

Let's Keep Our Eyes on the Ball

BY JENNIFER RILEY-COLLINS,
EXECUTIVE DIRECTOR

On the streets of large cities, you have probably seen a man with a makeshift table inviting passersby to engage in a game involving sleight of hand while he rapidly moves three inverted cups. Contestants wager, believing that their eyes will be able to stay on the cup hiding the ball. Shell games are deceptive and evasive ploys. Tricksters will typically rig the game to move or hide the ball during play and replace it as required. Without a trained eye, you never see that the ball was never on the board.

The Trump Administration and state leaders, especially leaders like Governor Bryant and the Mississippi Legislature are playing shell games. Thankfully, however, the ACLU and the ACLU of Mississippi have trained eyes and are constantly watching the board in defense of freedom.

All eyes, in utter amazement, are laser focused on the egregious actions of the federal government. The Trump Administration has carried out political rhetoric by issuing uninformed and ill-advised executive orders that ban people from entry based on their religion and that compel families to be torn apart during lawless raids under the unsubstantiated guise of national security. His administration has also ordered two for one regulatory reductions and administrative law changes that threaten the constitutionally protected rights of all Americans. We're less than 100 days in.

The ACLU kept its eye on the ball and kept our promise that we would see him in court.

While eyes were focused in disbelief on the Trump Administration's executive orders, sleight of hand was happening in the states. Across the country, divisive blue lives matter bills, unnecessary bathroom safety bills, and bills attacking a woman's right to healthcare were being proposed and passed in state capitols. Here in Mississippi, state leadership pushed bills that, if passed, will

result in violation of established constitutional rights against the use of cruel and inhumane treatment and therefore subject the state to costly litigation. We have seen support of bills that protect police while no protections given to taxpayers who deserve state civil protections. And we have seen Mississippi's own anti-immigration efforts that will likely result in catastrophic economic loss to a state already struggling with its budget.

The ACLU of MS kept its eye on the ball and kept our promise that we would be in the State Capitol.

We have been very present defending against these and other such measures. We have also been there pushing legislation that would secure rights for all Mississippians, require police transparency and accountability, and provide protections for marginalized communities in Mississippi. The ACLU of MS has also been present across the state educating protestors on their rights, and arming protestors with protectors through our legal observer trainings.

The sad reality is Mississippi's leaders do not realize that while they are following partisan politics, there is a shell game being played and they are the pawn.

Politically motivated policies, like anti-sanctuary city legislation, will force Mississippi, down to the local level, to bear the costs of implementation of federal immigration actions which are the responsibility of the Department of Homeland Security. Federal legislation that would eliminate all funds for the Title X family planning program and deny Planned Parenthood any funding will hit the state of Mississippi in unexpected ways. Mississippi leadership's participation in the attack on Planned Parenthood, which is not an abortion provided in Mississippi and which received only about \$500 in Medicaid payments, may have adverse impact on their own children as they may be denied safe



and reliable preventative healthcare, which includes screening for cervical and other cancers and reduce the spread of sexually transmitted infections through testing and treatment. Mississippi is one of the states with the highest rate of cervical cancer incidences. It is estimated that 10,050 Mississippians have HIV and one in eight people are unaware that they are infected.

Who will pay the price for the shell games being played?

The decisions being made have consequences that impact all Mississippians. Shell games are never played for fun. There is always a price.

The ACLU of Mississippi will continue to keep its promise! We will advance justice and equality, through legislation, litigation and advocacy. We do so confidently knowing that so many of you are standing with us. We are so grateful for your outpouring of support and demonstration of confidence. We will not let you down. Together, we will win!

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2017 Legislative Update

BY ERIK R. FLEMING, *DIRECTOR OF POLICY*

This year's legislative session has been yet another challenge to the rights of individuals in Mississippi. No legislation passed this session is as egregious as last year's HB 1523. However, bills have been passed that threaten the civil liberties we fight so hard to maintain.

