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



Secure Civil Rights Protections in Your Community AN ADVOCACY TOOLKIT



Dear Activist:

Thank you for your dedication in bringing non-discrimination protections to your city. This commitment shows that you understand the value in diversity, and the importance of affirming an environment that protects us all. We hope that this toolkit will provide you with the tools and information you need to assist in your advocacy efforts. You will know your community best, and will be the most effective in enacting meaningful change in your community.

Non-discrimination protections are important in cities everywhere, but even more so in Mississippi, where there are no full state civil rights statutes. By fighting to pass a non-discrimination ordinance, you are helping your city to move forward on a different path. The status quo of Mississippi has always been that of racism, homophobia, and intolerance. A non-discrimination ordinance will not undo this legacy of discrimination, nor will it prevent all future discrimination from occurring. However, there is no denying that passing a non-discrimination ordinance will help progress equality work in your city. An NDO is not only symbolic in its meaning. This ordinance will benefit everyone, and the support that it will lend to the LGBT community cannot be understated.

A non-discrimination ordinance (NDO) works in two ways. First, it enshrines basic human rights into the municipal code that everyone deserves to be treated equally with dignity and respect. When someone discriminates against another person, civil charges can be filed against them by the offended party in civil court. The other benefit of the ordinance is that it helps prevent discrimination on the front end. This is the premise of laws to begin with: if people know an action is illegal, then they will avoid doing that action.

Passing a non-discrimination ordinance is a worthwhile undertaking. We hope that this toolkit will help you along your journey towards local discrimination protections. Please feel free to distribute this resource among your coalition as you see fit.

Please let us know of any activism you undertake with the help of this toolkit, and ways we may be able to help! Any feedback is very helpful. Contact us by email at office@aclu-ms.org or by phone at 601-354-3408.

Contact

We Are All Mississippi

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@WeAreAllMS

#WeAreAllMS

About the WAAM Campaign

The **We Are All Mississippi (WAAM) Coalition** unites various organizations that are all working in different ways toward the same goal: protecting Mississippians from discrimination.

We stand together behind our ultimate goal of securing civil rights protections for all via the statewide Mississippi Civil Rights Act and local non-discrimination ordinances.

The coalition is a unique combination of members who represent a wide variety of organizations that work to combat prejudice and discrimination. Coalition members include those that advocate for women, communities of color, immigrants, LGBTQ individuals, Mississippians with disabilities, and many more.

What our coalition members have in common is a profound commitment to equality for all people in Mississippi.

Visit www.weareallMississippi.com to find more resources that will help you in your pursuit to pass a non-discrimination ordinance.



Overview

Mississippi is one of few states that has yet to secure civil rights protections for everyone. There is no law that explicitly protects individuals from discrimination in housing, employment, education, or the use of public accommodations. Federal protections exist for certain people on the basis of race, sex, and other categories, but the coverage is limited for sexual orientation and gender identity. Furthermore, having no state protections makes cases discrimination harder to resolve as they must be processed through federal courts rather than state courts.

A non-discrimination ordinance, sometimes referred to as a human rights ordinance, is a law that prohibits discrimination on the basis of certain protected characteristics. These protected characteristics often include such characteristics as a person's race, color, religion, age, sex, marital status, familial status, sexual orientation, gender identity, gender expression, disability, or national origin. Non-discrimination ordinances generally protect people in the sectors of employment, housing, and public accommodations.

Only two cities in Mississippi, Jackson and Magnolia, have protected their citizens by passing non-discrimination ordinances.

What are some examples of businesses that qualify as places of public accommodations?

- *Lodging:* hotels, motels, room share services, and bed and breakfasts.
- *Dining:* eating and drinking establishments such as restaurants, bars, nightclubs, food trucks, diners, bakeries, coffee shops, snack shops, and breweries.
- *Entertainment and recreation:* a dance hall, ice or roller skating rink, adventure guide service, movie theater, concert hall, billiards hall, sports facility, museum, sports and entertainment venue, campground, pool, equestrian facility, bowling alley, shooting range, rock climbing facility, and art gallery.
- *Transportation facility:* A transportation facility is considered any private provider of transportation services such as a taxi cab, taxi company, carriage, bicycle vendor, or bus.

