effectively by building trust, developing a network of reliable resources, and properly identifying and responding to allegations of hate crimes, harassment, and violence. Law enforcement learned relevant terminology, gained an understanding of misconceptions that impact the prevention of and response to hate crime, and were exposed to strategies and resources for successful case development in cases involving transgender victims, witnesses, or community members.

— DISMANTLING *the* SCHOOL-TO-PRISON PIPELINE —

Sunflower County Systems Change Project

The overarching goal of the Project is to implement a statewide model for the administration and response to student discipline. Discipline policies, negative perceptions fueled by false narratives, and missed opportunities for community engagement all contribute to the perpetuation of criminalizing young men of color, which feeds into the school to prison pipeline. By engaging these systems to impact policy changes, not only do we dismantle the school to prison pipeline in Sunflower County, but we also support the entire community in a way that encourages students to be better educated and productive citizens.

The impact of over-policing is especially harsh on youth of color. Students of color are arrested in schools at disproportionate

rates, and are sometimes even arrested when their white peers who commit the same offenses are not. If police are stationed in schools, they must be responsible only for serious criminal law matters, not for matters that may be minor violations best handled by the school's internal disciplinary procedures issues. This project supports training for SROs, as part of the law enforcement system, to ensure that their presence in the schools does not lead to unnecessarily harsh discipline and arrests for youth misbehaving.

In year two, the project developed an advisory council made up of key players from the Sunflower County community; saw successful models of preventing disparate treatment of young men of color first-hand in Oakland, California and Miami, Florida; and formed the Story for All group, which will lead the Project's narrative change

efforts through story-telling and oral history. The results of the project will be on exhibit at the B.B. King Museum in Indianola, Mississippi with hopes that it will travel throughout the state, and provide a life changing experience for the young men in Sunflower County as well as inspire change across the state.

Mississippi Establishes Restraint and Seclusion Policy

Data has revealed the disproportionate use of exclusionary discipline with students with disabilities and students of color who also experience disabilities. The Office of Civil Rights indicates that restraint and seclusion techniques are disproportionately used on students of color and students with disabilities. Not only are these techniques dangerous and have proven to be deadly, but the disproportionate use of restraint and seclusion on students with



Schoolhouse Rights Rock! 2016 at Mississippi Valley State University

disabilities and students of color violates their right to non-discrimination in accessing education.

Through our Stop Hurting Mississippi's Children project, we have elevated public awareness of the use of restraint and seclusion by hosting town hall meetings across the state, participating in public hearings that we facilitated with the state department of education to convene, and receiving media coverage for our work.

As a direct result of our engagement with

the Mississippi Department of Education, MDE established policy 4013 as Rule 38.13 Restraint and Seclusion. This policy provides for guidelines on the minimum standards for use of the techniques, emphasizes prevention as the foundational framework by incorporating the data-driven Positive Behavioral Interventions and Supports approach, clarifies training requirements for employees, and establishes statewide data collection and public reporting mechanisms.

It has always been the goal of the ACLU-MS to ensure the safety and the rights of all students and school personnel when seeking to manage even the most challenging and disturbing behaviors in schools and learning environments. This is our task and in Mississippi, today, we are a step closer to reducing and restricting the use of restraint and seclusion, a step higher towards positioning all of our children to rise.

Schoolhouse Rights Rock!

In August, the ACLU of MS hosted its second annual Schoolhouse Rights Rock! created to promote public awareness and education in an effort to empower, inform, and influence change. Middle and high school students from across the state converged upon Mississippi Valley State for the one-day back-to-school event. The program showcased a series of public education "Know Your Rights" forums for students, parents and advocates on issues pertaining to Restraint and Seclusion in Schools, Encounters with Law Enforcement, Schoolhouse Rights, and LGBTQ Rights.



EQUALITY *for* ALL

We Are All Mississippi

Soon after the Supreme Court ruled that state bans against same-sex marriage are unconstitutional, we convened a group of local leaders to meet regularly to develop strategies for the passage of local and statewide non-discrimination policies. Named *We Are All Mississippi* (WAAM), the coalition consists of representatives from more than 20 grassroots and statewide organizations. Together, we crafted the “Mississippi Civil Rights Act” proposed during the 2016 Legislative Session.