THREAT TO CIVIL LIBERTIES & CIVIL RIGHTS

HB 638 changes the lethal injection process into clear cruel and unusual punishment, by allowing sedatives to replace anesthetics in the drug protocol and reinstituting the electric chair and the gas chamber as alternative methods of capital punishment. The ACLU of MS believes that all methods of capital punishment violate the Eighth Amendment. However, if the death penalty is to be allowed, it must be humane or else it is nothing more than state-sanctioned murder. The bill is expected to arrive on the governor's desk.

HB 645 - the "Back the Badge" bills - was approved by the governor. This legislation is designed to enhance penalties on violent acts toward police officers and other first responders and makes any attack eligible as a hate crime. We were able to get an amendment inserted that provides First Amendment protection for citizens who protest against unwarranted police aggression or injustice. Nevertheless, the bottom line is that this bill prioritizes police over people.

SB 2710 outlaws any political subdivision or institution of higher learning from declaring themselves a sanctuary from immigration enforcement. The fact that Mississippi has no sanctuary cities to begin with does not seem to have deterred the backers of this unnecessary legislation. It is designed to allow the unconstitutional act of racial profiling under the guise of assisting the federal government with immigration enforcement. It will be an unfunded mandate on taxpayers, municipalities and counties due to the increased expenses of law enforcement manpower and jail detention, and may set the groundwork for more harmful policy against the most vulnerable in our state.

PROGRESSIVE LEGISLATION HARD TO PUSH

We aggressively lobbied to enact protective legislation like the Mississippi Civil Rights Act to improve anti-discrimination laws pertaining to housing and state employment, to create a statewide policy on the use of law enforcement body cameras, to create a mechanism for special prosecutors to be called in shooting deaths involving law enforcement officers, to require written consent to search forms and to require racial impact analysis on criminal justice legislation. We also lobbied for SB 2302, which would have ended the practice of employers asking about conviction status in the application process. Unfortunately, state leaders were more focused on political agenda than moving Mississippi even an inch closer to a fair and just society.

However, we did see some progressive legislation make it through the process:

HB 812 mandates that all law enforcement agencies in the state post their asset and forfeiture income online. This legislation was a direct result of our work in creating a task force to review asset and forfeiture actions more transparency. It was signed into law.

HB 1033 ends the unconstitutional practice of debtors' prisons, which is the practice of jailing persons for the inability to pay fines, statewide. This legislation comes on the heels of our successful litigation in Biloxi and our input in changing the rules of criminal procedure. HB 1033 is awaiting the governor's signature.

As this session draws to a close, we will continue to monitor any further legislative actions in the halls of the State Capitol and online at www.aclu-ms.org.

Criminal Justice Update

BY BLAKE FELDMAN,
ADVOCACY COORDINATOR

WORKING TO END DEBTORS' PRISON

In March 2016, the ACLU of Mississippi and Biloxi settled federal civil rights litigation and entered into an agreement that has served as a model for other cities. The bench card adopted by Biloxi to ensure the courts respect the rights of poor defendants who owe fines and fees addresses every component of a 'Dear Colleague' letter from the Civil Rights Division of the U.S. Department of Justice and, more recently, a model bench card released by the National Task Force on Fines, Fees and Bail Practices. As we made clear when we filed suit against Biloxi in 2015 and settled the suit in 2016, this isn't a problem unique to Biloxi. One year after the Biloxi settlement, the ACLU of Mississippi wrote individual letters to the more than 450 municipal and justice court judges in the state, encouraging them to adopt the Biloxi card. We have also supported HB 1033, legislation this session that would codify constitutional court procedures for fine and fee collection.

ENSURING TRANSPARENCY AND ACCOUNTABILITY IN BODY CAMERA POLICY

For the past three sessions, the state legislature has failed to establish policy parameters for law enforcement use of body-worn cameras. Therefore, the ACLU of Mississippi has filed more than two dozen public records act requests with local law enforcement agencies, and at the time of publication, we have received 23 individual body camera policies. We are currently analyzing each of them and recommending revisions that would ensure body cameras are actually promoting transparency and accountability while also protecting privacy. It is our goal to release a report surveying local body camera policies and identifying common deficiencies. 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 state-level legislation, but we will also continue to advocate for responsible policy at the local level.