Business: A business broadly includes a commercial establishment or person offering goods or services to the public, such as an attorney, doctor, accountant, architect, pharmacist, clothing store, electronics store, furniture store, variety store, hardware store, plumber, electrician, moving service, hospital, florist, grocery store, interior designer, gym, bank, consultant, car dealership, realtor, cleaning service, drug store, information technology provider, dry cleaner, salon, barber, landscaping service, and mechanic.

Will you need to write your own ordinance?

No, the ACLU of Mississippi has a blank ordinance that can be used to fit any municipal code. The best course of action is to reach out to the ACLU of Mississippi and coordinate your efforts with our office, or visit www.weareallmississippi.com for an example.

Notable Numbers

- **0** – the number of full state civil rights protections in Mississippi for any category of people.
- **3** – the number of cities in Mississippi that have non-discrimination protections (Jackson, Magnolia, and Clarksdale)
- **6%** – of Mississippians covered by local non-discrimination protections
- **72,500** – the estimated number of LGBT Mississippians according to the *Movement Advance Project*.
- **\$60** – the average amount it takes to file a case through the municipal court system in Mississippi.
- **\$400** – the amount it takes for *initial* federal court filings in Mississippi.
- **100%** of people who would benefit from a non-discrimination ordinance. The ordinance protects residents from discrimination on the basis of a person's race, color, religion, national origin, immigrant status, sex, sexual orientation, gender identity, disability, or familial status.

Sample Email/Phone Script

Hello Councilman/woman [name]. My name is [insert your name] and I live in your district at [address]. I am calling to set up an appointment with you to discuss an issue that I feel very strongly about. I believe that [city] should have a non-discrimination ordinance. A non-discrimination ordinance would benefit and protect all people in our city, and help market [city] to outside investment. I would like to talk to you about this ordinance at your earliest convenience. I am happy to send you more information about a non-discrimination ordinance to prepare for our meeting. My phone number is [number] and my email is [email address]. I look forward to hearing from you. [Your Name]

Sample Letter to the Editor

A letter to the editor is a succinct letter expressing your viewpoints about a certain issue and helps to get your message to the community.

Dear Editor,

It is time that we brought civil rights protections to [city]. Mississippi has yet to secure civil rights protections for everyone. Passing a local non-discrimination ordinance would strengthen our economy and send a strong message that [city] is open for business. A local non-discrimination ordinance will also help ensure that [city] can attract new businesses and jobs and better compete in a global marketplace.

Treating others as we would want to be treated ourselves includes making sure that no one is fired from their job, evicted from their home, or turned away from a business just because of who they are. A non-discrimination ordinance in [city] would protect everyone in employment, housing, and public accommodations, sending a clear message that all hardworking people should be treated fairly and equally under the law.

It's time to show that our city values inclusion and equality by adopting a non-discrimination ordinance. Please contact your city council representative and tell them you support non-discrimination protections for [city].
[Your Name]

Letter to Your Local Elected Official

Dear Councilman/woman [name],

I am writing in support of the non-discrimination ordinance for [city]. As your constituent/citizen, I am also urging your support of the non-discrimination ordinance (NDO).

I believe that all people, regardless of race, religion, gender, sexual orientation, gender identity, or disability, should be protected. Since Mississippi has no state civil rights protections for all people who live and visit here, having local protections in place affirms that we welcome all to [city]. An NDO also sends a strong message to the business community. Inclusive corporate policies have shown positive outcomes for employees. That's why a full majority of Fortune 500 companies, most Mississippi universities, and employers like Nissan, Toyota, Harrah's, and RPM Pizza have them.

Right now, only two cities in Mississippi have NDOs in place. Several others have non-discrimination resolutions, but they aren't legally binding ordinances.

It is my sincere hope that you will support the NDO in [city] because we are all Mississippi and everyone deserves protection from discrimination. [You can add: I will follow up with you soon to discuss this critical ordinance with you.]

