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First Legal Victory for MCJ

The Mississippi Center for Justice earned its first legal victory this summer when it challenged the way Holmes County elects its school superintendent. The Center's Equal Justice Fellow, David Miller, represented Holmes County residents in their effort to restore justice to their school board elections. Miller was joined by board member Robert McDuff in the voting rights proceedings. In the complaint, the Center

alleged that the County's method of electing the superintendent violated the Equal Protection Clause of the Fourteenth Amendment. The Center sought declaratory and injunctive relief on behalf of Holmes County residents for allowing voters in a separate city school district, Durant, to vote for superintendent of the Holmes County school district. The parties reached an agreement before the Aug. 5 primary

election, to stop voters in the Durant school district from voting in the county superintendent's race in future elections. As a result, Durant votes in the primary election weren't counted. In the election that followed, Stephen Bailey defeated incumbent Superintendent Judge Nelson in the Aug. 5 Democratic primary by about a 238-vote margin.



MCJ's
First
"Champions of Justice"
Dinner
and
Silent Auction
will be held
on
November 18.

See Page 2 for Details

Greetings from the President

Mississippi retains its iconic status as home to the heroic movement that ended one-hundred years of post-slavery apartheid. At the same time, for all our rich and recent history of profound social change, we still have a long way to go to meet even the modest standards of access to justice and opportunity achieved in most other states. We know that the work here is still about breaking down the barriers of discrimination and poverty.

We grew up pledging allegiance to the flag every school day, saying the words "with *justice for all*" as if they were presently true. Even as a first-grader at Jackson's Boyd Elementary School, in the days of the emerging Civil Rights Movement, I could see that *justice for all* wasn't a current reality. All of us, somewhere along the way, noticed that those ringing words were for many, an unfulfilled promise.

For those of us who found our way into professions or vocations as lawyers, judges, and community leaders, we experience, often on a daily basis, the contradiction between our nation's laudable, globally inspiring promise of *justice for all* and the current reality of providing access only to some.

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See President's Greetings

“Champions of Justice” Dinner



“The dinner will provide an annual opportunity to recognize champions of justice who have advanced social justice in our state.”

— Fred L. Banks, Jr.
Board Chair

Two towering champions of justice, the Honorable Henry Kirksey, a retired Mississippi State Senator who made the right to vote a reality for thousands of Mississippians, and the Honorable Mike Moore, the Mississippi Attorney General who brought accountability to the tobacco industry for the benefit of Mississippi’s children, will be honored at MCJ’s first “Champions of Justice” Dinner.

The dinner is scheduled for Tuesday, November 18, 2003, at Mikhail’s in Jackson. The festivities will begin at 6 p.m. with a reception and silent auction. A seated dinner will follow at 7:30 p.m. Come enjoy an evening of fun and celebration.

“The dinner will provide an annual opportunity to recognize champions of justice who have advanced social justice in our state,” said Board Chair Fred Banks in announcing the dinner.

“As the centerpiece of our fundraising campaign, it will also be an occasion to thank the supporters of the Center, whose success depends on the generosity and investment of Mississippians”, said Banks. “It’s going to be a great party!”

The dinner program will recognize dinner sponsors and **all** the generous donors who have been instrumental to the Center’s successful start

this year.

To make a contribution to the Center or to reserve a table or tickets for the dinner, please complete and mail the form on page 3.

Dinner Sponsorship Levels

Guardian of Justice - \$1000

Receive 8 tickets.

Defender of Justice - \$500

Receive 4 tickets.

Advocate of Justice - \$250

Receive 2 tickets.

Individual tickets to the dinner are priced at \$50.

“One reason why I like it that this house is now home to the Center for Justice is that it’s appropriate to the nature of life, which is about change, and about what we do. And change in this instance, means progress, and emphasizes the present, and also the future, not the past.”

--Richard Ford

About the Center opening in his childhood home.

See Center Opening on Page 6 for more.

Deadline Extended to November 18!

