

Love wins!



On Friday, June 26th the Supreme Court of the United States ruled that state bans against same-sex marriage are unconstitutional. Marriage equality because a reality across the country. Mississippi Attorney General Jim Hood immediately sent guidance to the Circuit Clerks advising them to not issue marriage licenses until the 5th Circuit Court of Appeals lifted its stay. The ACLU of Mississippi, standing right next to couples as they attempted to marry, prepared an immediate response. The Attorney General rescinded his guidance. Along with our partner organization, Campaign for Southern Equality, and a team of attorneys across the state, we ensured Circuit Clerks in Mississippi were issuing marriage licenses and complying with the Constitution. We still have work to do to ensure full marriage equality in Mississippi. Discrimination continues to be a major issue. The ACLU of Mississippi is prepared to defend against discrimination in the workplace, housing and public accommodations.



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Reality over Rhetoric: Our work is not done.

BY JENNIFER RILEY-COLLINS

The deaths of the fallen Hattiesburg police officers in May were unequivocally unnecessary loss of valuable and valued lives. No young man should have his life taken as the result of a violent and vengeful act. On the Sunday following their deaths, the families and community of the fallen Hattiesburg police officers woke to a new day in our lives without these brave young men. Also and unfortunately on the same day, Mississippians woke to find that Governor Bryant had chosen to capitalize on this tragedy to spew divisive words instead of encouraging our community mourn and heal together. I was appalled to read his acrimonious words which clearly had been written and submitted for publication even before these brave men were laid to rest.

Out of dignity and respect for the families, the community and our great state I purposefully delayed submitting a response as a citizen of Mississippi and in my capacity as the Executive Director of the American Civil Liberties Union of Mississippi (ACLU of MS). In light of the deaths of the Charleston 9, the debate about the Confederate Flag and racial justice and equal treatment for all Mississippians, I am compelled to respond to the Governor's comments and to share them with our membership. The governor sent a message intended to invoke fear in the hearts of the "good people" in order to set conditions to further erode the

freedoms of Mississippians who in coded language are referred to as the "criminal class". We cannot sit quietly by and let his words go unchallenged. We must elevate fact over fiction.

The Governor began his statement with "It is becoming apparent that a deadly conflict now exists". While this reality is just starting to become apparent to the Governor, it has been a reality in the lives of young men of color for decades. The facts are that blacks disproportionately are subjected to abuse during traffic stops. Blacks are nearly four times more likely than whites to experience the threat or use of force during interactions with the police. In the first month of this year alone, nearly 100 young people of color were killed in police related encounters across this country according to the website www.killedbypolice.net which documents occurrences of people killed by nonmilitary law enforcement officers, whether in the line of duty or not, and regardless of reason or method. This reality, while just becoming apparent to the governor, has caused mothers and fathers when teaching their teenagers to drive to keep their hands at "ten and two" on the steering wheel when, not if, stopped by the police. "Ten and two" not because that is what the driving manual states but because we hope that it will help our children survive a close encounter with the police. Long before the phrase "hands up, don't shoot" was

The Primary and General Elections are coming up! Here are important dates:

PRIMARY ELECTIONS

August 4th – Primary Election Day,
polls open 7am-7pm

GENERAL ELECTIONS

October 3rd – Voter Registration
Deadline 12:00pm

November 3rd – General Election
Day, polls open from 7am-7pm

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coined, we have been forced to teach these additional lessons of survival when driving while black.

The governor goes on to state this conflict exist between the criminal class and law enforcement and then immediately makes a reference to race. Translated, his coded message equates the “criminal class” to people of color. The governor’s race-based assumptions perpetuate negative racial stereotypes that are harmful to our diverse democracy, and materially impair our efforts to maintain a fair and just society. The facts, according to the FBI, in 2011, are that white people committed about 6.58 million crimes; blacks committed 2.7 million and that white individuals were arrested more often for violent crimes than any other race, accounting for 59.4 percent of those arrests. His message only further alienates communities of color from law enforcement, hinders community policing efforts, and causes further erosion credibility and trust among the people of Mississippi.

He states “[t]his is an attack on law enforcement . . . by the criminal class” (again his coded fear summoning messaging). The fact is that there has been a long standing attack on young men of color. “Young black males in recent years were at a far greater risk of being shot dead by police than their white counterparts – 21 times greater”, according to a ProPublica analysis of federally collected data on fatal police shootings.”