I appreciate all of the work you do for our great city.

Sincerely,
[Sign your name]

About the Ordinance

- Ordinances are laws written into the city's code. Your city may have passed a resolution affirming the dignity of LGBT citizens in the past. While this is an admirable symbolic gesture, a resolution is *not* legally binding like an ordinance.
- Non-discrimination ordinances do not compel churches to accept or marry same-sex couples. The First Amendment and its freedom of religion clause is among the most important of our constitution; nothing can override it. A government can never interfere with a church or how it chooses to operate.
- Businesses operate in the public domain. If businesses were allowed to pick and choose their customers on the basis of certain characteristics, some businesses in the South would likely still adhere to the "separate but equal" mentality. That is why local, state, and federal laws that protect groups of people are so crucial. Businesses should be [Open To All](#).
- Non-discrimination ordinances are a big selling point for cities. 98% of Fortune 500 companies have their own non-discrimination policies because they understand that discrimination is bad for business.
- NDOs help everyone. A non-discrimination ordinance would put civil rights protections for everyone into municipal law.



Local Action

Non-discrimination ordinances are passed in two ways. They are either voted on by the city as a whole in a referendum or they are approved by the mayor and the city council. Passing a non-discrimination ordinance through the city council is a far easier task than convincing an entire town of your cause. It is also less expensive to run a campaign directed at a few individuals than run a campaign for an entire town.

Who is on the city council?

Your city council is elected every four years. Depending on the city, members may be referred to as councilmen, aldermen, selectmen, or another name. Each council member is elected to represent a certain district or ward of the city, unless they are a city council member at-large. In this case that council member represents city residents who don't live inside one of the districts.

To pass an ordinance through the city council, you'll need a majority of city council members to vote for the ordinance. In the case of a tie. This is one of the reasons it is also critical to convince the mayor of the value of the ordinance. In addition, even if the city council votes to approve the ordinance by a simple majority, the mayor could veto the measure, and the city council would have to approve the ordinance by two-thirds majority.

Talking to your council member

City council members, like other elected officials, represent a certain constituency and should be receptive to hearing the viewpoints and concerns of their constituents even if they may not agree with those views. In the outset of your ordinance planning, you'll want to arrange meetings with all city council members to determine their degree of support for this ordinance. It is best to arrange meetings between city council members and people in their district, and information for contacting members can usually be found on the city website, or by calling city hall.

About College Students

If you are working in a city that represents a large university, know that the university may or may not be part of a district. In some cases, university students who live on campus are not given representation in city government. However, college students can serve as people power volunteers to organize communities, canvas neighborhoods, or other critical ordinance work. If there is an university in your city, you should try to utilize the energies and organizing power of these students.

Sample Social Media Posts



For Twitter:

- In the wake of HB 1523, there is uncertainty in our state. With a local non-discrimination ordinance, a brighter future is on the horizon. To show your support and learn more, get started at <http://weareallmississippi.com/>.
- Hospitality means treating people kindly no matter who they are. Don't let your city discriminate against anyone for any reason. Support local non-discrimination protections! #WeAreAllMS
- A local non-discrimination ordinance is a win for everyone in [city], but we need your support. Visit We Are All Mississippi's website for more info! <http://weareallmississippi.com/>.
- No one should be denied housing, education, employment, or the simple enjoyment of public services because of who they are, what faith they practice, or where they're from. #WeAreAllMS <http://weareallmississippi.com/>.
- Tell your city council representative that all citizens deserve and we all deserve to feel safe and protected in our city. Find out more at <http://weareallmississippi.com/>.
- Everyone has something to gain from an NDO. That's because #WeAreAllMS!. Let your city council representative know you support discrimination protections and visit <http://weareallmississippi.com/>.

