

AN ATTEMPT TO RECALL THE PAST

BY JENNIFER RILEY-COLLINS, EXECUTIVE DIRECTOR

“Really?!” This was the word I kept repeating in disbelief as I watched the legislative maneuvers that resulted in SB 2681, the Mississippi Religious Freedom Restoration Act, HB 1400, the 20 Week Ban on Abortion Bill, and HB 49 Drug Testing of TANF recipients becoming the laws of the land. Honestly, my declaration was more in amazement and disappointment than disbelief. My responses to this legislative session were a reflection of sadness.

In a joking manner, a colleague recently referred to Mississippi as the “heart of darkness.” My knowledge of this phrase stemmed from Joseph Conrad’s novel as a description of the Congo and the characters attitudes regarding racism and classism. I knew my colleague meant no harm, and I took no offense. However, I see Mississippi not as the heart of darkness but as my home. Unfortunately, the 2014 legislative session, especially around SB 2681, may have proven my colleague’s case. I found both legislators and Mississippians divided, many unwilling to even have conversations, and some honestly “hell bent” on promoting their own beliefs over the Constitutional rights of others. It was reminiscent of *Mississippi Burning*. I pondered while listening to the rhetoric, “are they attempting to recall the past?”

SB 2681 was not written to strengthen protections under Mississippi law to defend against religious discrimination as purported, but rather a license that could allow discrimination against targeted populations in Mississippi.

Even though the Mississippi Religious Freedom Restoration Act (RFRA), now

law, is virtually identical to the federal law, we need to continue to stand guard against discrimination in the State of Mississippi. As we have seen before, some people try to use religion to harm others and discriminate. Disappointingly, the Mississippi legislature rejected language that would have made sure the RFRA would not be used that way. It will be up to Mississippi’s courts to recognize the importance of protecting against discrimination, and we are hopeful that they will interpret this law correctly.

The rainbow over the cloud of despair that loomed over Mississippi during this legislative session was the energy of a thousand voices coming together to publicly oppose attempts to use religion to discriminate. Mississippi’s SB 2681 was opposed by a very broad range of citizens including state religious leaders, members of LGBT organizations, legal scholars, and businesses. These voices had a distinct Southern drawl. They were not outside agitators, but Mississippians standing together.

Religious freedom is one of our most treasured liberties. The ACLU of Mississippi is committed to defending the rights of all Americans to practice their religion. We have the right to a government that neither promotes nor disparages religion or particular faiths. We have the right to believe whatever we want about God, faith, and religion and to act on our religious beliefs, unless those actions harm others. Despite the smell of smoke, I believe that Mississippi is not the heart of darkness. Many Mississippians have worked hard to escape the images of the past. By standing with us, despite the challenges made by restrictive laws, we will make Mississippi a positive and welcoming place.

FROM THE ADVOCATES

“Having worked in communities all over Mississippi for many years, one thing I have never heard anyone say is ‘my religious values are being violated’ – unless it has been used as a scare tactic for votes. With the passage of SB2681 our Mississippi legislature has found a solution looking for a problem while wasting hard-earned taxpayer dollars that could be used to expand pre-K, access to high quality healthcare or create jobs to name a few. It makes me ashamed that our government continues to support measures that set us behind the rest of the country while simultaneously legalizing discrimination (again) against all people in our state.”

—Jed Oppenheim

“On April 1, 2014, I was waiting for Governor Bryant to break character and say “April Fools” after hearing that he had signed SB 2681 into law, but it didn’t happen. I don’t think I have ever felt more black, more gay, or more of a woman than on that day. It was a shot to the gut after advocating for so many races, classes, nationalities, and religions, to know that there are people willing to add a license to discriminate into our laws in order to turn me away from their organizations and businesses. I guess it was a wake-up call, that protecting all Mississippians is not the motive of our government, which only adds fuel to the fire in my fight against discrimination.”

—Constance Gordon

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A LETTER FROM THE EXECUTIVE DIRECTOR



Ready, Set, Go! This phrase is known by any child raised in Mississippi who played with friends until sunset. In the past year, this phrase was our mantra as we readied ourselves to “go” when the rights of Mississippians were violated.

ACLU of MS changed much in the past year. We have a new home, new staff and a redefined focus of our work.

From high heels on the marble floors of the Mississippi State Capitol Building to standing barefoot in the manicured turf of a subdivision, the ACLU of MS staff still works tirelessly to protect and extend the rights of civil liberties of Mississippians.

DEFENDING RIGHTS IN THE COURTS

We filed lawsuits to stop racial profiling, ensure children were not left behind by their failing schools, and ensured that LGBT students were treated the same as other students.

EDUCATING AND ENGAGING THROUGH ADVOCACY

We pressured MDOC to keep four restitution centers open, we established a statewide LGBT Advisory panel, and started our work to educate citizens on the new voter ID law.

PROMOTING CIVIL LIBERTIES AT THE LEGISLATURE

We proposed aggressive legislation which is critical to reduce the number of children entering the school to prison pipeline and legislation which would require the consistent use of language in our habitual offender statutes.

We hope that you will continue to support our efforts and will remain engaged with us as we protect and extend the civil liberties of all Mississippians.

Sincerely,
Jennifer Riley-Collins

Welcome to Our New Home!

In November 2013, we moved into our new office space located at 233 East Capitol Street in downtown Jackson, MS.

The office is strategically located near the front door of key places where we will make change.

We are now located diagonally across the street from the front of the Governor’s Mansion and within walking distance from the State Capitol Building, the Mississippi Supreme Court and the U.S. District Court.