“Simply put, if you don’t violate the law, disobey a police officer during an intervention and don’t resist arrest, your chances of being in conflict with an officer are non-existent.” This statement was among the most ludicrous statements made by the Governor. He further asserts this is not a racial conflict and uses the word “allegedly” in reference to racial profiling as if this is a baseless notion or some whimsical myth. The facts are racial profiling is a real and pervasive problem. Even former President Bush and the U. S. Supreme Court acknowledged and condemned racial profiling as a reality. Data collected across America documents the persistence of racial profiling throughout the country. “Hit rate” analysis of stops and searches in numerous jurisdictions show that people of color, including Blacks and Latinos, are

stopped, frisked, and searched at rates far higher than whites, but are no more likely, and very often less likely, to have drugs or weapons on them. Racial profiling violates the U.S. Constitution by betraying the fundamental American promise of equal protection under the law and infringing on the Fourth Amendment guarantee that all people be free from unreasonable searches and seizures.

“Organized destructive movements” these words penned by the governor are reminiscent of rhetoric of the “good people”, who commonly referred to themselves as the White Citizens Council during the 60s and 70s, “a time of social unrest” according to the governor. Historical fact refers to this period of as the Civil Rights Movement. An organized movement, such as the Civil Rights movement, typically arises when intolerable conditions imposed by an oppressive government have caused a people to be “sick and tired of being sick and tired” in the words of the Civil Rights veteran and heroine, Fannie Lou Hammer. The organized civil movement of peoples of color joined and supported by people of different races brought about positive change for all people of this country. I wonder if Governor Bryant were governor in the 60s or 70s would he have referred actions by the Citizens’ Councils, white segregationists and supremacists, who organized to oppose integration and the Supreme Court decision, or the Ole Miss riots as an “organized destructive movements”. Or maybe he would have stood on the steps and said about the Civil Rights Movement that such undertaking a will not come here because “our people are just simply better behaved and more

respectful of authority” as he stated on May 1, 2015 in reference to rioting in Baltimore and other incidents of racial discord in America. To many of us, his words were received as coded language “our [black] people” know their place”.

The governor calls on the “good people” to once again stand for law and order. It is this type of speechmaking which spurred Jim Crow laws. I, therefore, call on all the people of Mississippi and especially members and supporters of the ACLU of MS to stand for and embrace fairness that we esteem as Americans and to build trust not discord between police and our communities that is essential to keeping all of us safe. I also implore all Mississippians to be aware and to be vigilant in defense of freedoms. Be ever watchful in the next legislative session, be it special or regular. The Governor’s message should be considered an early warning that knee jerk fear baited legislation will be introduced to further erode the rights, freedoms and liberties of Mississippians, especially those he has attempted to disguise as a “criminal class”.

The ACLU of MS in no way condones criminal activities or the unlawful killing of any law enforcement. Equally we oppose the abuse and unnecessary killing of ordinary citizens at the hands of law enforcement officers. I reiterate my intent here is not to further divide but to delineate what is truth from rhetoric intended to expand the still existing rift the between the people of this state. Our work is not done. Your continued support of this organization is more critical today than ever before. Only together will Mississippi be made better.

The ACLU of Mississippi, Inc. is publishing a Legislative Score Card.

This advocacy tool will help you hold your legislators accountable for pursuing racial, cultural and economic equity. Want to know when it’s released?

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Free At Last

BY ANDRES WALLACE

Last winter we brought you a story about the legislature's efforts to reform Mississippi's criminal justice system. In their efforts, Mississippi lawmakers passed House Bill 585 (HB 585), a piece of legislation that promised much needed reform to Mississippi's criminal justice system. Notable is the change to the parole eligibility statute which now allows non-violent habitual offenders that have served at least twenty five percent of their sentence to petition their sentencing judge for a recommendation to the Parole Board. In response, we filed several petitions on behalf of several non-violent habitual offenders currently incarcerated in Mississippi state prisons.

