



HB 1523 Challenge Proceeds

BY JOSHUA TOM,
STAFF ATTORNEY

Mississippi's discriminatory law, HB 1523, sanctions wide-ranging discrimination against many Mississippians including the LGBTQ community, single mothers and their children. The most extreme law of its kind in the country, a federal district court last summer stopped it from going into effect. Governor Phil Bryant appealed that decision, and the Fifth Circuit Court of Appeals on June 22, 2017 reversed the district court, which opened the path for HB 1523 to become effective.



"While religion is an important and fundamental right, it cannot be invoked to allow state-sponsored discrimination against our brothers and sisters in Mississippi. "

The ACLU of Mississippi filed the first challenge against HB 1523 last year, and a flurry of other challenges followed. Our lawsuit was temporarily stayed while other lawsuits proceeded through the courts. Now that the Fifth Circuit has dismissed those other lawsuits, the ACLU of MS' lawsuit will move

forward. Our Plaintiffs Nykolas Alford and Stephen Thomas, an engaged, same-sex couple in Meridian, look forward to helping get rid of this discriminatory law.

HB 1523 discriminates against many people on many fronts. For example, HB 1523 allows a clerk to refuse to provide Nykolas and Stephen with a marriage certificate if that clerk believes same-sex

marriage is against his/her religious beliefs. That clerk can recuse and require someone else to provide Nykolas and Stephen their marriage license. This type of discrimination and unequal treatment is not only cruel, but also violates the U.S. Constitution and has no place in the State of Mississippi. While religion is an important and fundamental right, it cannot be invoked to allow state-sponsored discrimination against our brothers and sisters in Mississippi.

Along with Nykolas and Stephen, the ACLU of MS looks forward to fighting against this harmful law.

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A LETTER FROM THE EXECUTIVE DIRECTOR



Freedom is under attack!

The United States Supreme Court agreed to decide a case about whether a business can refuse to sell commercial goods to a gay couple because of the business owner's religious beliefs. The U.S. Senate wants to make devastating cuts to Medicaid and block access to Planned Parenthood. The Supreme Court has allowed the government to implement the limited version of the Muslim 2.0 travel ban. The U.S. Court of Appeals has reversed the injunction preventing the enactment of Mississippi's HB 1523, the most wide ranging state legislation against same sex-couples, transgender people, single parents, and all unmarried people regardless of sexual orientation or gender identity. There is a very disturbing national trend of law enforcement officers using excessive force against people of color without accountability.

But the ACLU is still here!

Despite the challenges faced by this country and our state, we remain optimistic. When the ACLU got an order staying deportations of Iraqis with final orders of removal nationwide, we are hopeful. When we file cases that highlight unconstitutional search and seizure practices targeting Black community, we are proud. When we call on elected officials to be held accountable for suggesting that lynching would be an appropriate way to protect monuments to a culture of white supremacy, we are determined.

The ACLU of Mississippi is determined to make Mississippi better. We are committed to protect freedom, ensure justice, and advance equal opportunity for everyone. With your continued help, we will continue to fight for the freedoms that are the foundation of this nation.

Sincerely,
Jennifer Riley Collins

WELCOME NEW STAFF MEMBERS

Marquez Sanders

serves as the Communications Strategist for the ACLU of Mississippi. He is a 2011 graduate of Mississippi Valley State University with a bachelor's degree in Mass Communications. Currently, he is a graduate student at Mississippi College pursuing a Master's of Fine Arts degree in Graphic Design with an emphasis in Communications.



Jade Morgan recently transitioned from Civil Rights Litigation Intern to Litigation Specialist at the ACLU of Mississippi. She is a third-year

law student at the Mississippi College School of Law. As a member of the legal team, Jade works with attorneys, plaintiffs, and witnesses through matter screening, investigation, legal research, and litigation coordination. She works on civil rights and civil liberties matters involving criminal justice, free speech, and discrimination against persons due to their sexual orientation or disability status. Jade is a graduate of Ohio State University in Columbus, Ohio, where she earned a degree in Women's Studies. She completed independent field research to specialize in Gender and Social Justice Studies.