Our new home is more than just an office space. It has allowed for the much needed expansion of key staff. It has increased our capacity to make societal impact. Most importantly, we wanted to make sure the office was accessible to all – we therefore ensured the space was ADA accessible as well as easy to find. We even have a sign! Welcome to our new home.

Look for an invitation for our next Open House in December!



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A Look at the 2014 Legislative Session

BY JOI OWENS, LEGISLATIVE STRATEGIST

The Mississippi Legislature started its 129th session on January 7, 2014. As I walked up the stairs of Mississippi's state capital, I envisioned an intense ninety day session with many controversial issues. After reviewing every one of the 2000 bills introduced, we tracked 150 bills which could impact the rights and liberties of Mississippians. These are some of the bills we supported or opposed and their outcomes:

We supported **House Bill 585**, which passed and presents provisions compiled by the bipartisan, inter-agency Corrections and Criminal Justice Task Force. The goal was to develop policies to improve public safety and reduce the prison population. The ACLU-MS did not agree with all the recommendations proposed by the task force, but viewed the bill as a step towards reducing mass incarceration.

We opposed **HB 49**, a bill to require drug testing for TANF recipients, because it violates equal protection and privacy for Mississippians receiving federal aid and would cost more than it would save. Unfortunately, this bill was signed into law.

We actively supported **SB 2594** to establish minimum safety standards and require that parents be notified within 24 hours if their child was subjected to physical restraint or seclusion. Mississippi is one of five states that lack a law restricting the use of restraints or seclusion. Unfortunately, this bill died.

The ACLU of MS 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 mid-March. We will continue to work with Mississippi Immigrants Rights Alliance, El Pueblo and other organizations on this issue.

We actively opposed **SB 2681**, "The Mississippi Religious Freedom Restoration Act" (*see cover story*). The final version, as a result of our efforts, was a far cry better than what was originally proposed. The law allows lawsuits only against the government and requires them to show a compelling reason for policies that substantially burden the free exercise of religion.

We opposed **House Bill 1400**, which prohibits abortions at or after the 20-week mark. This bill curtails reproductive freedom, denies women the right to important health care and interferes with private medical decisions. Unfortunately, this bill was signed into law.

The 2014 Legislative session with its wins and losses, challenges and opportunities, left me renewed. I see opportunities to make Mississippi better. This session revealed the need for Mississippians from all walks of life to come together and stand against discrimination of any kind. We look forward to the 2015 Legislative Session as we will continue to advocate for civil liberties. We hope you will continue to support our efforts and stay engaged as the victories we had would have not been possible without you.

What Is Going On in DeSoto County?

BY CHARLES IRVIN,
LEGAL DIRECTOR

DeSoto County has become a focus in our work legally and in our advocacy efforts. These stories show that there is plenty of work to be done.

Stereotyped to be a Neighborhood Thug

We represented Dontadrian Bruce, who at the time of finishing his group biology project was accused of and suspended for allegedly using gang signs in class. Upon review, the student was not using gang signs, but posing next to his project on DNA for a photo. He was reinstated. We are following up to change the mitigating factors used to evaluate gang activity.

Using Too Much Force

We represented the family of a child with autism who was detained and held overnight by the School Resource Officer and sent to juvenile detention. She should not have been held as her symptoms and behavior when agitated or disoriented were well documented.

In another case, a volunteer teacher was using force and leaving bruises on a child with Asperger's. The child is not known to cause harm, but the teacher said that he was trying to prevent him from hurting himself and that the hold was a prevention technique. This could have been prevented if the Mississippi Legislature had passed the Mississippi Student Safety Act.

SAVE
—THE—
DATE

ANNUAL DINNER
Saturday, September 6, 2014
JACKSON, MS

New Faces in 2014

Charles Irvin, Legal Director

Charles joins us with 15 years in various governmental capacities, including the Columbia Board of Alderman, the Deputy City Attorney for the City of Jackson, the United States Department of Justice and the State of Mississippi.



Joi L. Owens, Legislative Strategist

Prior to joining the ACLU, Joi clerked with the United States Court of Appeals for the Fifth Circuit as a Judicial Intern with Judge Graves. She interned and worked with several nonprofits in Mississippi. Joi worked as a law clerk at the Mississippi Attorney General's Office in the Public Employee Retirement System and Civil Litigation Division.



Bridgette M. Morgan, Staff Attorney

Bridgette is a native of the Mississippi Delta. She received her Juris Doctorate from Southern University Law Center in Baton Rouge, Louisiana. Before joining us, Bridgette was as a solo practitioner focusing on civil and criminal defense. Bridgette clerked for Washington County Circuit Court Judge Margaret Carey-McCray.



Jed Oppenheim, Advocacy Coordinator

Jed previously served as a community and senior advocate for the Southern Poverty Law Center (SPLC) in Jackson. For SPLC, Jed focused on youth justice issues, especially related to education, juvenile justice and ending the school-to-prison pipeline. Jed also serves on the Jackson Public Schools Board of Trustees.



Morgan Miller, Director of Communications

Before joining the ACLU, Morgan served as a Coalition Coordinator at Mississippi Health Advocacy Program Cover Mississippi coalition. Morgan spent three years as a meteorologist at WJTV News Channel 12 before she decided to switch to non-profit communications and pursue her passion for social justice.



Tabuthia Bell, Finance Officer

Tabuthia Bell began at the ACLU of Mississippi in December 2013 as Finance Officer. Prior to the ACLU, she worked at Dewitt Sullivan, CPA and Bruno & Tervalon, LLP. Tabuthia is a graduate of Alcorn State University. She was born and raised in Laurel, MS.