Larry Dozier was one of the inmates for whom we petitioned. Included in last winter's newsletter was a profile of Mr. Larry Dozier. At the time of his profile, Mr. Dozier was an inmate incarcerated at the Mississippi State Prison ("Parchman"). For the past twenty-five (25) years, Larry Dozier has been incarcerated at Parchman for a non-violent crime. Much like other inmates that have been classified as habitual offenders, Mr. Dozier was given a sentence that did not seem to match the crime committed. Mr. Dozier was sentenced to 40 years in prison. Originally, we filed a petition on behalf of Mr. Dozier and others like him in October of 2014. After our diligent efforts, the new senior judge began to review Mr. Dozier's petition. It had been a long time coming and through it all, Mr. Dozier did not lose faith and at last, he is now a free man.



Speaking with Mr. Dozier, one can hear the joy in his voice. It is the voice of a man that is happy. Happy to be free man. Happy to be able to spend time with his family. When asked how he feels about being a free man, Mr. Dozier simply responded by saying "I feel great." He spoke about the joy he feels from being able to spend time with his aging mother and the joy of seeing his grandchildren in-person for the first time. HB 585 provided the corridor for restorative justice. The ACLU of Mississippi's efforts were not lost on Mr. Dozier, he is very grateful for our help.

In addition to filing a petition for Mr. Dozier, we filed petitions for a hearing before the parole board for four other individuals. Each of these individuals have been classified as habitual offenders and have all been dealt extremely harsh sentences for non-violent crimes. Three have been granted a hearing before the parole board and one is awaiting a decision. The ACLU of Mississippi remains committed to reducing Mississippi's prison population and continues to file these actions on behalf of individuals in targeted districts.

We Are Mississippi

BY KEIA JOHNSON

Mississippians live daily without any state protection against discrimination. A person can literally be discriminated against for being a woman or a man; black, brown or white; abled or disabled; exercising religion or choosing not to believe; or straight or gay. Our only recourse is to rely on the federal court systems for protection. This is a sad and unnecessary reality. Mississippi is one of the few states that does not have a single state law protecting any of its citizens

from discrimination. Conservative states like Mississippi consistently invoke the doctrine of states' right of self-government. Yet, lawmakers have rejected the opportunity to embrace this principle when it comes to equal treatment and protection for all Mississippians. Mississippi needs a state law that protects everyone. Regardless of our race, sex, gender, religion, nationality, disability, gender identity, or sexual orientation, we are Mississippi.

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Intern Spotlight

Deirdre Jackson of MS

Prior to becoming a legal intern for the ACLU, Deirdre served as the paralegal for the Capitol Post Conviction Counsel for 7 years and Diaz Law Firm for 2 years. She is a 2012 graduate of Mississippi College and is a rising third year law student at Mississippi College School of Law. She chose the ACLU after working several years with the Office of Capitol Post Conviction Counsel. She noticed that the inmates' civil liberties were being violated and needed to be addressed and she is keen on them having a vehicle through the ACLU. Deirdre says, "If you allow one group's civil rights to be violated, other group's rights will fall like dominos. These rights must be protected."



Vicksburg, MS. She is excited to work on the Americans with Disabilities Act Compliance Project and different Know Your Rights campaigns. She is hoping to gain more knowledge on how she can help other people and become a better person as well from this experience.

Marquisha Trice of MS

Marquisha chose the ACLU because she is passionate about our mission and all things related to human rights. She is intrigued with disabilities rights work because she has a family member with a disability. She is excited about working on many different projects, but in particular, the ADA Compliance Project. Marquisha graduated from Jackson State University and is now in law school at Mississippi College. She hopes to gain more knowledge, hands on experience, and the ability to do more networking.



looking forward to court house visits and being able to get experience that you don't usually get in a law school classroom. She expressed her excitement about working on our "Giii project", which allows nonviolent offenders previously sentenced to life without the possibility of parole to apply for parole under 2014 House Bill 585. She said that some work that the ACLU has done sparked her interest and right now, she is doing her own independent research on debtor's prison.



