



State of the State

Placing Power Back in the Hands of the People, Demanding
a New Way, and Reigniting the Fight for Freedom in Mississippi

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Executive Summary

As Mississippi commemorates the 60th anniversary of the Civil Rights Act of 1964 and Freedom Summer, the Southern Poverty Law Center is proud to release its inaugural State of the State report. This report examines the ongoing impact of racial and socioeconomic injustices on vulnerable communities throughout Mississippi and highlights the imminent threat these issues pose to a fair, free and inclusive democracy. In this report, subject matter experts come together to help envision a new way of life for the people of Mississippi.

Through this report, we examine the persistent injustices faced by marginalized communities in Mississippi, particularly those who are Black, Brown, Indigenous, female or disabled. We explore how voter suppression and lack of political power contribute to these disparities, deepening barriers to full civic participation.

We also examine how the carceral system perpetuates a culture of disenfranchisement in Mississippi, rooted in hate, bigotry and racist intent, aiming to suppress Black political power from Reconstruction to Jim Crow to the present day. This is exemplified by the state's lifetime ban on voting for certain crimes.

Despite several attempts to address these issues, these laws disproportionately impact Black people in Mississippi, who are overrepresented in the criminal justice system. Voter suppression tactics, such as strict voter ID laws, polling place closures, and voter roll purges, further hinder Black and low-income citizens from exercising their constitutional rights, leading to far-reaching consequences beyond the political sphere.

These consequences include limiting individuals' ability to self-govern and advocate for needs that could potentially eradicate socioeconomic disparities and increase the inclusion of their voices in the democratic process.

Moreover, voter suppression compounds health inequities by obstructing access to public resources, environmental justice initiatives, and policies addressing the social determinants of health.

Grassroots mobilization, mutual aid initiatives, and transformative civic engagement models that center the leadership of Black women are crucial for empowering communities and increasing political participation. Establishing a statewide public defender system can help mitigate wrongful convictions contributing to disenfranchisement. Embracing robust voter education, registration reform, and protecting access to the ballot are vital steps toward a more inclusive democracy.

Achieving racial equity and socioeconomic justice necessitates a multifaceted approach that addresses barriers at individual, community and systemic levels. By dismantling voter suppression, amplifying marginalized voices, and tackling the root causes of disparities, Mississippi can uphold the principles of equality enshrined in the Civil Rights Act and honor the legacy of the Freedom Summer activists who fought for a truly representative democracy.

In this report, you will hear from community members, subject matter experts, researchers and practitioners who work daily to center the voices of Mississippians. We invite you to follow their work and connect further with them online.

From the Director's Desk

Placing Power Back in the Hands of the People

By Waikinya Clanton,
MBA



2024 is not the first time in history that Mississippi has brought people together in the spirit of organizing and mobilizing for collective change in our state. In fact, people come together and work in coalition every single day. 1964 may have sparked change in Mississippi, but there is a fierce coalition of community change agents that keep that torch ablaze today.

Mississippi, in fact, has always been a hotbed for change. For better or worse, we've consistently been at the forefront of radical shifts. Some might even argue that the Magnolia State has perennially served as ground zero in the struggle for democracy and freedom since its inception. Our pivotal role in the fight for civil rights and social justice has profoundly influenced the shaping of American democracy because we fervently believe in empowering the common person with genuine power.

Since the 1960s, the Civil Rights Movement in Mississippi has played a vital role in securing voting rights and political representation for marginalized people — especially those who had been systematically disenfranchised and denied a voice in the democratic process. Our freedom has always depended on our ability to flex our political power through ensuring our voices are heard, our votes are respected, and that we get to choose our representatives, not our representatives choosing us. Without

Civil rights volunteers gathered on the campus of the Western College for Women in Oxford, Ohio, in June 1964 to train for voter registration of African Americans in Mississippi.



“For the first time in United States history Negroes are organizing an entire state. ... In Mississippi national and local civil rights, civic and church organizations, through the COFO, are pulling together for the right to demand change in the Mississippi Way of Life.”

**COFO Report,
June 1964**

this fundamental right, the very essence of democracy becomes hollow.

Racist policies and practices like segregation, gerrymandering, and discrimination in employment, housing and education — not to mention racial and political violence — all represent a rejection of core democratic values like equality, freedom, and justice. A genuine democracy cannot thrive when an entire segment of the population is systematically oppressed and deprived of its basic rights.

The vision of the Mississippi civil rights movement was to create a society where racial divisions are no longer the norm, and everyone has access and ability to their full power in a free and fair manner.

The struggle in Mississippi provided a model for ordinary citizens, who sought to courageously build a movement to claim their rights and disrupt an undemocratic status quo. This expression of people power, energized by mass civic engagement, is crucial for holding leaders accountable in a democracy and remains a model that we continue to draw upon today.

Our movement in Mississippi is rooted in our commitment to expand and protect the rights of people beyond just voting; we aim for change to improve the quality of education, economic

opportunity, and overall human dignity. This broader vision of substantive democracy, empowering all people, is essential for creating a truly just society.

By continuing to address the unfinished business of political, economic and social injustice in Mississippi, we honor the civil rights legacies of our heroes like Fannie Lou Hamer, Medgar Evers, Vivian Gray, Joyce and Dorie Ladner, the Rev. Wendell Paris Sr., Bob Moses, Hollis Watkins, Frank Figgers, Dr. Leslie McLemore, Mamie Cunningham, Dr. Flonzie Brown Wright, Joan Trumpauer Mulholland, Congressman Bennie G. Thompson and so many more. It is because of them that we have a winnable blueprint in our quest for civil rights and social justice in Mississippi. It is because of them that we possess the wherewithal needed to truly strengthen and redefine democracy as we see it because the alternative is a hollowed-out version that perpetuates injustice that we, as a people, cannot afford.

As you delve into the findings of this report, please understand that we have centered the voices of the people. These are their views, perspectives, and recommendations on how we secure a new way of life in Mississippi. ●



Demanding a New Way

An Integrated Approach to Protecting the Vote and Advancing Political Power

By Amir Badat, Esq.



Mississippi stands on the brink of change. With a rich history of civil rights struggle for Black Mississippians, today's advocates in the state continue the legacy of civil rights legends and have propelled the state forward. Now, Mississippi is poised to make substantial progress in expanding access to the right to vote and enhancing political participation for Black Mississippians. To realize these advancements, Mississippi requires an integrated approach to safeguarding the right vote and advancing political power through a statewide, multi-entity voter protection program.

Mississippi is one of the most challenging states in the country in which to cast a ballot, particularly for Black voters. A long history of racial discrimination persists, reflected in the state's election code. Mississippi is one of only four states without early voting.¹ The mail-in voting process is convoluted and difficult to navigate for the small subset of voters eligible to use it. Mississippians cannot register to vote online,² or on the same day that they cast their ballot.³ Felony disenfranchisement silences the voices of tens of thousands of otherwise eligible individuals.⁴ The state legislature continues to enact laws that make voting more difficult, and election administration issues exacerbate these problems, making it even more challenging to vote in the state with one of the most restrictive election codes.⁵

There is a tendency to consider litigation as the primary tool to combat voter suppression efforts. While litigation is crucial and has successfully defeated some of the most egregious attempts at voter suppression in Mississippi, it is expensive and time-consuming for plaintiffs, often requiring extensive expert evidence and lasting for multiple years. During the pendency of litigation against any particular voter suppression law, multiple elections may occur, during which voters are adversely affected by the suppressive law. Additionally, burdensome legal standards and hostile courts make it

exceedingly difficult and impractical to rely solely on litigation to dismantle Mississippi's voter suppression system.

Policy advocacy alone is an incomplete solution. For over a century, Mississippi's state legislature has been antagonistic to voting rights, particularly for Black Mississippians, and this antagonism persists today. Since the 2020 election, Mississippi's state legislature has made it easier to be purged from the voter rolls,⁶ criminalized assisting voters with absentee ballots,⁷ and enacted discriminatory redistricting maps.⁸ While advocates continue to defy the odds by beating back voter suppression laws session after session, policy advocacy must be coupled with additional tools to be effective.

The multifaceted problems limiting the right to vote in Mississippi require multifaceted solutions. An integrated approach that leverages organizing, communications, education, advocacy and litigation is necessary. The backbone of this integrated approach must be a year-round voter protection effort. This effort should build on the infrastructure already created by the existing voter protection programs in the state, scale up to protect as many voters as possible during elections, and bolster the infrastructure necessary to support critical advocacy and litigation efforts.

This effort must be built on four pillars:

1. Recruitment and Training

The voter protection program must recruit and train a large group of committed, highly motivated organizers and volunteers across the state who are engaged year-round. These organizers and volunteers serve as the eyes and ears of the voter protection program during elections. They will be trained to spot and address problems such as ballot shortages, long lines, and voter ID issues, and to assist voters experiencing these issues.