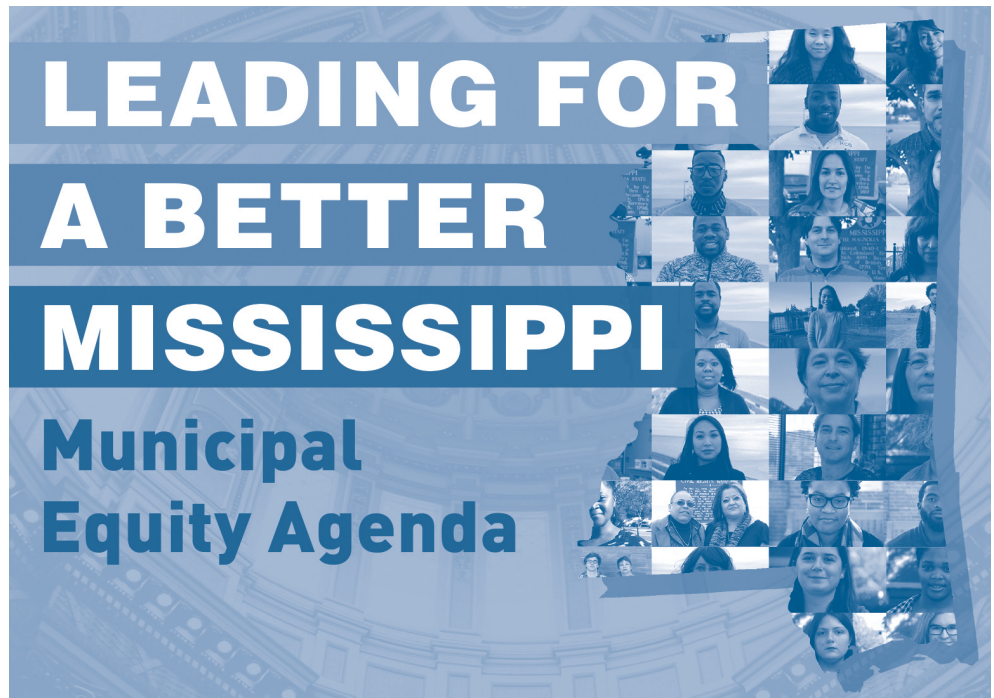


2017 Legislative Roundup: New Laws

We began the 2017 session with the roll-out of our annual Equity Agenda, which outlined our legislative requests and our annual Legislative Advocacy Day, which involved approximately 35 participants. Members of our Board of Directors joined alongside volunteers, allies, and affiliate staff to lobby legislators on our behalf. We advocated for seven measures:

- **Mississippi Civil Rights Act:** Prohibiting discrimination of any kind in Mississippi in the areas of housing, public accommodations, education, employment and health care.
- **Special Prosecutors Ensure Transparency & Accountability:** Requiring appointment of independent special prosecutors in officer-involved shooting deaths.
- **Written Consent to Search:** Requiring officers to offer forms to drivers when officers want to search a vehicle without probable cause.
- **Statewide Policy for Body-Worn Cameras for Law Enforcement:** Establishing a uniformed standard for all law enforcement agencies who use body cameras.
- **Racial Impact Analysis:** Establishing a system that assesses the racial and ethnic impact of proposed legislation or ballot initiatives that are criminal justice related.
- **State Protections Against Housing Discrimination:** Strengthening protections for sexual orientation and gender identity discrimination for housing financed through the Mississippi HOME Corporation.
- **All State Employees Need Protection:** Expanding protections against discriminatory practices related to sexual orientation or gender identity for all state government employees.

We tracked 133 bills through the 2017 session. Only three bills that were supportive of equitable and fair treatment actually passed both houses, and only two of them became law. For more information, see our 2017 Legislative Scorecard posted on our website. Here's a look at the new state laws we were tracking:



PROMOTE COMMUNITY POLICING, TRANSPARENCY AND ACCOUNTABILITY

HB 645 – known as the Mississippi Blue Lives Matter bill. This unnecessary law makes it a hate crime to kill or assault a law enforcement officer or first responder, on or off duty. We were fortunately able to amend the bill to make sure that protestors' First Amendment rights were protected.

HB 907 – The proposed version of this bill (HB 509) requires the Department of Public Safety to develop a program on how drivers should respond to law enforcement when stopped. We successfully amended this bill to mandate that any drivers' education programs must inform drivers about their right not to consent to an unwarranted search.

HB 812 – mandates that law enforcement agencies report annual profits on asset and forfeiture seizures online. This was a recommendation from the Asset Forfeiture Task Force, which we successfully advocated for during the 2016 session in the form of SB 2477.

OTHER LEGISLATIVE ACTIONS

HB 638 – changes drug protocol for death penalty executions. This barbaric law will allow sedatives like Midazolam

as the first drug, making our state susceptible to violating the Eighth Amendment of the U.S. Constitution that prohibits cruel and unusual punishment.