PUBLIC INPUT CRUCIAL ON POLICE SURVEILLANCE

While reviewing policies, it has become apparent that cities are considering little to no public input on these policies. It is critical that cities more meaningfully involve the community in the process of developing and adopting a body-worn camera policies. We are encouraging cities and departments to make draft policies publicly available with sufficient opportunity for community groups, public interest organizations, and individual residents to debate or provide feedback on the concrete terms of the draft policies. Such a process should be undertaken whenever a municipality is preparing to deploy any surveillance technology. That is why we are working with Hattiesburg City Councilwoman Deborah Delagado to pass a Community Control Over Police Surveillance (CCOPS) ordinance in Hattiesburg. Councilwoman Delgado announced in September 2016 that she would be introducing legislation in 2017, and we are committed to supporting her efforts.

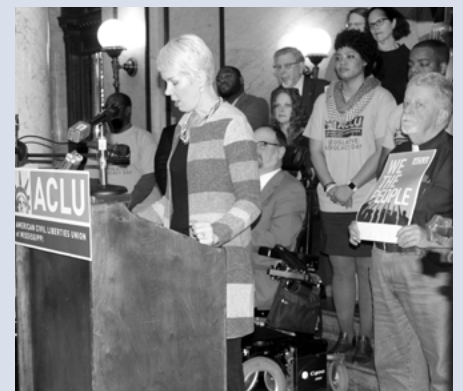
With Donald Trump's election as President, the CCOPS effort has grown more important than ever. Trump says he wants to pursue policies like identifying and deporting millions of undocumented immigrants, tracking Muslims, and even more aggressively policing communities of color, but he is going to need help from local law enforcement. We suspect the new administration's Department of Justice and Department of Homeland Security will offer millions of dollars in surveillance technology grants to local law enforcement. The condition? An agreement to share the collected surveillance data.

The way to stop these deals from occurring is to prevent local police from secretly agreeing to them. CCOPS ordinances will empower city councils to say "no" to surveillance technology deals that would perpetuate mistrust between communities and the police who serve them.

Are you ready to become a Liberty Lobbyist?

The ACLU of MS kicked off its Liberty Lobbyists program during our 2017 Legislative Advocacy Day. We equipped about 35 Mississippians with the tools and resources they need to become citizen lobbyists so that they can help us push for equity and justice in state law. Board members, coalition partners, volunteers, and ACLU supporters got the opportunity to meet with their legislators and lobby for our legislative package.

Email efleming@aclu-ms.org to join!



Realizing My Truth

BY MALAYSIA WALKER, TEAP-MS ADVOCACY COORDINATOR

For the longest time, I lived my life according to how “society” informed me that I should live. These were the darkest moments for me because I was forced to live an imprisoned life. Can you imagine waking daily with a feeling of discomfort, and not knowing why or how to change that emotion?

After years of feeling lost and rejected, I finally sat down, collected my thoughts, and asked myself when was I at my happiest. The answer to that question sparked a fire in me! I realized that I was my happiest when I was Malaysia, a pseudo personality created with the intent to entertain people on stage or off. Malaysia was beautiful, smart, and creative. She was always welcomed wherever life led her, and that is how I wanted to feel every day of my life. I figured out how I could incorporate Malaysia into a daily lifestyle, and slowly, but surely, my life began to evolve in a more positive manner. As each day passed, I grew more confident, more assertive, more at peace than ever before. After 32 years, I realized that Malaysia had always been my truth. I had just been too afraid to show it and society did not make it any easier.



It is such an honor and privilege to finally reach a place in my life where I can encourage others to bask in the glory of their own truth. Through the Transgender Education & Advocacy Program (TEAP-MS), an extension of the We Are All Mississippi campaign, I am in a position to offer those that are living in fear comfort in knowing that their voices will no longer go unheard. TEAP-MS provides the opportunity to tell the transgender and gender non-conforming (GNC) community that there is an organization working diligently to protect you. Awareness and inclusion are our goals.