2. Centralized Reporting

Organizers and volunteers will report all issues into a centralized boiler room staffed by advocates and attorneys. This team will be prepared to implement rapid-response solutions, such as contacting local election officials to resolve issues, disseminating crucial information to other voters, or filing litigation if necessary. Just as importantly, centralized reporting will create a database of election problems experienced by voters around the state, facilitating data-backed advocacy and informing concrete solutions.

3. Year-Round Engagement

Maintaining year-round engagement will ensure that volunteers and organizers remain vigilant and prepared, fostering a continuous cycle of training, awareness and action that keeps voter protection efforts and advocacy robust and proactive. This includes advocating local election officials throughout the year to adopt more expansive election administration practices, as well as consistent outreach to voters about issues, elections, and how to make their voices heard.

4. Support Infrastructure

Strengthening the infrastructure necessary to support critical advocacy and litigation efforts will be essential. This includes developing research and data capacity, strengthening communication channels, leveraging technology for real-time problem-solving, and ensuring that there are adequate resources for both immediate response and long-term advocacy.

Organizations like Mississippi Votes, One Voice, Poor People's Campaign, and the Legal Defense Fund (LDF) have operated poll monitoring programs in previous election cycles. Most recently, in 2023, Poor People's Campaign and LDF recruited and trained nearly 200 poll

monitors to serve at polling locations across the state. These monitors were critical in identifying and resolving instances of voter suppression statewide, such as polling locations not opening on time in Adams County and significant ballot shortages in Hinds County.

To maximize reach and impact, it is necessary to sustain these efforts across elections and to integrate programs currently run by separate organizations. By combining resources and strategies, these organizations can create a unified, comprehensive voter protection network that ensures consistent and effective oversight at the polls, addressing issues promptly, efficiently, and before the voter has been prevented from voting.

Organizing is key to a successful voter protection program. The voter protection program must continually engage the cohort of poll monitor organizers and volunteers, not only during election time, but also throughout the year for voter education, advocacy and litigation efforts. One of the most impactful components of a full-capacity voter protection program is cultivating on-the-ground advocates in communities across the state who can work to advance voting rights in multiple forums, whether it be a community town hall, the state legislature, an election commission meeting, or a courtroom. By fostering continuous engagement and empowerment, these advocates can build a robust network dedicated to protecting and expanding voting rights year-round.

The voter protection program must be supported by a research and data program that analyzes the voter file and poll monitoring data to identify threats to voter access and opportunities to build political power. The research and data effort would identify voter suppression trends to inform advocacy at every level and uncover opportunities to better engage with voters, particularly those who have traditionally not been the focus of outreach and organizing by political campaigns in the state. By allowing for data-informed advocacy and organizing campaigns, this effort can meaningfully move the needle and assess impact, ensuring that the program's strategies are both effective and responsive to the needs of Mississippi's voters.

The voter protection program must create a statewide apparatus to advocate local and county public officials responsible for administering elections, such as election commissioners and circuit clerks, to implement pro-voter policies



Voting in Cardoza High School in Washington, D.C., 1964.

and practices. This program should leverage the insights and data gleaned from monitoring elections to identify issues in problem counties and work with local officials to address them before the next election. It would require regular attendance and engagement by community members, organizers and voter protection volunteers at county election commission and board of supervisors meetings, where crucial decisions about election administration are made every month. This type of advocacy has the potential to reshape how elections are run at a micro level, encouraging the adoption of best practices that would significantly reduce the risk of some of the most consistent barriers to voting that voters experience across elections.

Finally, the voter protection program must work with a skilled legal team prepared to advocate and to litigate when necessary. The legal team is critical for supporting rapid response efforts during elections, informing advocacy at the county and state legislative levels, and filing lawsuits when needed. This legal team should include local attorneys who can contribute to building a robust network of voting rights attorneys in Mississippi. Their involvement will

ensure that legal actions are timely, relevant and deeply informed by the local context, thereby enhancing the effectiveness of the voter protection program.

Many state and national organizations are already doing components of the program outlined above, and some have been doing them for many years. However, resource constraints have limited the reach of these programs to date. What is critical at this juncture is to integrate the efforts of the various organizations doing this work and to identify opportunities to scale those efforts. For example, Hinds County is a consistent focus of existing voter protection programs in Mississippi, but Hinds County only constitutes a small percentage of the overall population, including the overall Black population, in Mississippi. An integrated voter protection program that incorporates each of the components outlined above must be bolstered and extended to all counties in Mississippi. Organizations that have previously done this work must continue and expand their efforts to collaborate so that all tools in the toolbox are at their disposal.

Some people fail to see hope for Mississippi because they only see the state's sordid history of racial discrimination. However, thanks to the unparalleled work of advocates in Mississippi, there is incredible promise to advance the right to vote and make change in the state. An integrated voter protection and year-long advocacy commitment from all will help fulfill that promise and bring us closer to accomplishing the change Mississippians deserve.

By uniting efforts, leveraging resources, and mobilizing communities, we can create a more just and equitable future for all Mississippians. Through sustained advocacy, education and empowerment, we can overcome the barriers to vote and ensure that every voice is heard in shaping the future of our state. With determination and solidarity, we can build a brighter tomorrow for Mississippi, rooted in equality, justice and democracy. ●

Adequately Educating the Soon-to-Be Electorate

Advocacy for a Fundamental Right to Education

By Brittany E. Barbee, J.D.



Many assume that in 1954, *Brown v. Board of Education of Topeka* established a right to education. However, and unfortunately, that is not the case. Yes, the court denied the “separate but equal” doctrine and found that racial segregation of children in public schools was unconstitutional.⁹ And the unanimous decision did state the following:

Today, education is perhaps the most important function of state and local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the armed forces. It is the very foundation of good citizenship. Today it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms.¹⁰

Yet, as supportive and eloquent as this sentiment was, a fundamental right to education was not established. And 20 years later, the Supreme Court addressed the matter head on and narrowly held 5-4 that this right did not exist, finding that there is no federal right to education and that wealth is not a suspect class.¹¹

Since then, new scholarship has emerged arguing that there has always been an implicit federal right to education in this country.¹² Derek Black argues that in order for this country to function as designed, we require an educated citizenry to understand the issues of the day and vote accordingly.¹³ Through the lens of originalism, he uses history to reveal how this right has always been, and in particular, how it was re-realized with the aftermath of the Civil War and the passing of the 14th Amendment.¹⁴ For example, states had to include a strong education clause in their constitutions in order to be readmitted to the Union, so as not to continue to disenfranchise Black citizens.¹⁵ Black's scholarship on this implicit right is compelling and, paired with the proper case, could move the needle on a federal right to education with a conservative court.

Where Black argues that there is already an implicit right, Kimberly Robinson provides ways for us to acknowledge it as an explicit right.¹⁶

Ways to do that at the federal level are plentiful, such as Congress utilizing the Spending Clause “for the general welfare,” creating a statute, or a finding by federal courts.¹⁷ In addition she provides ample reasoning as to why such right is needed in the first place: public schools in poor districts are severely underfunded and unable to raise more money for more resources.¹⁸ This is because their districts have low property values and are unable to raise their property taxes, which is what we use in this country to provide local contributions to our public schools.¹⁹ A federal right to education would require states to subsidize public education equitably in all of its school districts, thereby providing children in low socioeconomic communities a better, quality education.²⁰

Requirement for Accredited Teachers to Instruct Civics Courses

If you ask your neighbor who their high school civics teacher was, there is a good chance it was the high school football coach and all they did in class was watch videos. Now this is in no way a disparagement of athletics. Organized sports play a vital role in children's development, and coaches very well may be some of the most influential mentors in a young person's life. But their skillset is coaching, not educating on government process or how democracy functions.

Integration at Ole Mississippi University, 1962. James Meredith walking to class accompanied by U.S. marshals.



The prime example of why coaching should never be a prerequisite for teaching civics is Tommy Tuberville, one of the most successful college football coaches in the South. Mississippians loved him while he coached for the University of Mississippi, also known as Ole Miss, but hated him when he left to go coach at Auburn University in 1999. Fast-forward 20 years when Tuberville runs for and is elected as a senator of Alabama. In an interview soon after being elected, Tuberville did not know the three branches of government.²¹ “You know, the House, the Senate, and the executive.”²² Need I say more?

Unless high school coaches have the educational background and training, they simply should not be teaching civics. That responsibility is arguably the most important in terms of instruction on civic engagement and achieving political power. It should be prioritized by school districts and taught by an instructor with the relevant qualifications.

Strategize Keeping Children in School

It is imperative that we use all means possible to keep children in the classroom. School discipline paired with unfettered discretion and impermissibly vague laws is all too common throughout schools in this country. It is a prime example of what fuels the school-to-prison pipeline, which is a national trend that is channeling children out of school and into the juvenile and/or criminal justice system, usually for innocuous behaviors. This trend disproportionately affects children of color, children with disabilities, and children from families with low socioeconomic status.