HB 1033 – would have ended the practice of debtors' prison, made it easier for parolees to re-enter society, and created a sentencing task force in an effort to reduce the state's prison population thereby saving the state more than \$20 million in incarceration costs. It had unanimous support in both houses, but was later vetoed by the Governor. We launched an aggressive advocacy campaign to discourage the initial veto and to ask for the bill to be added to the Special Session that was called on June 5th. Despite neither of those actions happening, we were impactful in maintaining bi-partisan support for the bill and gaining assurances that the bill will pass in 2018.

In addition, we are engaging newly elected and returning Mississippi mayors with our Municipal Equity Agenda this summer. It will encourage municipal leaders to pass and implement equitable policies and ordinances concerning our three Centers of Focus: Criminal Justice Reform, Equality for All, and Freedom of Speech and Expression; Privacy and Access.

2017-2020 Nominees for Board of Directors

Dear ACLU of MS Supporter,

The ACLU of Mississippi is holding our annual election for our Board of Directors. The Nominating Committee of the Board of the ACLU of MS presents the following 6 names in nomination as candidates for the ACLU of Mississippi Board and At-Large Foundation Board position required to be filled in the present election.

Additional nominations from among the members of the Affiliate may be made by petition of not less than three members upon delivery of such petition to the Board Secretary, Mary Figueroa, c/o ACLU of MS, P O Box 2242, Jackson, MS 39225-2242 postmarked no later than Aug 4, 2017.

This year we will be voting by electronic ballots. You will need a voter identification code to cast your online ballot. Your code will be provided to you at least 30 days prior to the election. Online votes must be cast by 3 p.m. on Friday, September 23, 2017.

You may also request a paper ballot by calling Cassandra Brown-Evans at 601 354 3408. If you choose to vote via paper by mail it must be received at the post box (P O Box 2242, Jackson, MS of the ACLU of MS) no later than September 23, 2017.

And, as always, you may vote in person at the Annual Meeting to be held at this year at our Blues on the Rez event. The Annual Meeting of the Membership will begin promptly at 5:30 PM. All ballots must be received before the vote count which will begin at 5:30 PM.

If you have any questions regarding the election of board of directors, please contact us at office@aclu-ms.org.



Melanie Deas

Melanie Deas is a founding board member of Equality Mississippi, a state-wide organization

dedicating to promoting social justice and advancing equality for all LGBTQ individuals. She serves as Executive Director of Link Centre in Tupelo, Mississippi, a multi-tenant nonprofit whose mission includes identifying and attracting partners

to create a community of shared services to transform lives through education, cultural awareness, and health. Melanie joined Link in 2007, from the Office of the Boards of Overseers at Tufts University in Medford, Massachusetts. Over the past twenty-five years, Melanie has worked as an arts manager, writer, translator, and dramaturg both as a freelance consultant and staff member at many New York and New-England-area theater companies. She is former Vice President of Literary Managers and Dramaturgs of the Americas,

an international professional organization and served on the three-person panel judging the annual dramaturgy prize for the Kennedy Center/American College Theatre Festival (Region I). Melanie received her AB in History and Literature from Harvard and her MFA training in Dramaturgy and Dramatic Criticism at the Yale School of Drama.

Mary L. Figueroa

Mary L. Figueroa, MSW, has served as the Director of Special Projects, Social Worker and Executive Assistant for the community health center, Family Health Center, in Laurel, Mississippi since 1999. She is also the Chief of the Grant Writing Team and works in association with the other 22 community health centers across the State of Mississippi. She works closely with agencies such as HRSA, the State Department of Health, and local government and members of the tribal government. Ms. Figueroa is a native of Dilley, Texas and moved to Mississippi in 1995. She earned an Associate's Degree in 2002 from Jones County Junior College in Ellisville, Mississippi; a double Bachelors Degree in 2005 from the University of Southern Mississippi in Arts and Letters Spanish and Bachelors of Health in Social Work; A Masters Degree in Social Work in 2006; and is currently a Doctorial Candidate (PhD) at Jackson State University in the School of Social Work. Mary serves on the Jones County School District Parent Advisory Committee since 2013.