Unfortunately and instead of securing civil rights protections for all Mississippians, the legislature and governor took a step backward with the passage of the anti-LGBTQ law known as HB 1523. Led by the



HB 1523 Rally in front of Governor's Mansion Source: Lucian Dixon

ACLU-MS, the WAAM Coalition responded to the clear attempt to put hate in our state by participating in a number of rallies and organizing a series of community conversations in towns and cities across the state. We educated residents from ten cities on the impacts of HB 1523, the need to take down the state flag, the importance of non-discrimination policies, and enlisted signatures to petition the governor against HB 1523.

As a coalition partner with legal capacity, we petitioned the federal court to enjoin the state from making the law effective. On May 5, 2016, we filed the first of several lawsuits in federal court to challenge the constitutionality of the HB 1523. Ultimately, the court struck down the discriminatory law and denied the governor's attempt to appeal.

WAAM crossed two additional milestones in the move toward equality. Our advocacy efforts proved victorious when the City of

Jackson passed the first non-discrimination ordinance in the state to include protections for all people. The mayors of three Mississippi municipalities also proclaimed and/or acknowledged LGBTQ Equality Day on June 26th as a direct result of our advocacy efforts.

LGBTQ Education Resource Guide


In collaboration with the Nollie Jenkins Family Center, Inc., we co-authored "Advocating for LGBTQ Students Rights in the Mississippi Delta." The 64-page publication is a reference tool for parents, students, advocates as well as educators and school administrators in an effort to support the creation of safe spaces for LGBTQ students, and to encourage a community to acknowledge and be inclusive of LGBTQ young people. It can be used in any classroom at any school.

Notably, this guide primarily involved the work of young people in the Mississippi Delta

region with the help of a grant from the lgbtq Racial Justice Fund.

Mississippi Employment Protection Act

In May 2016, twelve men were arrested, jailed, and charged with felonies under a Mississippi Employment Protection Act (MEPA) provision that makes it a felony to work while undocumented. The crime carries a punishment of up to five years in prison and a \$10,000 fine. The ACLU of Mississippi provided legal support alongside counsel. We zealously argued that the MEPA charge was unconstitutional. The MEPA provision—which unconstitutionally criminalizes immigration status—is preempted by federal immigration law and therefore violates the Supremacy Clause of the U.S. Constitution. All MEPA charges were successfully dismissed against those men in litigation. We are committed to ensuring that this provision is never enforced again and that it will be repealed from state law.



BLACK
LIVES
MATTER

FREEDOM *of* SPEECH *and* EXPRESSION

Protest Rights in Stonewall

Jonathan Sanders was exercising his horse in the relative cool of night this summer when Stonewall Police Officer Kevin Herrington placed him in a lethal chokehold, which ultimately resulted in Jonathan's death. In response to community members eager to express their grief, anger, frustration and demands for justice following the incident, the ACLU of Mississippi sent a letter urging Stonewall authorities to respect their First Amendment rights.

Our office received reports that the local government had implemented a policy limiting protests and requiring protests of more than 25 people to receive prior permission. We provided the Board of Alderman, Mayor, and Chief of Police with notice that we were troubled by the reports and that such action would be considered an infringement of the 1st Amendment Rights. Recognizing that we are watching, Chief Michael Street, Mayor Glenn Cook, and the Board of Alderman have neither denied a permit for a planned protest nor shut down a protest. We have engaged city officials with an offer to assist in the development of an ordinance that does not impair a citizen's right to assemble, protest, or express themselves.

Domestic Drones in Mississippi

Domestic drones are not just a federal issue anymore. Law enforcement agencies are acquiring the technology, which raises concerns for privacy rights and civil liberties. To inform the public

of the emerging threats, we released *Domestic Drones: Cause for Concern?* We will continue to track legislative, policy, and industry developments concerning drones within Mississippi – supporting developments respecting privacy rights and zealously opposing those which do not.