The pipeline has been around for decades, slowly arising in the aftermath of both zero-tolerance policies taking root in school codes of conduct and increased police presence as a response to early school shootings. The zero-tolerance policies got their name from “the war on drugs in which ... law enforcement quickly and aggressively responded to offenders.”²³ The justification of such policies, which hold students strictly liable for all kinds of conduct, is that it keeps students safe.²⁴ That, however, is a myth that can easily be discredited by experts.²⁵ In order to address these issues and keep children in the classroom, we must advocate for particular systemic changes, using the three following success stories as a roadmap.

First, we must strive to fully remove school resource officers from the classroom. In February

2024, the Chicago Board of Education voted to do just that.²⁶ In a unanimous decision, the board decided to remove school resource officers from all Chicago Public Schools beginning the following school year.²⁷ This decision will hopefully produce a more equitable experience in the Chicago school system for children from communities that are disproportionately impacted by police presence. With the board saving roughly \$10 million per year by no longer having school resource officers in schools, that money could go toward programs that need more funding, such as its “social and emotional learning curriculum, behavioral health supports for students, and additional social workers and counselors.”²⁸

Next, we must do away with Zero Tolerance and vague code of conduct violations. In February of 2023, a three-judge panel of the Fourth Circuit Court of Appeals held that South Carolina’s disorderly conduct law and disturbing schools law, as applied to elementary and secondary school students, were unconstitutionally vague.²⁹

One of the plaintiffs, who was a high school freshman at the time, confronted her bully in the school library and said, “F— you.” A school resource officer was called to the library to escort her out, and the student was charged with a misdemeanor.³⁰ The law read, in relevant part, “A person who ... conducts himself in a disorderly or boisterous manner [or] uses obscene or profane language ... at any public place or gathering or in hearing distance of any schoolhouse or church ... is guilty of a misdemeanor.”³¹

The court wisely asked, “For those who have met — or been — elementary or secondary school students, a question naturally arises: How does this statute objectively distinguish criminally disorderly, boisterous, obscene, or profane childhood misbehavior from garden-variety disorderly, boisterous, obscene, or profane childhood misbehavior.”³² The answer, in short, is that it didn’t. As a result, the court held that, “The disorderly conduct law fails to give South Carolina’s schoolchildren fair warning about what it prohibits and vests practically unfettered discretion in those charged with its enforcement.”³³

Finally, we must strive to enact uniform due process protections for students in all school districts. In April 2024, the Alabama Legislature finally passed a bill giving students due process rights.³⁴ This adoption of statewide due process protections will better shield children,

particularly Black children, who face long-term suspension, placement in an alternative school, or expulsion. The SPLC has been advocating for these protections for years. Time and again, when I served as a Law Fellow with the SPLC in the Montgomery, Alabama, office, we were notified of children facing such outcomes and were asked to help. Parents' hands were tied, and there was only so much we could do.

Now, by enacting stronger due process protections for children, advocates are better able to defend children and keep school authorities and their biases in check. Though *Goss v. Lopez* never implicitly required such protections for “[l]onger suspensions or expulsions for the remainder of the school term, or permanently,” as it only stated such disciplinary action “may require more formal procedures,” it certainly suggested doing so.³⁵

Conclusion

Our children, regardless of race, ability status, or socioeconomic status, have the fundamental right to receive a quality education. They must learn the tenets of civic engagement from qualified instructors. And they deserve to walk the halls of the schoolhouse without fear of being policed, to not be disciplined absolutely or arbitrarily, and to have a fair process determine whether they should ever be removed from school. If we advocate for change and hold our elected officials accountable, we will best prepare children to become educated voters and teach them how to achieve political power. In doing so, we will continue the work of Charles Cobb and the Freedom Schools of the summer of 1964, where children were shown how to step into their power and become the active citizens our country requires. ●

Reclaiming a Lost Voice

Addressing the Racial Disparity of Felony Disenfranchisement in Mississippi by Creating a Statewide Public Defender System

By Justin Moody, J.D.



Denying the right to vote to people convicted of felonies — felony disenfranchisement — remains a contentious issue, with significant implications for democracy and racial equality. In Mississippi, the historical legacy of racism intertwines with contemporary challenges, exacerbating disparities in the criminal justice system and electoral representation. This essay aims to provide a comprehensive examination of how felony disenfranchisement perpetuates racial inequalities and dilutes the African American vote in Mississippi. Drawing on legal precedents, research and statistical data, the essay highlights systemic injustices inherent in felony disenfranchisement laws and argues for implementing a statewide public defender system as a crucial step toward rectifying racial disparity. By ensuring fair legal representation and reducing wrongful convictions, a statewide public defender system can help mitigate the racially disparate impact of felony disenfranchisement and promote a more equitable electoral process in Mississippi.

Racial Underpinnings of Felony Disenfranchisement

The origins of felony disenfranchisement in Mississippi can be traced to Reconstruction, where discriminatory laws were enacted to suppress the political power of African Americans.³⁶ A mere six years after the 1890 Constitution was adopted, the Mississippi Supreme Court acknowledged one of the guiding purposes behind the constitutional convention was to “obstruct the exercise of the franchise by the negro race”:

By reason of its previous condition of servitude and dependence, this race had acquired or accentuated certain peculiarities of habit, of temperament, and of character, which clearly distinguished it as a race from that of the whites — a patient, docile people, but careless, landless, and migratory

within narrow limits, without forethought, and its criminal members given rather to furtive offenses than to the robust crimes of the whites. Restrained by the federal constitution from discriminating against the negro race, the convention discriminated against its characteristics and the offenses to which its weaker members were prone. ... Burglary, theft, arson, and obtaining money under false pretenses were declared to be disqualifications, while robbery and murder and other crimes in which violence was the principal ingredient were not.³⁸

While the previous constitution disenfranchised those convicted “of any crime,” the new constitution disenfranchised those convicted of “bribery, burglary, theft, arson, obtaining money or goods under false pretenses, perjury, forgery, embezzlement or bigamy.”³⁹ Coincidentally,

omitted violent crimes — murder, rape, assault — tended to be the very acts used by white supremacists in their reign of terror, for which they were seldom prosecuted.⁴⁰ The Fifth Circuit Court of Appeals acknowledged that, had the disenfranchisement provision (Section 241) remained unchanged, it would have violated the 14th Amendment’s Equal Protection Clause — at least in 2022.⁴¹ However, Section 241 has been amended twice. In 1950 burglary was removed as a disenfranchising crime, and in 1968, murder and rape were added.⁴² The 1968 amendment, which remains operative today, was drafted specifically to address a federal Civil Rights Commission report condemning racial animus in the original 1890 disenfranchisement provision. The Fifth Circuit held — over vehement dissent — that this amendment, coupled with other changes to Mississippi’s voting laws, “removed the discriminatory taint associated with the provision adopted in 1890.”⁴³

In 2023, a divided Fifth Circuit panel, applying the “evolving standards of decency” test, held that permanent disenfranchisement of “felons whose offenses were unrelated to elections or good governance and who had completed all terms of their sentences” violated the Eighth Amendment’s ban on cruel and unusual punishment.⁴⁴ The two-judge majority held, in no uncertain terms, that

Section 241 does nothing to thwart a former felon from reoffending. Rather the only conduct it incapacitates is voting. ... Section 241 does not further the goal of rehabilitation. Lifetime disenfranchisement does not contribute to reforming an offender. Quite the contrary, it hinders reintegration into society by denying voting, a cherished marker and right of citizenship.⁴⁵

However, the en banc court granted rehearing and vacated the panel decision. *Hopkins* remains pending before the Fifth Circuit en banc.

Disparate Impact of Felony Disenfranchisement

Despite advancements in civil rights legislation, such as the Voting Rights Act of 1965, felony disenfranchisement persistently marginalizes African Americans. In 2017, 36% of Mississippi’s voting-age population was Black. Of the approximately 29,000 Mississippians who were convicted of disenfranchising offenses and had completed their sentences between 1994 and 2017, 58% were Black.⁴⁶ In 2022, “African American disenfranchisement rates in Tennessee

and Mississippi now exceed 15 percent of the adult voting eligible population.”⁴⁷ In 2021, while accounting for 37% of the population, African Americans accounted for 61% of the state’s prison population.⁴⁸ Overrepresentation of African Americans in the criminal justice system, coupled with the disproportionate impact of felony convictions on voting rights, perpetuates cycles of disenfranchisement and political marginalization within African American communities in Mississippi.

The Crucial Role of a Statewide Public Defender System

Public defenders play a pivotal role in safeguarding the rights of indigent defendants and ensuring fair legal representation within the criminal justice system. In Mississippi, disparities in resources and quality of representation persist, particularly for African American defendants who often face systemic barriers to accessing competent legal counsel. Implementing a statewide public defender system can help address these disparities by ensuring all defendants, irrespective of race or socioeconomic status, access to zealous advocacy and competent legal representation.