Dr. Stephen Silberman

Dr. Stephen Silberman received his dental and public health education at Tufts and Harvard Universities. He was one of the original faculty at UMMC School of Dentistry. He taught dental public health emphasizing the needs and expectations of communities and the dental profession's responsibilities to serve all people. He served as Chair of the Department of Diagnostic Sciences. During his final years at UMMC, he was Executive Director of the Mississippi Area Health Education Center (AHEC) where he was building a health care workforce pipeline to serve the rural and underserved populations of the state. He currently serves as Professor emeritus. A strong supporter of the ACLU of MS, he has served on this affiliate board for over 30 years and has held the positions of president, vice-president, executive committee member and representative to the national board. He was the originating plaintiff in the Sillers Building Cross Case and was 1990 recipient of the ACLU of MS Ernst Borinski Civil Libertarian of the Year Award.



Cassandra Welchin

Cassandra Welchin is a native Mississippian and change agent for low wealth communities of color. She graduated from Jackson State University and is a licensed Social Worker. Cassandra received her

Master's Degree from Brandeis University in the Heller School for Social Policy and Management. For the past 7 years, she has worked with organizations at the local, state, regional and national level to develop strategies and create opportunities that address the social, political, economic and ecological injustices in low wealth communities of color that grow out of racial inequities in public policy. Cassandra has worked to build local leadership and partnerships in order to organize their efforts and support their community's power for the purpose of eradicating racial inequity. Currently she is a policy and advocacy consultant managing the Child Care Matters Campaign for the MS Low Income Child Care Initiative.

Sam Edward Arnold

Sam Edward Arnold is a teacher, writer and community activist. He graduated from Hampton University in Virginia with a degree in accounting. He has worked as an accountant, financial planner and financial consultant. Mr. Arnold survived Hurricane Katrina and spent two years as a community organizer working for International Relief and Development. Since Hurricane Katrina, he has become interested in community economic development. He works with local non-profit organizations to help them create sustainability. His main focus is teaching how the economic and financial systems work and how to use that information to survive financially.



Cristen Hemmins

Cristen Hemmins graduated from Vanderbilt University and

has a Master's degree in Southern Studies from the University of Mississippi. In 2011, she was a plaintiff on the ACLU lawsuit against the state of Mississippi which sought to keep Personhood off the ballot that year; when that suit failed, she was an unofficial spokesperson against Personhood, speaking out on multiple national and international news sources including two live appearances on The Rachel Maddow Show. In 2015, she ran for State Senate, District 9 against an 18-year incumbent, raising \$100,000 as a first-time candidate and garnered just shy of 40% of the vote. She is a small business owner of Hemmins Hall, Inc. (which sells ads for a few different publications), and is on the board of LOU-Home, a non-profit organization which looks to provide affordable housing to the low-income population of the Lafayette-Oxford-University community. She is happily married to an Englishman whom she met when he came into Square Books where she worked, looking to buy a map of Alabama while riding his bicycle solo across America. They have three kids who dance, play soccer, and love math and science, and they all live in an old farmhouse on the edge of Oxford.

Online votes must be cast by 3PM on Friday, September 23, 2017.

Contact office@aclu-ms.org for questions.

Criminal Justice Reform Update

BODY CAMERAS ARE NOT MEANT FOR SURVEILLANCE

We are continuing to file records requests with sheriffs' departments and police departments for their body camera policies, and have received 55 thus far. This fall, we will release a report that will not only serve as the first statewide survey of local body camera policies, but it will also highlight common deficiencies in those policies. By analyzing each of these policies and recommending revisions, we aim to ensure body cameras are actually promoting transparency and accountability while also protecting privacy. There is real concern that the technology—without carefully balanced policies in place—will be used as another tool for surveillance and prosecution rather than a tool to foster community trust. We will continue to advocate for responsible policy at the local level as well as through state-level legislation.

YOU HAVE THE RIGHT TO FILM THE POLICE

We have given countless Know Your Rights trainings to communities across Mississippi, and we always promote our Mobile Justice App and advise people of their right to film the police. Unfortunately, we regularly followed that with the caveat that federal courts have treated the issue differently and the case law is not crystal clear. We are pleased to share that our Know

**RECORD
WITNESS
REPORT**

#MobileJustice **ACLU**

Your Rights curriculum no longer includes that caveat.

In *Turner v. Driver* this year, the Court of Appeals held that “a First Amendment right to record the police does exist.” Thus, in Texas, Louisiana and Mississippi, people will now be able to access federal courts if law enforcement officers infringe on their right to film the police. Circuit Judge

Weiner noted “Filming the police contributes to the public’s ability to hold the police accountable, ensure that police officers are not abusing their power, and make informed decisions about police policy.” We wholeheartedly agree, and that is why we continue to offer our Mobile Justice App as a free download for iPhones and Androids.