Sample Social Media Posts



For Facebook:

- Did you know that Mississippi has yet to secure civil rights protections for everyone? In [city], LGBT people can be fired from their job, evicted from their home, or refused service at a business all because of their sexual orientation or gender identity. Our city is better than that! Support a non-discrimination ordinance for [city].
- The definition of hospitality is described as, “the friendly and generous reception and entertainment of guests, visitors, or strangers.” We claim to treat our guests that way, *so why don't we treat our citizens the same?*
A nondiscrimination ordinance will grant every person in [city] protection from discrimination based on race, color, religion, national origin, immigrant status, sex, sexual orientation, gender identity, or disability. You can sign the pledge and learn more about at <http://weareallmississippi.com/>
- The First Amendment grants all Americans and all Mississippians the right to practice their religion peacefully. A non-discrimination ordinance will protect people of all faiths from discrimination, including people who choose to practice no religion at all. Support the NDO in [city].

Local Action

When is my council elected?

City council members and mayors are elected every four years, one year after federal presidential elections. The next municipal elections will take place in 2021. Elections for city council members typically have very low turnout rates. Even in cities with thousands of people, many city council races are determined by less than a hundred votes. If your city council roadblocks this ordinance, hold them accountable by conducting voter registration drives and work to elect new city council members who will support non-discrimination protections and represent your interests.

FIGHTING FOR
EQUAL RIGHTS
FOR ALL
MISSISSIPPIANS

VISIT WWW.WEAREALLMISSISSIPPI.COM
TO LEARN MORE.



Step by Step Guide

To keep ordinance planning and advocacy on track, it is recommended that you create a community engagement plan, typically of advocacy efforts for the next six months to a year. It may be the case that an ordinance is not passed within this time frame, but you still may have done substantial ground-work. In this instance, you can simply adjust your time-frame. A sample month-by-month outline is below. For more tools, visit www.weareallMississippi.com.

Month 1: Meet with community stakeholders.

Outline your action plan. Bring as many people to the table as possible as possible. Try to have a diverse group of stakeholders, not only in race and ethnicity, but also in age, profession, and life experience. To connect with others in your area who are interested in enacting meaningful local change, use the People Power community organizing platform. This can be found at Peoplepower.org.

Months 2-3: Meet with local representatives.

Have community members schedule one-on-one meetings with members of the city council. Ideally, each city council member will meet with several community stakeholders over the course of a month or several months. Meetings will also need to be set up with the mayor and city attorney.



Months 3-4: Engage a larger audience.

If your group is relatively small and homogenous, branch out to engage a more diverse group of community stakeholders. In particular, reach out to several prominent businesses and members of the faith community. They will be valuable allies moving forward. Run op eds and letters to the editor to raise awareness and bring more people into your coalition. Create an online petition to circulate. A petition will help you find more supportive community members, and will also show the scope of support to the city council.

Frequently Asked Questions

What about the impact of HB 1523?

HB 1523 is a law passed in 2016 by the Mississippi Legislature. HB 1523 allows government actors to discriminate against LGBT people (and potentially unmarried heterosexual people, or people of certain religious faiths) in terms of three categories: marriage, sexual activity, and gender identity.

The law may also allow private business to discriminate in certain circumstances, for example, in instances related to same-sex marriage.

The passage of HB 1523 should not discourage non-discrimination efforts. Passing a non-discrimination ordinance in your hometown protects everyone and will at the very least protect LGBT individuals in the sectors of housing and employment, which HB 1523 does not mention.

However, it is important to note that non-discrimination ordinances should not be “written around” HB 1523. Protections for transgender individuals and same-sex marriage should still be included in your non-discrimination ordinance.

Don't federal protections already cover discrimination?

LGBT people in America are particularly vulnerable to discrimination. Very limited federal protections exist for housing under the Fair Housing Act as well as in employment. Federal law does not prohibit discrimination based on gender identity or sexual orientation in public accommodations. Local and state protections ensure that everyone has civil rights protections.



Frequently Asked Questions

Will an NDO only benefit LGBT people?