Section 26 of the Mississippi Constitution “create[s] a duty on the part of the State to provide effective assistance of counsel to indigent defendants.”⁴⁹ The Mississippi Legislature requires individual counties to “fund the representation of indigent criminal defendants.”⁵⁰ Despite repeated entreaties from the Mississippi Supreme Court, the legislature continually declines to “address the problem of indigent representation on a statewide basis, rather than thrust the burden on financially-strapped counties.”⁵¹

Governmental studies have repeatedly found that the tools of an adequate defense are missing in county indigent defense systems. For instances, the Spangenberg studies found that funding for indigent defense is totally inadequate, the lack of adequate resources for indigent defense services results in poor quality services and representation, there is no statewide oversight of indigent defense, which leads to a hodgepodge, county-by-county approach to providing services, and every aspect of defense representation is compromised. Similarly, the Mississippi Public Defenders Task Force report concluded that indigent defense remained a vexing problem for the counties and contained deeply troubling reports by several



58%

of the approximately 29,000 Mississippians convicted of disenfranchising offenses between 1994–2017 were African American, highlighting significant racial disparities in both disenfranchisement and imprisonment rates.



Despite advancements in civil rights legislation, such as the Voting Rights Act of 1965, felony disenfranchisement persistently marginalizes African Americans.

circuit court judges describing systemic inadequacies they have observed in their districts.⁵²

Compounding the “hodgepodge” approach is the fact that defendants are often subject to multiple courts. They see a municipal court or justice court judge for initial appearances and are appointed a public defender for representation before that court. That defender, at least until recently in most counties, only handles initial proceedings and seeks bonds or bond reductions. Defendants who cannot make bond remain in jail, and the initial defender essentially ceases to exist, creating a proverbial “dead zone.” “Only after the defendant is indicted, which often takes months, is another lawyer appointed. In the meantime, no one is assigned to the case, even if the defendant is in jail.”⁵³

The Mississippi Supreme Court amended the Mississippi Rules of Criminal Procedure on April 13, 2023, to eliminate the “dead zone” and ensure “continuing representation.”⁵⁴ The rule also “requires that each circuit shall establish

governing local procedures for the appointment of counsel for indigent defendants.”⁵⁵ As of this writing, only two circuit court districts have established such procedures, which have been approved by the Mississippi Supreme Court.⁵⁶

Typically, over 70% of African American defendants in Mississippi state courts receive public defenders.⁵⁷ Those represented by part-time public defenders often plead to more severe charges than those represented by retained counsel, and often receive harsher sentences “incommensurate with the crimes for which they are convicted because their lawyers failed to engage in any meaningful advocacy on their behalf during sentencing.”⁵⁸ This disparate sentencing, coupled with the state’s draconian felony disenfranchisement laws, “dilutes the voting strength of the African American community. As a result, African Americans are left unable to affect the very circumstances that disproportionately impact them.”⁵⁹

A statewide public defender system would facilitate appointment of qualified attorneys

to represent indigent defendants, thereby reducing the likelihood of wrongful convictions and unjust disenfranchisement. A centralized, united body of public defenders can challenge discriminatory practices within the system, advocate for alternative sentencing, and mitigate collateral consequences of felony convictions, including disenfranchisement. Moreover, dedicated public defenders can collaborate with community organizations, legal advocacy groups, and policymakers to promote criminal justice reform and advocate for policies that advance racial equity and social justice.⁶⁰

Challenges to a Statewide Public Defender System

While a statewide public defender system holds promise for addressing racial disparities in the criminal justice system, several challenges must be addressed, including securing adequate funding and resources, recruiting and retaining qualified attorneys, and overcoming resistance from entrenched interests within the legal and political establishment. Moreover, public defenders must navigate systemic barriers to access and representation, including racial bias, limited access to legal resources, and disparities in caseloads. Despite these challenges, statewide public defender systems present an opportunity to advance racial equity and social justice by ensuring fair legal representation and upholding the constitutional rights of all defendants.

Conclusion

Felony disenfranchisement in Mississippi perpetuates racial disparities and undermines democratic principles by disproportionately affecting African Americans and diluting their voting power. The establishment of a statewide public defender system is imperative to address these injustices by ensuring fair legal representation and safeguarding the voting rights of African Americans. By promoting racial equity and inclusive democracy, Mississippi can take decisive steps toward rectifying historical injustices and fostering a more equitable society. ●

Mississippi Goddam

An Analysis of Voter Suppression and Health Disparities

By Nicholas Presley,
MPH



“All I want is equality ... For my sister, my brother, my people, and me”⁶¹ is a lyric from “Mississippi Goddam” by the revolutionary Nina Simone. This lyric resonates with Mississippi’s constant struggle to achieve equity and liberation. Over the years, several attacks have been created on citizens’ well-being, and laws and regulations on voting have been designed to continue exacerbating the autonomy of voters in Mississippi. **Barriers to voting can contribute to the disenfranchisement of citizens, primarily Black and Brown communities; we’ve seen this most commonly instituted through the use of voter suppression techniques such as through instituting voter ID laws and activating voter registry purges.**⁶² Similarly, these factors have numerous roles in the health disparities that have adversely impacted Mississippi for decades, creating biased elections and perpetuation of inequity.⁶²

The Commonwealth Fund’s *Scorecard on State Health System Performance* ranked Mississippi among the lowest regarding access and affordability of its health care system. The state specifically coming in particularly unfavorably in the areas of preterm birth rate, infant mortality rate, breast and cervical cancer deaths, and premature deaths.⁶³ Research has emphasized that politicians are more responsive to voters than nonvoters, and those who vote more frequently are healthier constituents.⁶² This constant cycle of only reaching out to those who vote develops a negative feedback loop of health disparities, generating biased voter participation gaps and further reinforcing health disparities.

Voter suppression is defined as “any legal or extralegal measure or strategy whose purpose or practical effect is to reduce voting, or registering to vote, by members of a targeted racial group, political party or religious community,”⁶⁴ with African Americans being the majority impacted by this tactic. This tactic can significantly

influence every aspect of life, primarily public health. Through a public health lens, I will analyze how voter suppression can impact one’s health through the socioecological model. The socio-ecological model is a widely known framework for considering how individuals are affected and influence social and environmental interactions.⁶⁵ This model views how issues impact individual, interpersonal, institutional, community and policy levels.

Individual Level

At the individual level, voter suppression can induce feelings of disenfranchisement and powerlessness, particularly among marginalized communities. When individuals face obstacles like restrictive voter ID laws or limited polling locations, they may become discouraged from participating in the political process. This can intensify sentiments of alienation and diminish trust in the government, ultimately impacting mental health and well-being.



Supporters of the Mississippi Freedom Democratic Party holding signs in front of the convention hall at the 1964 Democratic National Convention, Atlantic City, New Jersey.

Interpersonal Level

Within communities, voter suppression can deepen existing divisions and inequalities. It perpetuates disparities in political representation, particularly affecting marginalized groups like African Americans and low-income individuals who encounter greater obstacles to voting. This strain on social cohesion and trust among community members can disrupt social networks and diminish collective efficacy.

Community Level

Voter suppression can hinder the development of strong, civically engaged communities. When certain groups are systematically excluded from the electoral process, it weakens the community's ability to advocate for its needs and interests. This can impede grassroots efforts to address social issues and create positive change, affecting community resilience and cohesion.

Organizational Level

Voter suppression can also impact the functioning of organizations within Mississippi. Nonprofit organizations, advocacy groups and political parties may encounter challenges in mobilizing voters and advocating for policy change. Restrictions on voter registration and turnout efforts can limit the capacity of these organizations to promote civic engagement and democratic participation.

Policy Level

At the policy level, voter suppression can perpetuate inequities in public policy outcomes. Policymakers are less likely to prioritize the interests of marginalized communities when certain groups are underrepresented in the electorate. This can lead to policies that disproportionately benefit privileged groups while neglecting the needs of marginalized communities, perpetuating social and economic disparities.

Environmental Level

Voter suppression can also have indirect impacts on the environment. When communities lack adequate political representation, they may face more significant challenges in advocating for environmental justice and protection. This can result in disproportionate exposure to environmental hazards and limited access to resources for ecological conservation and sustainability efforts.

Addressing voter suppression in Mississippi requires a multifaceted approach that

acknowledges its impacts across various levels of society. From individual experiences to community dynamics, organizational capacity, policy outcomes, and environmental justice efforts, voter suppression operates within a complex socio-ecological framework. To effectively combat it, interventions must target barriers at multiple levels of this model, promoting inclusivity, equity and democratic participation.

Solutions

Addressing voter suppression through the lens of “Mississippi Goddam” by Nina Simone develops an approach rooted in historical awareness and social justice principles. One critical solution is implementing voter education and empowerment programs that inform citizens about their rights and registration procedures, particularly in Black and Brown communities. By collaborating with community organizations and hosting workshops, forums, and outreach events, we can empower individuals with the knowledge and resources needed to overcome barriers to voting.

Furthermore, advocating for voter registration reform is essential. This entails supporting policies such as automatic voter registration and deploying mobile registration units to reach underserved populations. Addressing discriminatory voter ID laws is another crucial step. By challenging such laws and providing assistance to obtain acceptable forms of identification, we can ensure access to the ballot box for all eligible voters.