MOBILE JUSTICE MISSISSIPPI NOW AVAILABLE FOR IPHONE AND ANDROID!

Hold law enforcement accountable and keep your rights in the palm of your hand! Download Mobile Justice Mississippi. www.aclu-ms.org/mobile-justice



IPHONE



ANDROID

More Than Athletics: Title IX and Sex Discrimination

BY KATHERINE KLEIN, ADVOCACY COORDINATOR



College students celebrate PRIDE month by volunteering their time in the name of freedom.

Earlier this year, the ACLU of Mississippi received a complaint from a mother about the treatment her daughter was receiving at school. Because she is a minor, we will call her “Anne.”

Anne was being harassed, bullied, and physically assaulted at school, and not just by students but by the school administration as well. The impetus for this conduct was the fact that Anne was out as a lesbian and did not dress in ways that would be considered traditionally feminine. The administration’s answer to Anne’s mother’s complaints was to further punish Anne, rather than the people in question. Anne was labeled a trouble-maker and placed in in-school-suspension.

Believing that the school’s response was unacceptable, Anne’s mother reached out to the ACLU of MS. We provided her with information regarding Title IX protections for her daughter, and explained the school’s duty to protect Anne and all students. In addition, we prepared Anne’s mother with talking

points for the school board executive session that addressed Anne’s situation.

Schools have an obligation to make sure students have an opportunity to learn to the best of their ability. The school has a legal duty to intervene when the ability to learn is compromised by harassment and bullying. Anne’s school not only failed to stop the bullying, but actually made Anne’s situation worse by punishing her rather than the wrongdoers. The Department of Justice is currently investigating Anne’s school. We have increased advocacy efforts with schools, reminding them of their obligation to protect all students, regardless of sexual orientation or gender identity so that Anne’s situation does not happen to other Mississippi students.

SO WHAT IS TITLE IX, AND HOW ARE YOU PROTECTED?

Title IX is more than athletics. Title IX covers all forms of sex discrimination, harassment, and violence in any school that receives federal funds in some

manner, and includes such conduct as verbal harassment and stalking, sexual assault and rape. Harassment or physical violence against LGBT students constitutes a violation of Title IX due to sex discrimination.

Sex discrimination is against females and males. Sex discrimination and Title IX violations include conduct based on gender conformity, which has been interpreted to protect LGBTQ students. Gender conformity refers to the traditional categorization of males and females, such as the beliefs that women should wear dresses and men shouldn’t wear makeup. Preventing that is against the law as long as those students adhere to the dress code that applies to all students. If students are being harassed because of the way they dress, as Anne was for not wearing “appropriately feminine” clothing, the school has an obligation to intervene to stop this harassment.

In February, the Department of Justice rescinded the Obama administration’s guidance regarding transgender students. Shortly thereafter, the Supreme Court chose not to hear the ACLU’s case regarding transgender students’ use of public facilities. However, good news may be on the horizon. In a recent court case, *Whitaker v. Kenosha*, a transgender male student argued for the right to use the school’s boy restroom based on Title IX protections. The U.S. Seventh Circuit Court of Appeals agreed, giving hope to proponents of transgender rights that one day all people will be able to use public facilities that align with their gender identity.

No matter a child’s sex, sexual orientation, or gender identity, the ACLU of Mississippi will always be there to fight against harassment and injustice. If a student has been bullied, harassed, or assaulted, contact the school’s administration. If the school administration refuses to intervene, contact the ACLU of Mississippi or the Department of Justice. Every student deserves a safe educational environment.

Fostering Transformation by Changing Narratives and Engaging Systems

BY AISHA CARSON, EDUCATIONAL OPPORTUNITIES ADVOCACY COORDINATOR

The work of the ACLU of Mississippi centers on advocacy, policy change and litigation. So when we partnered with the Mississippi Center for Justice, the Sunflower County Consolidated School District, and its Parental Engagement Council for SCSCP, many people wanted to know why. The answer is simple: in order to disrupt the school to prison pipeline, it is necessary to take a community based systems change approach that directly engages the systems that adversely impact students of color.

Directly engaging those systems has yielded positive impacts. Specifically, there are two products that have solidified SCSCP as a model for districts across the state - the success of the R.O.O.T.S. of Sunflower County Project and the Sunflower County Consolidated School District's newly recommended student code of conduct.