Condrea Collins

Condrea is a graduate of Alcorn State University and is now in law school at Mississippi College. She is a member of the ACLU chapter on her school's campus. Condrea has always been interested in nonprofit organizations and the many things for which they stand. Prior to her work here, she was an intern at Tony Terett Law Firm in her hometown of



Jayne Womack of MS

While attending Southern University for law school, Jayne was taking courses in civil rights law and constitutional law when her professor suggested the internship opportunity here at the ACLU. She is a native of Slidell, LA and received an undergraduate degree from Southeastern University. She likes that she has been getting hands on experience. Jayne is

Aaryn Jackson

As a rising second year law student at Mississippi College School of Law, Aaryn is no stranger to nonprofit organizations. He has had the privilege to sit in on court cases with the Southern Poverty Law Center and what he saw left him very impressed. He says that he and fellow interns are looking forward to working on same sex marriage in Mississippi. With this experience, he hopes to network with more people in the legal field, wants to get a better knowledge for writing, filing and more practice.



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Keep Mississippi Students Safe

BY MORGAN MILLER

CADE'S STORY

Imagine hearing your child screaming for help while being forced to remain in a box by someone you trusted to look after your child. That is how Heather Rhodes found her son Cade one day in his classroom.

Cade is a vibrant 9-year-old who loves to play baseball and “is loyal to a weakness,” says Heather. Cade has Autism Spectrum Disorder, Central Auditory Processing



Disorder (CAPD), and Attention Deficit Hyperactivity Disorder (ADHD). That day, he knew his mom was in the school for a meeting and to celebrate with him and his twin sister, Calea. It was their birthday. Cade became upset when he couldn't see her. Instead of reassuring him, his teacher forced him to stay in a box, which only escalated his behavior.

“I could hear my child screaming ‘let me out, I want my momma, please let me out,’” Heather says.

KRYSTIN'S STORY

Krystin Polk is a 14-year-old in 8th grade who loves crafting and is an avid reader, reading about 20 books a week.

In 2014, her mother, Krystal got a phone call that Krystin had been arrested at school for disorderly conduct. The School Resource Officer (SRO) told Krystal that Krystin wouldn't calm down and was arrested and taken to the Desoto County detention facility “for her own good.”

That day, Krystin wandered away from school, something that was detailed in her Individualized Education Program (IEP). Nearly half of children with Autism Spectrum Disorder wander away from supervised, safe places. When the SRO tried to restrain her to bring her back, she swung at him, a manifestation of her disability described in her IEP. The SRO tackled Krystin, restrained her and she was placed overnight in the detention facility.

These are just two of the many stories of children in Mississippi who have been



TODD ALLEN

Todd joined ACLU-MS in June 2015 as an Advocacy Coordinator. Todd is a community organizer, a human rights advocate and educator. Todd is from Jackson and went to Belhaven University. He served as a chaplain in prisons, hospitals and the US Army. In 2003, Allen decided to open up publicly about his sexuality and as a result, he lost his endorsement as a Southern Baptist chaplain. According to Todd, “I lost a job and found a

calling to speak up for those who cannot speak for themselves.” He is currently working with team of community leaders to establish Jackson, Mississippi's first LGBT+community center, The PRISM Center, to increase understanding and support of “human-sexuals” and people of all gender and gender identities. Todd is the father of two college students: Graham and Carson. He believes that the work of the ACLU is critical for creating a better world for his children and for all Mississippians!





impacted by restraint and seclusion in school. With our grant from the W.K. Kellogg Foundation, we launched a story-collection and educational website called Keep Students Safe.

Keepstudentssafems.org will serve as a place for parents to share their child's story of restraint and seclusion in Mississippi schools. It also provides information on restraint and seclusion emphasizing the importance of a statewide, uniform policy on how schools should address escalated behaviors. Additionally, keepstudentssafems.org shares the stories of two Mississippi families that have been affected by restraint and seclusion.

School should be a safe place where our children are nurtured academically, emotionally and socially. Students of any age, race, gender and ability should be treated with respect and dignity.

In some states- including Mississippi – schools are allowed to violate these standards. Students risk being subjected to traumatizing, dehumanizing and dangerous procedures known as restraint and seclusion. Restraint and seclusion are used disproportionately on students with disabilities and students of color in Mississippi.

- Students with disabilities are six times as likely to be physically restrained at school, compared to non-disabled students.
- Students of color with disabilities are twice as likely to be secluded or restrained.

If you or someone you know has been impacted by restraint and/or seclusion, have them share their story. Together, we can reduce and ultimately restrict the use of restraint and seclusion on Mississippi's most vulnerable children. Visit keepstudentssafems.org for more information.

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