Protecting the Freedom of Speech

Free speech belongs to all of us, even when the content may not be our cup of tea. When the Rankin County Sheriff threatened to press criminal charges against the Ku Klux Klan if caught for throwing informational flyers in people's yards, we cautioned him against such action. We warned that any charges would violate the First Amendment, and reminded him that controversial speech is protected. People should not fear government punishment because of the viewpoint they express.

We also sent a letter to the Lee County Sheriff after he stated that he would

consider pressing cyber threat charges against a woman for saying he needed to die on Facebook. The First Amendment only works when it is applied to everyone, and we are working to ensure that happens.



STRATEGIC INITIATIVES FOR 2016-2017

Criminal Justice Reform

- 25% by 2020
 - End Debtors' Prisons
 - Indefinite Detention & Indigent Right to Counsel
 - Death Penalty & Sentencing Reform
- Law Enforcement Accountability and Transparency
 - Sentencing Reform
 - Civil Asset Forfeiture Task Force
 - Mississippi Black Lives Matter Legislation
 - Right to Record Municipal Policies
 - Mobile Justice MS app

School to Prison Pipeline Impact Projects

- Sunflower County Systems Change Project
- Reduction of Restraint and Seclusion in Schools
- Schoolhouse Rights Rock and KYR Trainings
- Washington County Restorative Justice Project
 - Ban the Box
 - Reentry Support
 - Expungement Clinic

Equality for All

- Operation Equity
 - 2016 Legislative Score Card

2017 Equity Agenda

- We Are All Mississippi Campaign
 - Non-Discrimination Ordinances and Legislation
- LGBTQ Advocacy
- Mississippi Employment Protection Act Litigation
- Immigrant Protection Project
- Promote Voter Access, Protection, and Education

Freedom of Speech and Expression

- Protect First Amendment rights
- Protection of privacy rights

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.

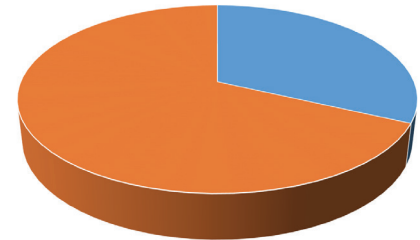
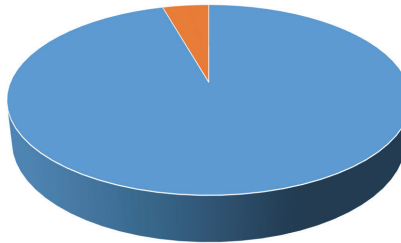
ACLU of MS, Inc.

REVENUE AND SUPPORTS

Guaranteed Minimal Income	15,024
Membership Income	695
Private Grants	0
Donations	0
Bequest	0
Total Revenue and Supports	15,719

EXPENSES

Programs and Services	
Legislative	1,557
Supportive Services	
General and Administrative	3,319
Total Expenses	4,876



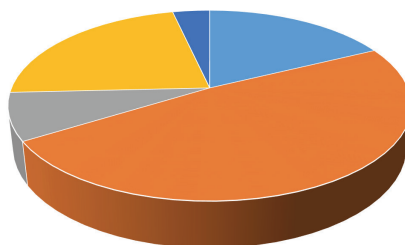
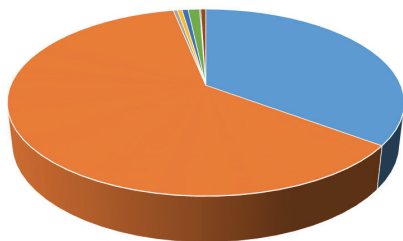
ACLU of MS Foundation, Inc.

REVENUE AND SUPPORTS

Support from National ACLU	576,574
Private Foundations	1,010,724
Individual Donations	6,401
Interest and Dividend Income	7,616
Professional Fees	9,666
Events Income	18,325
Other Income	1,766
Unrealized Gain (Loss) or Investments	-8,059
Total	1,623,013

EXPENSES

Programs and Services	
Legal	237,232
Advocacy	647,086
Communications	107,411
Total Programs and Services	991,729
Supportive Services	
General and Administrative	296,745
Fundraising	47,375
Total Supportive Services	344,120
Total Expenses	1,335,489



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— our —
WORK

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