No one deserves to live a life of fear just because of who they are. Trans and GNC people are no different than anyone else. We eat, breathe, and bleed just the same. We have the same desires as anyone else – an opportunity for acceptance and to live in peace.

WELCOME MALAYSIA WALKER

Malaysia Walker was born and raised in Jackson, Mississippi. As a transgender woman, she is familiar with the many obstacles and barriers faced by the transgender community. That's why she is excited to lead the Transgender Education & Advocacy Program for the ACLU of Mississippi.

Her passion for civic engagement began at an early age while attending Forest Hill High School. There, she participated in and received accolades for her work with the organization known as Mississippi Youth Legislature. Malaysia's personal contributions to the empowerment of Mississippi's youth has led to many other awards and recognition. She remains vocal about the need for protections around gender identity and sexual orientation.

In her spare time, Malaysia enjoys make-up artistry, designing, sewing, and empowering others to live their truth.

My First Experience Serving as an ACLU of MS Legal Observer

BY ATTORNEY JULIE E. CHAFFIN, VOLUNTEER

I have never been what most would consider an “activist.” As I have grown older and [hopefully] wiser, Hillel the Elder’s words have begun to resonate more loudly. To paraphrase: If not now, when, and if not you, who?

With the nearly daily affronts to hard earned civil liberties threatened and emboldened by the new Presidential administration, it is time to leave the sidelines and join the resistance. We cannot allow this country to regress and we alone can ensure that it does not.

I am an attorney. The First Amendment is important to me. So, when I saw a Facebook post for an upcoming ACLU of Mississippi (ACLU of MS) training session for neutral Legal Observers, and with the gentle nudge of a friend, I decided to attend. It was time well spent. At the conclusion of the program, I quickly signed up for my first Legal Observer stint at the March on Mississippi. And what a day it was!

The March was attended by thousands, mostly by those in favor of Nissan unionization, but also by those opposed to unionization and by those simply



interested in ensuring that the workers’ right to decide was protected. There was a large law enforcement presence during the speeches and over the course of the nearly two-mile march (the only downside to my service – my leg muscles complained mightily). As ACLU of MS Legal Observers, we were trained to maintain complete neutrality. We were there to be vigilant observers and to document any skirmishes or potential civil rights violations. The ACLU of Mississippi made this a simple task with the MS Justice app for smartphones – you simply click to

video any questionable encounters and when you stop recording, the video is automatically sent to the office.

Thankfully, there were no major incidents and only one brief disruption occurred between a handful of protesters and counter-protestors. I never needed to use my app. But we were ready.

I wholeheartedly encourage you, whether a lawyer or layperson, to become trained as an ACLU of MS Legal Observer. I feel certain that there will be many more marches and protests to come and more Legal Observers will be needed.

Protecting Speech At The Women’s March

The day following the Presidential Inauguration, women’s marches erupted across the country and around the world in protest. The ACLU of Mississippi participated in the Women’s March on Jackson, a march and rally that saw hundreds of protestors. We protected free speech by providing legal observers.

Women, men, and children from all backgrounds marched together in support of women’s rights and in solidarity with the Women’s March on Washington. The goal of the march was to establish a coalition that will support, protect and advance equality and human rights for all women in Mississippi.

If you’re interested in becoming a legal observer or in need of our volunteers, please visit www.aclu-ms.org.



Advocating for a More Just & Equitable Society



CREATING CHANGE

The ACLU of Mississippi took part in the Creating Change Conference 2017 held in January in Philadelphia, PA. It is a national organizing and skills-building event with a vast selection of workshops and training sessions for the LGBTQ community and its allies that attracts individuals from all over the country. ACLU of MS Staff Attorney Joshua Tom presented a workshop about Mississippi's House Bill 1523, which allowed state-sponsored discrimination against the LGBTQ community and others based on certain religious beliefs. HB 1523 was ruled unconstitutional before going into effect. In addition to explaining the impacts and status of the law, he also discussed how the new Trump administration may affect the LGBTQ community going forward.