Expanding access to early and absentee voting is vital for accommodating diverse schedules and reducing barriers to participation. Furthermore, combating voter intimidation and suppression tactics requires strict enforcement of penalties and comprehensive training for poll workers. Legal advocacy efforts and electoral reform are also necessary to challenge unconstitutional restrictions and advocate for legislative changes that protect voting rights and representation.

Moreover, community mobilization and solidarity are crucial in amplifying voter voices and building coalitions across diverse constituencies. Grassroots efforts and partnerships between civil rights organizations and local leaders can effectively coordinate voter protection initiatives and promote civic engagement year-round.

Conclusion

In conclusion, the powerful words from “Mississippi Goddam” by Nina Simone, “All I want is equality ... For my sister, my brother, my people, and me,”⁶¹ highlight the ongoing struggle for fairness and freedom in Mississippi. Despite some progress, the state still faces challenges with voter suppression, especially for African Americans. Tactics like strict ID laws and removing voters from rolls make it hard for certain groups to vote, leading to unfairness in politics and making health issues worse. Looking at voter suppression through a more straightforward lens, it affects people differently. It makes individuals feel powerless, divides communities, and makes it challenging for groups to speak up for their rights. This unfairness spreads to laws and policies that favor some groups over others. To fix this, we need to take action at different levels. We can educate people about their rights, change voter registration rules, and make it easier for everyone to vote early or by mail. We must also stand up against intimidation and unfair laws and work together as a community to ensure everyone’s voice is heard. Doing this can make Mississippi and other places fairer and more equal for everyone. ●

The Connection Between Community Building and Civic Literacy

Projects of Mutual Aid as Critical for Increasing Political Participation

By Heather-Ann Layth, MA



It has been 60 years since Freedom Summer, the historic civic engagement effort to dismantle white nationalist, institutionally racist systems of governance in Mississippi through a massive volunteer-led voter registration campaign in 1964. **Almost 1,000 everyday citizens faced racist violence to engage in direct action and inspired 17,000 Black Mississippians to seek voter registration that year.** In support of a modern, large-scale voter registration campaign aimed at enrolling thousands of rural new or inactive voters, this paper calls attention to the need for “boots on the ground” projects of mutual aid as a necessary and vital component of voter registration efforts.

The story of the Civil Rights Movement is often told through the lens of nationally known male leaders such as Martin Luther King Jr., Medgar Evers, or Huey Newton. However, it was the face-to-face bridgework of local Black women⁶⁶ in their churches and neighborhoods talking about everyday issues of disenfranchisement, incarceration, and poverty which brought the masses into the movement. We have an opportunity today to follow in the footsteps of the brave rural Black Mississippian women of the Civil Rights era who helped national civil literacy and voter advocacy groups like the Student Nonviolent Coordinating Committee (SNCC) and the Congress of Racial Equality (CORE) access rural communities.

I'd like to take a moment here to honor some of these unsung heroines of Mississippi's

grassroots efforts to dismantle systems of white nationalism and eradicate endemic poverty through political participation and civic engagement. Women like Fannie Lou Hamer of Ruleville, Louise Polk Saulsberry of Byhalia, Minnie Lou Chinn and Annie Devine of Canton, Atlean Smith of Greenwood, Winson Hudson of Harmony, Victoria Gray of Hattiesburg, and the first Black woman Mayor of Mississippi from Mayersville, the Honorable Unita Blackwell. All of these women played crucial roles in the Civil Rights Movement. They are part of Mississippi's rich history of symbiosis connecting national and local visions for civil rights and racial and social justice.

Fannie Lou Hamer once said that without SNCC she would not have been able to even hope to achieve political power for poor, rural,

Black Mississippians. Likewise, SNCC and CORE leadership members have consistently recognized the invaluable role played by Hamer, and other community leaders such as those mentioned above, in getting rural people to listen to national civil rights organizations seeking their political participation. These community listening sessions and learning opportunities facilitated powerful localized interpretations of the importance of voting.

Before encouraging people to vote, grassroots mobilization requires person-to-person engagement. Mobilization and recruitment tactics need to center community building in a hyper-local context in order to motivate rural Mississippians to see voting as a viable path to meaningful change. Echoing the groundwork done in rural communities across the South by Civil Rights Movement leaders Ella Baker and Septima Clark, we need programs which create space in local communities for civic literacy to flourish.

Ella Baker, known as “Fundi,” a Swahili word that means “a person who teaches a craft to the next generation,” was a radical proponent of horizontal leadership and “participatory democracy.” She prioritized community education and growth, not just voting. She believed in the importance of empowering marginalized people to resist their oppression on their own terms. This type of localized dialogue empowered local Mississippians with a sense of self-direction and agency to craft solutions to issues they were personally experiencing. Reviving Ella Baker’s commitment to participatory democracy, community building, and civic engagement can energize a new generation of Mississippians to work toward creative solutions for the political, economic, and social challenges they are facing.

Small-scale interactions led by local community members are a critical foundational element upon which Mississippians can build and sustain a progressive voting ecosystem. Convincing new and inactive rural voters that they can dismantle systemic issues like mass incarceration, institutional racism, and economic exploitation will be challenging. People struggling against institutional racism in the criminal justice system and extreme poverty are unlikely to become active voters unless they believe that their vote can materially improve their lives. To help them do so, we must cultivate a “praxis of love,” described by bell hooks as the “will to extend oneself for the purpose of nurturing one’s

own, or another’s, spiritual growth.”⁶⁷ This praxis of love needs to translate abstract concepts like “strengthening democracy” through political participation directly into tangible improvements in Mississippians’ quality of life.

Social science research suggests that Universal Basic Income (UBI), or a robust social safety net which ensures the basic survival needs of everyone, results in a net return to society.⁶⁸ When people have access to necessities such as food and housing and can afford to invest in their children’s education and extracurricular activities, they contribute positively to our communities. A model example of the positive impact of UBI can be seen in Jackson, where the Magnolia Mother’s Trust has assisted nearly 500 extremely low-income Black mothers. This cash-without-restrictions program provides participants with \$1,000 a month for a year, with no strings attached. Additionally, the program makes a \$1,000 deposit into a 529 college savings account for each of the participant’s children.

Through the program, these poor Black Jackson, Mississippi, mothers have access to wrap-around services to aid them in personal growth, healthcare access, and community building. Programs like this can play a similar role to the Civil Rights Movement bridge leaders of the 1960s. Direct and mutual aid programs create space for local leaders to cultivate civic engagement in their communities. Communities can then see how these programs demonstrate the tangible positive effects political participation can make in the lives of average Mississippians like themselves, and the mothers who have benefited from Magnolia Mother’s Trust.

To overcome the atmosphere of political disengagement and to increase voter turnout in Mississippi, we must meet inactive and unregistered voters where they are at. We need to recognize the racial and socioeconomic injustices that plague our state and demonstrate how civic engagement can directly address issues like homelessness, food insecurity, and unemployment. Macro-level solutions and national slogans will not suffice; we need localized approaches tailored to address community needs. There are replicable models of direct action as civic engagement currently happening across the country, and even in some places in our state.

One example is the Little Free Pantries being created by local communities throughout the



60%

of food insecure Mississippians do not qualify for SNAP benefits and rely on creative, grassroots, mutual aid efforts such as the Little Free Pantries to bridge their food budget shortfall.

state, including in Starkville, Oxford, Columbus, Olive Branch, and other communities. Inspired by Little Free Libraries, the mini-pantry movement is a grassroots mutual aid solution to the immediate, localized needs of communities struggling with food insecurity. These Little Free Pantries offer food, personal care items, and paper goods accessible to everyone, no questions asked. The need for these mutual aid community solutions is particularly acute here in Mississippi, the U.S. state with the highest level of food insecurity in the country according to recent census data. Feeding America recently reported that it would take an estimated \$280 million to fill the unmet food needs of Mississippians struggling with hunger and food insecurity. Almost 60% of food insecure Mississippians do not qualify for SNAP benefits and rely on creative, grassroots, mutual aid efforts such as the Little Free Pantries to bridge their food budget shortfall.

paramount to prioritize investment in direct action solutions to existing community needs before urging people to vote. Mississippi will need a concentrated and well-funded movement to expand mutual aid programs such as the Magnolia Mother's Trust or Little Free Pantries, and to connect those projects to the importance of voting. These localized efforts will enable unregistered or inactive voters to make connections between the systemic injustices in their lives and the significance of voting. This should empower politically disengaged Mississippians to recognize how advocacy and activism can be powerful strategies to make meaningful improvements in their lives. ●

Student civil rights activists join hands and sing as they prepare to leave Ohio to register Black voters in Mississippi. The 1964 voter registration campaign was known as Freedom Summer.

For organizations from outside the state coming into Mississippi seeking to encourage voter turnout in national elections, it will be



Steve Schapiro/Corbis via Getty Images

Listening to Black Women

Informing a 2024 Economic Platform

By Dr. Aisha Nyandoro, Ph.D.