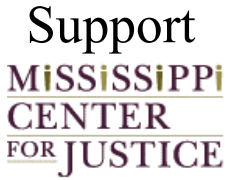


Time is running out! So far, the Center has ten Founding Donors, who have contributed at the \$10,000 level or higher. The ranks of this group will close on November 18, and – like the signers of the Declaration of Independence – they will be enshrined in the history

of the Center.

In addition, two dozen donors have contributed amounts of \$1,000 or more, and the Center has already received almost 200 individual contributions – a resounding acknowledgement of the need for legal advocacy in

support of racial and economic justice in Mississippi. All contributors will be listed in the “Champions of Justice” Dinner program. **Make Center History— Become a Founding Donor!**



Help make "justice for all"
a reality...not a goal!



A home owned, home grown organization providing legal support to anti-discrimination and anti-poverty activists through:

- Litigation
- Policy Advocacy
- Administrative agency representation
- Community engagement and support.

Reserve your table today!
Call 601-352-2269

Mississippi Center for Justice

November 18, 2003

Sponsorship and Contribution Form

Sponsor Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Contact Person: _____

All sponsorship levels include recognition in the event program.

- Guardian of Justice** **\$1,000**
Receive 8 tickets to the event and "guardian" designation at your table and in the program.
- Defender of Justice** **\$ 500**
Receive 4 tickets to the event and "defender" designation in the program.
- Advocate of Justice** **\$ 250**
Receive 2 tickets to the event and "advocate" designation in the program.
- Dinner Tickets** _____ x \$50 each **\$** _____
- I'd like to contribute to the Center** **\$** _____

Thank you for supporting MCJ!

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Derailing the Schoolhouse to Jailhouse Train

Imagine spending more than fifteen hours a-day locked in a small cell, with only a concrete slab, and a dirty, inch-thick, mattress to sleep on. You have no personal effects, can not talk to loved ones, and have no access to proper mental health treatment. You spoke to your attorney for the first time, in a group, with thirty other defendants, for five minutes, no more than ten minutes before your hearing began. You can't remember your attorney's name because he only talked to you, as part of a group, just long enough to tell everyone to plead guilty.

Now imagine that the reason why you're in this cell is because you skipped school, rolled your eyes at a teacher, or got into a fight on the playground. This is the reality for children at the Oakley training school, a Mississippi youth facility that is supposed to rehabilitate and treat children charged with misdeeds. In its 48-page report, the Civil Rights Division of the United States Department of Justice describes the Oakley and Columbia training schools as understaffed and underfinanced facilities with an ill-equipped and

poorly trained workforce, rife with constitutional violations that range from physical and verbal abuse to withholding basic medical care and education.

In response, Ellen Reddy, of Mississippi's **Citizens for Quality Education**, and a coalition of twenty-five civil rights, legal, grassroots, and public policy organizations have joined together in a campaign to derail the Schoolhouse to Jailhouse train. The **Mississippi Center for Justice** is coordinating these efforts

--Continued on Page 6
See *Schoolhouse to Jailhouse*



"These children have basic human rights that are being ignored; the state is failing to educate our children in the schoolhouse, which contributes to the flood of youths to the jailhouse."

--Ellen Reddy
Citizens for
Quality Education

Mississippi ranks 49th among states in per pupil expenditures for education.

Center Gets First Infusion of Foundation Support

In June, the Stern Family Fund announced the selection of Martha Bergmark as its Public Interest Pioneer for 2003. The recognition comes with a \$100,000 renewable grant to launch the Center and advance racial and economic justice in Mississippi.

By making the award to Bergmark, the Stern Family Fund supports the creation of an infrastructure that will mobilize legal talent and resources across

Mississippi and create a coherent center for advocacy on initiatives as diverse as public education, consumer protection, and immigrant worker rights.

"Martha's vision to create a center that will work for social justice in Mississippi, her career-long record of accomplishment, and her commitment to pour her considerable talents and passion into this new effort, convinced us that she is the ideal Public Interest Pioneer for 2003," said

Stern Family Fund President David Stern.