No. Broadly, LGBT people will gain the protections that many of us already take for granted. However, a non-discrimination ordinance will have benefits for all people. Mississippi has no state civil rights protections for any group of people. In towns without non-discrimination ordinances, the only way a person can file any sort of discrimination grievance on the basis of race, religion, gender, etc. is by going through the federal court system, which is far more expensive and complex than the municipal court system. In federal court, initial filing fees alone are several hundred dollars and the case duration can last years, delaying the time that someone can receive justice.

How is this different from the non-discrimination resolution my city passed a few years ago?

A resolution is simply a statement of commitment. It is not legally binding. Only an ordinance written into the city code will allow legal penalties to apply to those who take discriminatory actions.

Will churches have to accept gay and transgender people or get sued and/or lose their tax-exempt status?

No. Under this law, churches, mosques, synagogues and all other houses of worship retain full control over who serves in religious positions (meaning pastors, priests, cantors, etc.), and over the faith messages they convey. Private schools also retain full control over whom they hire to serve in religious positions (such as chaplain or director of campus ministry), and over what they teach regarding sexual orientation and gender identity. This law would not require any church to perform weddings or other sacraments for gay people, against its religious beliefs. It also does not alter any standards for determining whether a religious organization is treated as a tax-exempt charitable organization.



Month 5: Move forward with the ordinance or reassess

At this point one of two things will have likely happened. You either have a majority of city council members in favor of the ordinance, or you have several who are still skeptical.

If you have the votes for your ordinance: Identify a council member who is willing to sponsor and put it on the agenda for the next meeting. (Don't bring the ordinance forward unless you are absolutely sure you have the votes). Have final meetings with the mayor and city attorney to make sure you have their approval.

If you don't have the votes: See the next page for tactics of swaying more city council members to your side.

Month 6: Pass the ordinance!

Be sure to have a lot of community testimony at the city council hearing. Have as many community members who are diverse not only in racial and religious background, but life experiences, too. Coordinate with your members to all wear a certain color to the council meeting. That way, city council members will be able to see the solidarity amongst the community. Pack the house!



Tactics

We have found these tools to be effective in gaining community coalitions and swaying city council support. Be calculating about using these tactics, however. In a conservative state such as Mississippi, the ideal course of action is to meet with the aldermen and city council with a few key community stakeholders and pass this ordinance quietly. Being too loud about organizing in the beginning stages may bring out community members who are opposed to LGBT protections. But actively and publicly organizing around an ordinance also has the benefit of bringing this discussion into the open. Few city council members want to go on record as being anti-civil rights protections. You know your community best, and you are the best judge of when to organize privately and when to do so publicly.

Here are a few ideas:

- Gather petition signatures – both physical and online.
 - ⇒ Gather the most signatures in districts represented by opposing council members.
- Submit a letter to the editor or op-ed in your local newspaper.
- Vendor (tabling) at local festivals and events.
- Host a town hall event about non-discrimination ordinances – invite city council members and the mayor to attend. Promote on [People Power!](#)
- Distribute pushcards/door hangers to certain neighborhoods.
- Have different groups of people speak at every city hall meeting – this will keep pressure on the city council and keep the event in the eyes of the public.
- Request a public hearing at city council specifically on the non-discrimination ordinance issue.
- Consider branding – although more costly, with branding you could produce bumper stickers, yard signs, and other forms of advertising to make your campaign more visible.
- Some ideas for fundraising include a storytelling event, bingo, having a certain “night” at a restaurant or business that supports your cause. The proceeds can go towards your branding.

Did you know...

Mississippi is one of few states that has yet to secure civil rights protections for everyone. Outside of sex discrimination protections for state employees only, you could be fired and denied housing and services, just because of who you are.

We Are All Mississippi

is a coalition of social justice organizations dedicated to civil rights protections in the state. For the past 3 years, we've introduced the Mississippi Civil Rights Act, and locally we advocate for cities to adopt non-discrimination ordinances.

Mayors and city council members are more likely to listen to their own constituents, so we need your help!



We Are All Mississippi's Website is LIVE!



Visit www.weareallmississippi.com to learn how you can help bring local and statewide civil rights protections to Mississippi.



#WeAreAllMS

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