Black women in America play a crucial role in both the economy and democracy, yet they often face significant disparities, especially those living in poverty. In Mississippi, this is especially true. **More than 40% of female-headed households live in poverty, and nearly 29% of Black women live in poverty.** At Springboard to Opportunities, a radically resident-driven nonprofit serving the needs of subsidized housing residents, single Black moms comprise most of the population we serve.

These women are not just statistics, but experts who navigate daily the flaws in our social safety net. Yamiracle, one of the mothers we work with at Springboard to Opportunities, sums up the impossible situation our current flawed policies leaves struggling families in: “I’m in this in-between space where I don’t make enough money to pay my bills, but make too much to qualify for SNAP. I just don’t understand the method of it. It’s like the government thinks because I have a full-time job, I’m middle class, but I’m not — I’m working class. I’m just trying to make it. I am trying to do something with myself. I’m working full time. I’ve never stopped working. And it feels like if you work then you have to fend for yourself. We need help.”

This paper delves into their experiences, drawing from the insights and recommendations of those most affected by anti-poverty policies in Mississippi: Black women. It outlines policy recommendations that candidates in the 2024 election, and beyond, should embrace to address long-standing inequities and uplift Black women.

The Crucial Role of Black Women

Black women are the backbone of many communities, contributing extensively to the workforce, entrepreneurship and civic engagement. They prop up the state’s economy, with one of the highest labor force participation

rates in the country with 8 in 10 Black women economically supporting their households. Despite their immense contributions, they face systemic barriers that hinder their economic and social progress. This is particularly evident among Black women living in poverty, who often struggle to access essential resources and face discrimination in various spheres of life.

Insights from Springboard to Opportunities

Through our work at Springboard to Opportunities, we offer a platform for Black women to voice their experiences and advocate for change. Through their stories, we gain valuable insights into the challenges they encounter within the current social safety net system. Our signature program, the Magnolia Mother’s Trust (MMT), was created as a result of our residents telling us they needed more access to cash. In response, we created a program that gives \$1,000 a month to families with no strings attached. It is now the country’s longest-running guaranteed income program, and the only one to serve Black mothers.

The reality of mothers who have taken part in the program actively counteract the claim of conservative legislators that direct aid programs disincentivize work. Joni, a recipient of MMT, says: “I don’t agree with the politicians who say programs like MMT stop people from working.



Demonstrators marching in the street holding signs during the March on Washington, 1963.

I have always kept a job no matter how much it was paying. Just because we're getting assistance doesn't mean we don't have to work. You can work and get assistance. Getting assistance actually drives me to want to do better. I can't be at home doing nothing. I have bills, I have kids, everyday life is happening."

Joni's desire to continue working while also receiving benefits reflects the extensive economic research done on cash assistance programs, like the expanded Child Tax Credit. The program, enacted in response to the pandemic, was our country's greatest tool in dropping child poverty and did not disincentivize work. (It is important to note that while labor participation is necessary for a policy conversation in our current political environment, Springboard to Opportunities aims to shift narratives around deservedness and envisions a future in which rest and leisure are available to all.)

Through conversations with our families as well as analyzing existing programs and potential interventions, Springboard to Opportunities offers the following as key areas of focus in order to secure the holistic advancement of Black women in Mississippi. Improvements to and implementation of the following policies would center dignity, equity and trust within

our systems and structures and create a world in which everyone is able to thrive.

Recommendations

1. Child Care Assistance

Affordable and reliable child care is consistently cited by families as their biggest barrier to being able to work or pursue their goals. As mom Ashala said, "People want to work, but things stop them from being able to. Who is going to watch the kids? I've brought my daughter to work before when I couldn't get child care. She'd just sit there in the lobby and wait for me. But kids shouldn't have to do that. We should have daycares and vouchers so that people actually can work."

Child Care Payment Program block grants have been chronically underfunded, and states are given significant discretion as to how they are utilized, which means rules and procedures vary from state to state. Up until May 2023, single parents who applied for CCPP in Mississippi were required to initiate legal action for child support against an absent parent in order to be eligible for the program. Fortunately, this requirement has been removed.

While there have been some changes to CCPP, we continue to believe there is more work to be done to make the program accessible, such

as removing additional work requirements and to limiting TANF disqualification. Continued conversations with parents and child care providers are essential to improve CCPP and create people-centered approaches that improve policy outcomes and overall quality of life for families.

2. Expanded Child Tax Credit

Implementing an expanded Child Tax Credit can provide much-needed financial support to Black families, given the fact they're overrepresented in low-income households. As noted previously, 2021's expanded Child Tax Credit led to the largest drop in childhood poverty the U.S. has ever experienced. The impact was even more positive for Black children.

As mother Erica from Jackson says, the shift to receiving the expanded CTC payment monthly instead of once a year was more helpful when living paycheck-to-paycheck. "Having the expanded child tax credit helped me out so much in taking care of my kids. I was able to afford my son's school uniforms and supplies, and just to buy groceries. It helped with all the important stuff. I really liked getting it monthly instead of once a year, since that let me apply it to my monthly bills."

Despite the success of the temporary expansion, Congress allowed the program enhancements to expire. In January 2022, the lack of monthly payments led to a spike of more than 40% in the national childhood poverty rate.

While national leaders have made efforts to revive the expanded CTC, it's important that any future policy does not leave out the neediest families by instituting an income phase-in.

3. Earned Income Tax Credit

At Springboard, nearly all residents are eligible for the Earned Income Tax Credit. However, residents have experienced many issues with its execution. From not being eligible if a person has been struggling to gain employment, to the credit not being as beneficial to individuals without children or people over the age of 65, it leaves out individuals who could need it the most. Additionally, there are many residents in Springboard communities who rely on predatory tax agencies that often charge low-income clients for their services, and rarely disclose the taxpayer's eligibility for the EITC or select this option on tax forms.

The federal EITC is a support to families and when accessed is often used to support food, clothes and other family needs. While the EITC itself is an important policy, it is also important that policymakers simplify the process and provide enough education to individuals and preparers to ensure all eligible families are able to receive it.

Over 30 states in the country also have state EITCs to further support working families. Unfortunately, Mississippi is not one of them. When combined with other expanded tax credits, such as federal and state Child Tax Credits, federal and state EITCs help create a system of strengthened cash-based benefits in the social safety net that Mississippi residents are currently locked out of.

4. Shifting HUD Vouchers to Cash

The Department of Housing and Urban Development is testing out a shift of its \$30 billion-a-year housing voucher into cash benefits that offer greater flexibility and autonomy to families. Turning existing cumbersome programs into ones that are more efficient and effective by embracing cash can help address housing insecurities and empower Black women to make choices that best meet their needs.

Springboard families often express a strong desire to move out of subsidized housing. Tia, a recipient of the first round of MMT payments, was able to leverage her time in the program to achieve her long-term goal of buying a house. "For me, being able to get out of affordable housing was such a big step," she said. "In those apartments, the walls are thin, you can hear everything. Now I have a house, and through the walls I hear the kids playing in the yard."

5. Reallocation of Temporary Assistance for Needy Families Dollars

TANF funds should be reallocated to more flexible programs that provide comprehensive support. Given its sordid history of corruption that kept funds from struggling families in favor of subsidizing the pet projects of politicians and celebrities, Mississippi must rectify these misdeeds by creating a system that actually works for those living in poverty.

The time for these reforms are ripe, as the federal government has indicated a need to overhaul the system and states like Michigan have successfully reallocated TANF funds to guaranteed income programs.

6. Abandoning Racially Inequitable Rules

Empowering families means abandoning racially inequitable rules and ensuring that eligibility criteria are fair and inclusive.

In Mississippi, the reversal of *Roe v. Wade* and years of impeded reproductive rights have significant economic implications for Black women's financial autonomy. Restrictions on reproductive care further deepen economic disparities among Black women by limiting their ability to determine their own futures. This is not just a lack of agency, but life-threatening given the link between poverty and higher Black maternal mortality rates.

Additionally, policies such as work requirements within social safety net programs often disproportionately affect Black women negatively. In addition to being ineffective and leading to bloated bureaucracy, work requirements fail to take into account the reality of forcing labor in the midst of a child care crisis. As Springboard mother Brandy testified at a state hearing on the TANF scandal: "TANF is supposed to help us find jobs, but if you don't find a job within a week of being in the program, you're stuck spending hours at DHS offices to fulfill volunteer hours. You're basically exchanging your body to sit or file papers at the office for less than minimum wage. That's not career development. That's called being stuck in limbo."

Creating an Inclusive Nation

By centering policies on the needs of the most marginalized, leaders can create a more inclusive and equitable nation. Black women living in poverty are not just recipients of aid but active participants in shaping policies that impact their lives. Embracing their recommendations and experiences is key to building a society that honors and uplifts everyone.