NARRATIVE CHANGE TO IMPACT SYSTEMS

Policy change around the school to prison pipeline typically focuses on school discipline policies and the policies and procedures of local youth courts. What is often left out of the conversation is the component that brings about such grave disproportionality for young men and boys of color (YMBOC) in communities like Sunflower County in the first place: negative narratives and perceptions that determine how people engage, teach, and discipline them. Students are punished more often and more harshly based on who they are and what they look like. Black boys are three times more likely to be arrested than their white peers. One out of every six black boys has a likelihood of being suspended at least once compared to one out of every 20 white students.



R.O.O.T.S. participants showcase traveling museum exhibit at JSU's Margaret Walker Center.

Racial disparities are not the result of a difference in behavior, rather a difference in treatment. But, why? Why are black students treated differently than their peers? In short, because their perception precedes them. Biased news media has historically perpetuated the negative narratives of YMBOC and caused wide spread perceptions of who they are.

"Why are black students treated differently than their peers? In short, because their perception precedes them."

So, to effectively address policy change that disrupts the school to prison pipeline, policy change must be paired with changing the narrative of YMBOC to touch the root cause of their disparate treatment.

The R.O.O.T.S. Project, made up of 19 young men from Sunflower County, grew out of the need to address negative narratives. It is the "hearts and minds" work of the SCSCP collaborative, changing people's perception of YMBOC by appealing to their conscience through authentic stories and youth voice.



Capturing individual experiences and helping to use those experiences to inform policy created the museum exhibit that has already traveled from Indianola to Jackson, MS.

ENGAGING SYSTEMS TO IMPACT CHANGE

SCSCP is geared toward building the capacity of the community to foster and sustain systemic change. With many successes these past two years, the momentum for changing outcomes for YMBOC has been cultivated by a supportive Sunflower community.

The community advisory council, made up of a diverse group of community stakeholders, was pivotal in developing the newly recommended code of conduct. This code now offers alternatives to suspension, limits zero tolerance policies to those mandated by state law, and adds multi-tiered supports for students. We anticipate a final vote on the new policy with full support from the superintendent in July. Upon adoption, the new code will go into effect for the 2017-2018 school year and will be closely monitored to track its success. *For more information, please visit www.sunflowercountysystemschange.com.*

TEAP-MS: Educating and Engaging

BY MALAYSIA WALKER, TEAP-MS ADVOCACY COORDINATOR

Transgender and gender non-conforming people are often misunderstood. There have been times when we have been referred to as being “unruly” or “confused” or “those people with the bad attitudes”. This opportunity for understanding fuels the fight for equal rights and non-discrimination policies. Understanding takes away the feeling of fear and opens the door to access.

Here are answers to a few frequently asked questions about the trans/GNC community:

WHAT DOES TRANSGENDER/GENDER NON-CONFORMING MEAN?

Transgender is a term used to describe people whose gender identity differs from the sex they were assigned at birth. Trans is shorthand for transgender. (Gender Identity is someone’s personal sense of being either male or female.)

Gender Non-Conforming (GNC) is a term used to describe people whose gender expression is different from conventional expectations of masculinity and femininity.

WHAT DO TRANSGENDER PEOPLE LOOK LIKE?

Transgender people look like everyone else in our community. They’re moms and dads, teachers, students, even children. There’s no concrete way to determine whether a person is transgender or not. Trans/GNC people want to be treated like equal members of society.

DO TRANSGENDER PEOPLE LIVE IN MISSISSIPPI?

Trans/GNC people live, work, and play in Mississippi. There are approximately 15,000 Mississippians who identify as transgender, including about 1,600 youth.

WHY IS TRANSGENDER EQUALITY SO IMPORTANT?

Transgender people face much more harmful discrimination and harassment than anyone else in the LGBTQ community. Since January 2017, there have been 10 murders of transgender men and women, most of them being women of color. Mississippi offers NO legal protections for transgender people. Without policy protections in place, transgender people cannot fully participate in society. No one should be denied employment, housing, educational opportunities, or access to public accommodations because of who they are, where they come from, what faith they practice, or who they love.

TEAP-MS’ JOURNEY TO INCLUSIVITY

In March, we held a legislative hearing in conjunction with Senator Debbie Dawkins of Gulfport. It was an opportunity for trans/GNC Mississippians and allies to tell legislators about their personal experiences and the need for protections.