TRUE RELIGIOUS FREEDOM

We are a diverse society, built on the sweat and ingenuity of immigrants and refugees. American Muslims, immigrants, and U.S.-born alike, we are all part of the fabric of this nation. Our diversity is why America is already great. Following Trump's first signing of the executive order, we jumped into action by participating in several candlelight vigils in honor of Muslims, refugees, and immigrants. Our message was and remains clear: We will continue to stand up for true religious freedom and pledge to protect all members of our state from hateful discrimination. Take the pledge at www.aclu-ms.org.



PEOPLE POWER

This month, ACLU National launched People Power, a grassroots initiative to combat the Trump administration's discriminatory policies at the local level. Across the nation, more than 80,000 ACLU supporters gathered for 1,500+ launch parties. As part of this endeavor, the ACLU of MS is asking for your help in making our state safer and more equitable for everyone. Two of our main areas of interest will be lobbying sheriffs to not prioritize ICE cooperation, and passing more local anti-discrimination ordinances. Contact us for more information about People Power. With your help, we can make Mississippi truly live up to its motto as the Hospitality State!

CIVIL RIGHTS LEGISLATION

Mississippi is one of the few states with no protections for any citizen. For the past two years, the ACLU of Mississippi has been lobbying the Mississippi legislature to pass the Mississippi Civil Rights Act, which would extend protections to Mississippi residents so they cannot be discriminated on the basis of their race, color, religion, national origin, sex, sexual orientation, gender identity, disability or familial status. Once again, Mississippi legislators chose to preserve the status quo of marginalizing those in society who do not conform to their narrow world view. Moving forward, the ACLU of Mississippi will continue to advocate for the Mississippi Civil Rights Act on a state-wide scale. You can help by lobbying your local alderman and mayors to pass non-discrimination ordinances.

Just last month, Magnolia, Mississippi became the second city in the state to pass a local non-discrimination ordinance. The city of Jackson was the first. With your help, we can extend protections to more Mississippians. If you are interested in lobbying your local government for a non-discrimination ordinance, contact the ACLU of Mississippi's Equality Advocacy Coordinator, Katherine Klein, at KKlein@aclu-ms.org.

R.O.O.T.S.
OF SUNFLOWER COUNTY



RECLAIMING OUR ORIGINS THROUGH STORY

The Reclaiming Our Origins Through Story (R.O.O.T.S.) Project is the narrative component of the Sunflower County Systems Change Project (SCSCP). The SCSCP is a community-based systems change approach that addresses school discipline, juvenile justice and media narrative of young men and boys of color (YMBOC). It is a partnership effort between the ACLU of Mississippi, Mississippi Center for Justice, Sunflower County Consolidated School District and its P-16 Council that began in 2015.

The R.O.O.T.S. Project is presenting a traveling museum exhibit at key museums in the Mississippi Delta and in our state capitol. The first exhibit will be at the B.B. King Museum in Indianola, MS March 30 through April 28. The exhibit sheds light on the experiences of young people growing up in the Mississippi Delta. The stories were collected by nineteen African American young men who make up the R.O.O.T.S. team. A full schedule of the museum exhibit is below.

Disrupting the school to prison pipeline takes more than just policy change. Narrative change is key to reducing stereotypes and increasing opportunities for young men and boys of color. R.O.O.T.S. lifts up the authentic and affirmative voices of young men of color. Their stories provide a springboard for impacting change across the state and across the country.

Meet the young men of R.O.O.T.S. and view a short documentary of their journey during a special reception that precedes each exhibition. All events are open to the public. For more information about the SCSCP or R.O.O.T.S. project, visit www.sunflowercountysystemschange.com.

See page 7 for the exhibition dates.