Black women's contributions to our economy and democracy are immense and undeniable. Addressing the disparities they face, especially within social safety net programs, requires a proactive and inclusive approach. By adopting policies that prioritize equity and are shaped by the unmatched insight of lived experience — such as cash-based programs, flexible assistance, and the abandonment of racially inequitable rules — candidates up and down the ballot in the 2024 election, and beyond, can pave the way for a more just and empowered future for Black women in Mississippi. ●

Calls to Action

There is no time more urgent than the present for Mississippians to rise, unite and reignite the fight for freedom. It is time to step beyond the shadows of Jim Crow and demand that our voices be heard. Our concerns and demands are clear.

It's time to champion real change for the more than 2.9 million people that occupy this state. The time is now to develop an integrated approach that combines legal strategies, policy advocacy, grassroots organizing, and mutual aid efforts to dismantle systemic barriers to voting, increase political power for marginalized communities, and address long-standing racial and socioeconomic injustices in Mississippi. It is time that we:

1. Implement a statewide, well-funded voter protection program in Mississippi that combines organizing, advocacy, litigation, and data analysis efforts to protect voting rights and increase voter participation, especially among marginalized communities.
2. Advocate for election reforms like early voting, automatic voter registration, online voter registration, and addressing discriminatory voter ID laws to remove barriers to voting.
3. Establish a robust statewide public defender system to ensure fair legal representation, reduce wrongful convictions, and mitigate the racially disparate impact of felony disenfranchisement laws in Mississippi.
4. Support and expand initiatives like the Magnolia Mother's Trust that provide direct cash assistance to low-income families, demonstrating how political participation can tangibly improve lives.
5. Prioritize community-based voter education, civic engagement, and mutual aid efforts rooted in the leadership of Black women to increase political participation from the ground up.
6. Push for policies that expand access to affordable child care, reinstate an expanded Child Tax Credit, implement guaranteed income programs, and abandon racially inequitable rules within social safety net programs.
7. Advocate for strategies to keep children in schools, such as removing school resource officers, eliminating vague disciplinary codes, and enacting uniform due process protections for student disciplinary actions.
8. Call for a robust federal right to education through legislation, litigation or constitutional amendments to address education inequities.

It's time that we rise and ensure that every voice is heard, every vote is counted and that basic human rights are afforded to every person in Mississippi.

Meet Our Contributors

Waikinya Clanton is the director of the Southern Poverty Law Center's Mississippi office. A native Mississippian, she forges partnerships with local communities to advance the SPLC's mission to dismantle white supremacy, strengthen intersectional movements and advance the human rights of all people. Clanton also leads the SPLC's Advocacy Institute, a training ground for community organizers seeking to develop the skills necessary to create positive community change.

As state director, Waikinya has led the charge at the SPLC of strengthening and supporting communities by educating and empowering emerging activists and advocates to become their own proponents of change. She is also an active member of the Mississippi Rapid Response Coalition — a community of frontline community activist- and advocacy-led organizations providing direct assistance to residents impacted by the Jackson Water Crisis, as well as the Mississippi Donor's Alliance and the Mississippi Criminal Justice Funders' table.

Previously, Clanton has served as senior adviser to the Democratic National Committee chair. She was national executive director of the National Organization of Black Elected Legislative Women, where she led efforts that fueled electoral victories for Black women. Elsewhere on Capitol Hill, she was a key aide to U.S. Rep. Bennie Thompson of Mississippi. She also served as an equity adviser on race, gender, policy and public engagement for social networking company Nextdoor and cosmetics retailer Sephora.

Waikinya is a *cum laude* graduate of the historic Tougaloo College. In addition to her degree from Tougaloo, where she earned her Bachelor of Arts in sociology with an emphasis in pre-law, Waikinya also holds a master's in business administration, and certifications in Strategic Diversity and Inclusion from Cornell University and Campaign Management from the Campaign School at Yale University. She is a proud member of Delta Sigma Theta Sorority Inc., where she serves at both the local and national level.

She is the recipient of many distinct awards and honors including the inaugural Tougaloo College's 40 Under 40, The Root 100 Top

Influential African Americans, the Judge Constance Slaughter Harvey Champion Award, and being named as one of Mississippi's Top 50 Women in Business by the Mississippi Business Journal. Clanton was recently chosen as an Eric H. Holder Public Policy Fellow for the Reuben V. Anderson Social Justice Institute. She is the founder of Who's Who of Mississippi Women and was selected by Women for Progress of Mississippi as the 2024 Woman of the Year and is a 2024 recipient of the Joseph R. Biden Presidential Lifetime Achievement Award.



Amir Badat serves as manager of the Voting Rights Defender and Prepared to Vote projects (VRD/PTV) and voting special counsel at the NAACP Legal Defense and Educational Fund. As manager of VRD/PTV, Badat leads LDF's year-round election protection and voter education efforts, using legal, organizing and advocacy tools to ensure that Black voters across the South have open access to the ballot box. As voting special counsel, Badat uses litigation, legislative, and public education strategies to promote racial justice in the area of political participation. Badat is part of the litigation team in *Houston Area Urban League v. Abbott*, a case challenging Texas' enactment of an omnibus voter suppression bill following the historic participation of Black voters in the 2020 general election.

Prior to LDF, Badat was an associate at Patterson Belknap Webb & Tyler LLP, where he focused on complex commercial litigation and maintained an active pro bono practice, representing clients seeking asylum in the United States, restoration of their right to work, and access to police bodycam footage. At Patterson, Badat represented multiple cross-faith coalitions of religious entities submitting amicus briefs in the U.S. Supreme Court and other federal courts combating religious discrimination, challenging attempts to repeal DACA, supporting protections for LGBTQ+ individuals against employment discrimination, and opposing the diversion of funds to build a border wall.

Badat has extensive experience in the voting rights and voter protection space. He has led statewide voter protection programs and coordinated voter protection efforts for national campaigns.

Badat served as a law clerk to the Honorable Vernon S. Broderick on the U.S. District Court for the Southern District of New York. A native of Meridian, Mississippi, Badat received his J.D. *cum laude* from New York University School of Law and his B.A. from Stanford University with honors in international relations. He is a member of the New York State Bar.


Justin Moody is an instructional assistant professor of Criminal Justice & Legal Studies at the University of Mississippi. He formerly served as a law clerk/staff attorney for the First Circuit Court District of Mississippi, the Mississippi Supreme Court, and the United States District Court for the Northern District of Mississippi. He received his J.D. from the University of Mississippi in 2015. His primary research interests include judicial decision-making and judicial ethics.

Brittany Barbee currently serves as the assistant dean for student affairs at the University of Mississippi School of Law. She is also an adjunct faculty member and teaches two selected legal topics courses: The School-To-Prison Pipeline and The Right to Education. Prior to being at UM Law, she served as a law fellow at the Southern Poverty Law Center in the Children's Rights Division at the Montgomery office. She attended Centenary College of Louisiana for her B.S. and attended the University of Mississippi School of Law for her J.D. She is passionate about education equity and students' rights from pre-kindergarten to professional school. Barbee is a seventh-generation Mississippian who is dedicated to the slow but steady work of making the state more inclusive and equitable for all.

With more than two decades of experience working to improve the quality of life for people with limited financial resources, **Aisha Nyandoro** is a leader in the campaign to end generational poverty. She is the founding CEO of Springboard To Opportunities, a nonprofit that helps affordable housing residents reach their life goals. In 2018, Nyandoro launched the Magnolia Mother's Trust, a first-of-its-kind guaranteed income program for Black mothers in the United States, and she has worked to scale the program's success nationally through policies such as the expanded Child Tax Credit and a federal guaranteed income.

Heather-Ann Layth is a Ph.D. candidate in the sociology department at Mississippi State University studying social movements. Her dissertation concerns the framing strategies employed by modern antifascist activists in the US. She has a deep passion for teaching and has taught over 1,000 students in Mississippi to think critically about Contemporary Social Problems, her signature class. Layth is a first-generation scholar and is engaged in research on pedagogical practices which identify and mitigate intersectional disparities in the classroom.

Nyandoro is an Emerson Collective Dial Fellow as well as a fellow of the Highland Project, W.K. Kellogg Foundation Community Leadership Network and Ascend at the Aspen Institute. She is a TED speaker, 2022 McNulty Prize Winner and the 2022 Disrupter Change Champion from Community Change. Her work has been featured in *The New York Times*, *The Washington Post*, *Essence*, NBC and CNN. She holds a B.A. from Tennessee State University, and an M.A. and Ph.D. from Michigan State University. When not working to liberate financial capital, she is a wife and mom to two very charming sons.



Nicholas Presley, a passionate advocate for public health and community empowerment, hails from Webb, Mississippi. A graduate of Tougaloo College with majors in sociology and biology, he is currently pursuing health policy studies at Tulane School of Public Health and Tropical Medicine. Presley is deeply committed to sexual and reproductive health and addressing rural health disparities, maternal and child health issues, and enhancing community engagement in policymaking. As a youth facilitator at Aspen Young Leaders Fellowship, he mentors future leaders, fostering positive change. Presley aims to bridge the gap between policy, research and community engagement, striving for healthier, more equitable societies through his unwavering dedication to public health improvement, particularly among marginalized populations.