To celebrate Transgender Day of Visibility, we kicked off the day by volunteering at the Mississippi Food Network and culminated with a showcase of talents from the trans/GNC community at Green Ghost Taco’s in Jackson, MS.

We launched “Transality: The Reality of Transgender Identity and the Importance of Activism” town hall series in Long Beach, MS in May. We provided a space for the community to ask questions and gain knowledge about the trans/GNC community. Other forums are planned for Alcorn, Bolivar, and Neshoba counties.

We know that change doesn’t happen overnight. Through continued education and advocacy, we intend to make the presence of the trans/GNC community stronger so that our voices are heard and acknowledged, and our rights as human beings are enforced.

I.D. ME

Voting is the cornerstone to our democracy. But for the trans/GNC community, it can be a cumbersome task now that Voter ID is a requirement at every election. We want to create a barrier-free and non-threatening zone so that all transgender and gender non-conforming Mississippians can cast their ballot without fear or intimidation. The TEAP-MS Program introduces “I.D. Me,” an advocacy-led program that will provide a step-by-step guide and legal assistance to those seeking name/gender marker changes. The goal of this program is to further the voting rights of trans/GNC individuals and increase access to the polls. Voting rights matter, and we are working to ensure that the votes of the trans/GNC community count.

TEAP-MS KEY LEADERS SPOTLIGHT

ENGLISH FIELDS

Pronouns:
She/Her/Hers

English is from Corinth, MS, and is a graduate of Rust College in Holly Springs, MS. She says it is important to advance inclusivity and protections for the LGBTQ community so that everyone can be equal.



JENSEN MATAR

Pronouns: He/Him/His

Jensen resides in Jackson, MS. He is an entrepreneur, and has his own clothing line. He believes that we need civil rights protections, accessible healthcare, and job opportunities just as everyone else.



CURTIS LEHR

Pronouns:
She/Her/Hers

Curtis is a musical engineer and activist from Cleveland, MS. She says that visibility and education of the trans/GNC community will help increase understanding and reduce harassment and discrimination in Mississippi.





HIGHLIGHTS FROM THE COURTS

FREE SPEECH

The Mississippi Commission on Judicial Performance sought to reprimand Forrest County Justice Court Judge Gay Polk-Payton for her social media activity and for a book she authored. Judge Polk-Payton's attorneys, David McCarty and Oliver Diaz, asked the ACLU of Mississippi to participate in the case as "amicus curiae" to help the Mississippi Supreme Court properly evaluate and decide the First Amendment free speech issues. Legal Director Paloma Wu and Staff Attorney Joshua Tom authored a brief highlighting the free speech issues and argued that Judge Polk-Payton could not be reprimanded as her speech was protected by the First Amendment. Mr. Tom participated in oral argument before the Mississippi Supreme Court. The day after oral argument, the Court in a short opinion decided for Judge Polk-Payton and held that she could not be reprimanded for her speech.

IMMIGRANTS' RIGHTS

The U.S. Supreme Court issued a decision regarding the March "travel" ban Executive Order, also known as Muslim Ban 2.0. The Court is only allowing the government to ban nationals of Sudan, Syria, Iran, Libya, Somalia, and Yemen who are outside the U.S. and do not have a valid visa as of January 27, 2017, as well as those who do not have a "credible claim of a bona fide relationship with a person or entity in the United States." The ACLU points out exceptions to this order. *For further explanation, please visit our website at www.aclu-ms.org.*

INDIGENT DEFENSE

A settlement agreement has been reached in the federal class-action suit *Burks v. Scott County, Mississippi*, which challenged the county's practice of detaining people who can't afford an attorney for as long as a year without appointing counsel and without formally charging with them a crime. U.S.

District Judge Henry T. Wingate's order requires Scott, Leake, Neshoba, and Newton counties to appoint public defenders at arrest, which will ensure that arrestees have attorneys at their first bail hearings to argue for lower bail amounts and release until trial. The settlement agreement and court order also prohibit the counties from detaining felony arrestees solely because they can't afford money bail, a blow to unconstitutional wealth-based incarceration. The settlement further affirms defendants' fundamental right to release prior to trial on the least restrictive conditions needed to secure defendants' presence at trial.

LGBTQ

The Supreme Court will hear an appeal in *Masterpiece Cakeshop, Ltd. v. Colorado Civil Rights Commission*, a decision against a Colorado bakery that refused to sell a wedding cake to a same-sex couple. The Colorado Court of Appeals found the Denver-area bakery discriminated against the couple, who is represented by ACLU National.