Intern Spotlight

CHIP ADKINS

Chip Adkins grew up in Lucedale, MS and majored in public policy with a minor in English at the University of Mississippi. He is a second-year law student at the Mississippi College School of Law. His passion for protecting civil rights brought him to the ACLU of Mississippi as a legal intern.



She attends Mississippi College of Law, with an expected graduation date of May 2018. Jade serves as the Civil Rights Litigation Intern for the ACLU of MS. She has committed her life to promoting justice for all, by advocating for the underprivileged and voiceless. She is a firm believer in the idea illustrated in Martin Luther King Jr.'s quote, "Injustice anywhere is a threat to justice everywhere."



Her mission is to promote the exuberance of the U.S. Constitution and the fundamental values of individual rights and liberties, genuine equality, access to justice, democracy and the rule of law that it seeks to embody.

LAWRENCE BLACKMON



Lawrence Blackmon is a native of Canton, MS. He completed his undergraduate studies at Howard University with a Bachelors in Human Communications.

Lawrence received his Juris Doctorate in 2015 from The Mississippi College School of Law, and will complete his legal studies in May 2017 with an LLM in litigation & dispute resolution from George Washington University. Lawrence credits his experience as a student at the Piney Woods School, the nation's oldest remaining- historically African American boarding institution, with instilling in him the character & confidence to impact overlooked and underrepresented communities through jurisprudence.

JADE OLIVIA SLAUGHTER-MORGAN

Jade Olivia Slaughter-Morgan is a graduate of Ohio State University, where she majored in Women's Studies with a specialization in Gender and Social Justice.



TAMEKO MICHELLE PURNELL

Tameko Michelle Purnell grew up in the small town of Vaiden, MS, and was named

Valedictorian of her high school class. She completed her undergraduate studies at The University of Mississippi and is now a third-year law student at Mississippi College School of Law. She will complete her Juris Doctorate degree in December 2017. Tameko is a MC Law Dean's Ambassador, a member of the Phi Delta Phi Legal Honor Society and also a member of the Black Law Student Association. After spending years working as a litigation paralegal helping her fellow citizens resolve civil disputes, the harsh political climate and divisiveness that seem to plague our country became the forefront of her fight to truly make equality a reality.

DARYL L. PORTER JR.

Daryl L. Porter Jr. is a native of Summit, MS, graduating from McComb High School. He received a B.S. in Political Science from the University of Mississippi. During his time there, Daryl engaged in various civic organizations that promoted progression in Mississippi, including racial reconciliation and equal rights. After graduating in 2013, Daryl ran for office in his hometown of Summit and won a seat on the city council where he currently still serves. Daryl is a second-year law student at Mississippi College School of law.



ERIC TANNER

Eric Tanner is a 2008 International Baccalaureate graduate from Jim Hill High School in Jackson, MS. He earned his Bachelor's degree in Sociology from Morehouse College. He is currently a second-year law student at Mississippi College School of Law. He plans to practice criminal defense and civil rights law.



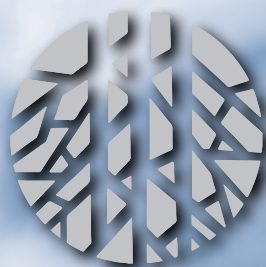
THE R.O.O.T.S. OF SUNFLOWER COUNTY MUSEUM EXHIBIT SCHEDULE

MUSEUM	LOCATION	EXHIBIT DATES	RECEPTION DATES
B.B. King Museum	Indianola, MS	March 30-April 28, 2017	March 30, 2017 6:00 p.m. - 7:30 p.m.
Smith Robertson Museum	Jackson, MS	May 1-30, 2017	May 4, 2017 6:00 p.m. - 7:30 p.m.
Margaret Walker Center	Jackson, MS	June 1-July 30, 2017	June 2, 2017 Time TBA

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R.O.O.T.S.

RECLAIMING
OUR
ORIGINS
THROUGH
STORY

"I've become **more confident**
in who I am, **aware of my**
abilities, and **certain of my**
future through this program."

- R.O.O.T.S. project participant

*See Museum Exhibit
Tour Dates On Page 7*