Endnotes

- 1 www.ncsl.org/elections-and-campaigns/early-in-person-voting
- 2 www.ncsl.org/elections-and-campaigns/online-voter-registration
- 3 www.ncsl.org/elections-and-campaigns/same-day-voter-registration
- 4 Advancement Project, Our Voices, Our Votes: Felony Disenfranchisement and Reentry in Mississippi, www.advancementproject.org/wp-content/uploads/2021/03/MS-Reentry-Report24.pdf.
- 5 Bobby Harrison, Mississippi Today, www.mississippitoday.org/2021/07/25/mississippi-does-not-have-to-change-law-to-make-voting-hard-it-already-is/ (July 25, 2021); Charlie Drape, Mississippi Clarion Ledger, Civil rights coalition, U.S. Congressman want more answers about MS ballot shortages, www.clarionledger.com/story/news/local/2023/12/07/advocacy-groups-continue-fight-for-answers-on-ms-ballot-shortages/71836686007/ (Dec. 7, 2023).
- 6 HB 1310 (2023).
- 7 SB 2358 (2023).
- 8 State and Congressional Districts Map.
- 9 347 U.S. 483 (1954).
- 10 *Id.* At 493.
- 11 San Antonio Independent School District v. Rodriguez, 411 U.S. 1 (1973).
- 12 Derek Black, Freedom, Democracy, and the Right to Education, 116 Northwestern L. Rev. 1031 (2022).
- 13 *Id.*
- 14 *Id.*
- 15 *Id.* See also “The Readmissions Case” litigated by SPLC and challenging Mississippi’s violation of its readmission clause at least four times in the last 150 years.
- 16 Kimberly J. Robinson, A Federal Right to Education: Fundamental Questions for Our Democracy, NYU Press (2019).
- 17 *Id.*
- 18 *Id.*
- 19 *Id.*
- 20 *Id.*
- 21 Catie Edmondson, Senator-Elect Tommy Tuberville Flubs Basics of the Constitution, World War II and the 2000 Election, The New York Times (April 27, 2024 5:45 PM), www.nytimes.com/2020/11/13/us/tommy-tuberville-fact-check.html.
- 22 *Id.*
- 23 See Advancement Project, Education on Lockdown: The Schoolhouse to Jailhouse Track 15 (2005).
- 24 Jason P. Nance, School Surveillance and the Fourth Amendment, 2014 Wis. L. Rev. 79, (2014); citing to Advancement Project, Education on Lockdown: The Schoolhouse to Jailhouse Track 13 (2005).
- 25 See Advancement Project, Education on Lockdown: The Schoolhouse to Jailhouse Track 15 (2005).
- 26 Courtney Sisk and Natalie Martinez, Chicago Board of Education unanimously votes to remove school resource officers from CPS, NBC Chicago (April 29, 2024 2:30 PM), www.nbcchicago.com/news/local/chicago-board-of-education-unanimously-votes-to-remove-school-resource-officers-from-cps/3363637.
- 27 *Id.*
- 28 *Id.*
- 29 See Carolina Youth Action Project v. Wilson, WL 2147305 (4th Cir. 2023).
- 30 *Id.*
- 31 S.C. Code Ann. § 16-17-530(A).
- 32 See Carolina Youth Action Project v. Wilson.
- 33 *Id.*
- 34 Savannah Tryens-Fernandes, Alabama Passes Bill Making It Harder To Kick Student Out of School, ADVANCE LOCAL (April 29, 2025 3:00 PM), www.al.com/education/2024/04/alabama-passes-bill-making-it-harder-to-kick-students-out-of-school.html.
- 35 419 U.S. 565 (1975). “[R]equiring effective notice and informal hearing permitting the student to give his version of the events will provide a meaningful hedge against erroneous action. At least the disciplinarian will be alerted to the existence of disputes about facts and arguments about cause and effect. He may then determine himself to summon the accuser, permit cross-examination, and allow the student to present his own witnesses. In more difficult cases, he may permit counsel.” *Id.* at 583-84.
- 36 See *Harness v. Watson*, 47 F.4th 296, 300 (5th Cir. 2022) (“It is uncontroverted that the state constitutional convention was steeped in racism and that the state was motivated by a desire to discriminate against blacks when the 1890 Constitution was adopted.”).
- 37 *Ratliff v. Beale*, 74 Miss. 247, 20 So. 865, 868 (1896).
- 38 *Id.* at 867.
- 39 See *Harness*, 47 F.4th at 318-338 (Graves, J., dissenting).
- 40 *Id.* at 300 (majority).
- 41 *Id.* at 300-01.
- 42 *Id.* at 301.
- 43 *Id.* at 311.
- 44 *Hopkins v. Hoseman*, 76 F.4th 378, 404-08 (5th Cir. 2023), reh’g en banc granted, vacated, 83 F.4th 312 (5th Cir. 2023). Only eleven states have such lifetime voting bans. *Id.*
- 45 *Id.* at 409-10.
- 46 *Id.* at 389-90. While Section 253 provides a mechanism for such offenders to petition the Mississippi Legislature to restore their voting rights, such petitions are purely discretionary, require a 2/3 vote of both houses, and are rarely granted — with only 18 being granted between 2013 and 2018. *Id.* at 390.
- 47 Uggen, Christopher, et al., Locked Out 2022: Estimates of People Denied Voting Rights, The Sentencing Project Report (2022), www.sentencingproject.org/reports/locked-out-2022-estimates-of-people-denied-voting-rights/ (last visited April 25, 2024).
- 48 Prison Policy Initiative, “Mississippi Profile”, www.prisonpolicy.org/profiles/MS.html (last visited April 25, 2024). “Black people in Mississippi are incarcerated at a rate 2.5 times higher than white people.” *Id.*
- 49 *Quitman County v. State*, 910 So. 2d 1032, 1035 (Miss. 2005) (*Quitman II*).
- 50 *Quitman County v. State*, 807 So. 2d 401, 407 (Miss. 2001) (*Quitman I*).
- 51 *Id.* (quoting *Mease v. State*, 583 So. 2d 1283, 1285 (Miss. 1991) (Prather, J., specially concurring).
- 52 *Quitman II*, 910 So. 2d at 1051 (Graves, J., dissenting).
- 53 Bedillion, Caleb, Justice Says Mississippi Court Rule to Give Poor Defendants Lawyers Isn’t Working, The Marshall Project (2023), www.themarshallproject.org/2023/10/19/lawyers-poor-criminal-defendants-mississippi-supreme-court (last visited April 25, 2024).
- 54 See MRCrP 7.2(c) (“Counsel representing a defendant at any stage shall continue to represent that defendant in all further proceedings in the case, including filing a notice of appeal, unless counsel is allowed to withdraw for good cause as approved by the court and new counsel is retained or appointed[.]”)
- 55 MRCrP 7.2(a), Comment.
- 56 See 1st Cir. Loc. R. 10 and 22nd Cir. Loc. R. 1. The First Circuit Court District includes Alcorn, Itawamba, Lee, Monroe, Pontotoc, Prentiss, and Tishomingo counties. The Twenty-Second Circuit Court District includes Claiborne, Copiah, and Jefferson counties.
- 57 Gohara, M., et al., The Disparate Impact of an Under-Funded, Patchwork Indigent Defense System on Mississippi’s African Americans: The Civil Rights Case for Establishing a Statewide, Fully Funded Public Defender System, 49 HOW. L.J. 81, 87 (2005).
- 58 *Id.* at 91.
- 59 *Id.* at 93.
- 60 *Id.* at 94-96.
- 61 Simone, N. (1964). “Mississippi Goddam” [Recorded by Nina Simone]. On Nina Simone in Concert (1964). Retrieved from Apple Music.
- 62 Yagoda, N. (2019). Addressing Health Disparities Through Voter Engagement. The Annals of Family Medicine, 17(5), 459–461. doi.org/10.1370/afm.2441
- 63 Mississippi health rankings worst in U.S., report finds - Mississippi Today. mississippitoday.org/2023/06/22/mississippi-health-rankings-worst-in-country
- 64 Voter suppression. (n.d.). In Encyclopædia Britannica. Retrieved April 29, 2024, from www.britannica.com/topic/voter-suppression
- 65 Centers for Disease Control and Prevention. (n.d.). Social Ecological Model. Retrieved April 29, 2024, from www.cdc.gov/violence-prevention/
- 66 Robnett, Belinda. 1997. *How Long? How Long? African-American Women in the Struggle for Civil Rights*. New York: Oxford University Press.
- 67 hooks, bell. 2018. *All About Love: New Visions*. 765th edition. New York: William Morrow Paperbacks.
- 68 Roll, Stephen, Sara M. Constantino, Leah Hamilton, Selina Miller, Dylan Bellisle, and Mathieu Despard. 2023. “How Would Americans Respond to Direct Cash Transfers? Results from Two Survey Experiments.” *Social Service Review* 97(1):92–129. doi: 10.1086/723522.

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