"We will continue to advocate for equal protection for our plaintiffs and the LGBT community in Mississippi."

In Mississippi, the U.S. Courts of Appeals for the Fifth Circuit overturned the preliminary injunction in the lawsuit, *Barber v. Bryant*, which had previously stopped House Bill 1523 from taking effect. As a result,

thousands of LGBT Mississippians, single parents, and children are at risk of being harmed. This broad license to discriminate includes provision that would seek

to allow state employees to withhold marriage licenses from same-sex couples. The ACLU of Mississippi's case is moving forward. We will continue to advocate for equal protection for our plaintiffs and the LGBT community in Mississippi.

RACIAL JUSTICE

In May, we filed a class-action lawsuit against the Madison County Sheriff's Department (MCSD) over its unconstitutional policing program to systematically target Black people for illegal searches, stops, and seizures. The 10 named plaintiffs are Black people—men and women ages 27 to 62—who were unconstitutionally searched, detained, or arrested by the MCSD, sometimes violently, while they were merely walking to work, driving in their neighborhood, celebrating with family, or just spending time in their own homes. The landmark lawsuit seeks reforms that promote bias-free and evidenced-based policing, transparency, and police accountability as well as improved training and data collection. Simpson Thacher & Bartlett LLP is co-counsel.

INTERN SPOTLIGHT

SARAH BACOT

Originally from Bay St. Louis, Mississippi, Sarah is a rising 3L at Harvard Law School. She



graduated from Rhodes College in Memphis, Tennessee in 2013 with a degree in history and gender and sexuality studies. Before starting law school, she spent a year as a Thomas J. Watson Fellow, traveling internationally to work with queer community organizations in Poland, Argentina, India, South Africa, and Canada. Upon returning to the United States, she spent a year researching for a healthcare organization providing medical services to underserved populations in Memphis.

Sarah is excited to spend a summer back home in Mississippi. She wanted to work with ACLU because she appreciates the incredible work the organization is doing in her home state, and she is looking forward to learning as much as possible in her time here. In her free time, you can find her spending time with family, watching “The Office” or “Parks and Rec”, or reading in her hammock.



GRANT SIMON

Born and raised in Dubuque, Iowa, Grant is a rising 2L at University of Missouri-Columbia.

After graduating high school simultaneously with an Associate’s Degree from Northeast Iowa Community College, Grant graduated Summa Cum Laude from Truman State University in only two years. While at Truman State, Grant majored in criminal justice with a minor in disabilities studies. In addition, Grant served as captain of the mock trial team and sang in the advanced choir.

GABRIELLE WELLS

Gabrielle is a native of Clinton, Mississippi, and recent graduate of the University of Mississippi with a B.P.S. in Paralegal Studies. She plans to work one-year as a paralegal while preparing for law school to specialize in child advocacy and law. She is also a member of the Lambda Epsilon Chi National Paralegal Honor Society and Delta Sigma Theta Sorority, Inc.



Her work with the Center for Inclusion and Cross Cultural Engagement as a mentor and with the McLean Institute at the Boys and Girls Club as a volunteer fueled her commitment to advocating for the most vulnerable members of our society. Recognizing the need for help amongst other members of society led Gabrielle to the ACLU of Mississippi.

In addition, Gabrielle works in the Child Watch Center and as a group fitness instructor teaching Zumba and Step at the Baptist Healthplex in Clinton.

Testimony from Nicole Perry, Advocacy Intern

I knew that I wanted to be involved in policy-making in the future, so the ACLU of Mississippi



was a perfect fit for my summer internship. As a senior political science major at Mississippi State University, I knew I could use my skills to help enhance the great work that this affiliate is already doing. Working here provides me an avenue to participate in making effective changes, no matter how small.

The things that the ACLU of Mississippi stands for and fights to protect also played a role in my decision to seek an internship. As somebody who is of a religious minority, protecting the rights of others and their faiths is something of great significance for me, especially in a place like Mississippi. I also have seen and heard stories from others who have faced discrimination and hardships based on their beliefs and identities, and have always wanted to find a way to help. The ACLU of Mississippi was the perfect outlet for me to learn about the things that I could do to help others in these situations.

In my time here, I have learned skills that I know will benefit me in the future, and have established valuable connections within the office. It has helped put to rest my worries as to whether or not this is the kind of field I want to go into once I graduate from college, and the experiences I have had here are ones that I would not trade. Of everywhere that I could have applied to, I am glad that I decided to join the ACLU of Mississippi.

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