Each year, the Fund awards the "Pioneer" grant to one or two individuals who have demonstrated a remarkable commitment to creating systemic policy change within the public and private institutions that wield power over the lives of ordinary people. Bergmark joins an impressive list of Stern Pioneers instrumental in telecommunications, environment, insurance, and economic development policy across the country.



Martha Bergmark
Stern Family Fund
2003 Public Interest
Pioneer

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We're on the Web!

See us at:

www.mscenterforjustice.org

What's Inside!

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- *Honoring Champions of Justice – November 18th at Mikhail's*
- *And much more!*

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MCJ Responds to Mass Firings

Employers should not fire employees simply because they are recipients of no-match letters from the Social Security Administration. Unfortunately, that didn't stop **Peco Food, Inc.** from firing approximately 200 Hispanic poultry workers in Canton, Mississippi after being notified by the **Social Security Administration (SSA)** that their names did not match Social Security numbers. The **Mississippi Center for Justice (MCJ)** helped facilitate the rapid response of the **Mississippi Immigrant Rights Alliance (MIRA)**

and the **Equal Justice Center**, of Austin Texas, to **Peco Foods, Inc.** The letter reminded Peco Foods, Inc. that receipt of a no-match letter from the SSA alone, is not grounds for transferring, suspending, firing, or taking any retaliatory action against an employee. The **Mississippi Center for Justice (MCJ)** also drafted a letter to **Koch Foods, Inc.**, a Chicago poultry processor with several plants in Mississippi, reminding them that they may be subject to civil penalties and monetary damages if employees are penalized

solely because they received a no-match letter. On September 17, a "Social Security No-Match Strategy Workshop" was held in Jackson, Mississippi for community organizers. The workshop equipped participants with knowledge about Latin American poultry workers in Mississippi ; how to deal with the threat of discriminatory immigration law enforcement; and how community-based advocates and unions may respond to help protect workers whose names appear on no-match letters.

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See Mass Firings*

"This country will not be a good place for any of us to live in unless we make it a good place for all of us to live in"

--Theodore Roosevelt
26th U. S. President

Mary Elizabeth May and Felicia Shepherd worked as public policy fellows at the Center this summer. This fall, Mary Elizabeth, a graduate of Birmingham Southern College, is attending Harvard University's John F. Kennedy School of Government. Felicia has returned to Jackson State University to complete her Masters degree in Political Science.

President's Greetings

Continued from Page 1 – Greetings from the President

We also experience firsthand the real-life consequences of that contradiction for people who seek access to our courts and to our services as lawyers. With shared commitment and joint effort, we can begin to close the gap between the reality and the promise.

Here at the Mississippi Center for Justice, we aspire to re-ignite the movement for social justice by putting legal advocacy in service in a 21st century way to goals of systemic change. The Center was incorporated on June 17,

2002, as a Mississippi nonprofit corporation. Its creation responded to a specific and urgent need in Mississippi to resurrect a capacity for statewide legal advocacy to advance racial and economic justice.

In the ensuing 16 months, the Center's energetic and committed board has met monthly to chart the course, and our initial donors have been overwhelmingly generous so that this, our first newsletter, can already report our first legal victory. In these pages, you will find a chronicle of our twin efforts – to get the substantive work

up and running as quickly as possible and to build from scratch the infrastructure to support it. In future, quarterly editions, we will use this newsletter to tell the story of our progress.

Today, my office at the Center looks out on the playground of Davis School, where our background noise is the excited squeals of children at play. They are my cheerful, daily reminder of the urgency of advancing briskly toward a future of justice for all in Mississippi. I feel privileged to be part of the action!



"We grew up pledging allegiance to the flag every school day, saying the words 'with justice for all' as if they were presently true."

--Martha Bergmark
President & CEO

Pulitzer Prize-Winning Novelist, Richard Ford, Returns Home for Center Opening

Pulitzer Prize-winning novelist Richard Ford traveled from Maine for the opening of the Center in his childhood home at 736 North Congress Street. He came, he said, “to personally portray a sense of continuity,” and he did so eloquently. His remarks are excerpted on page 2 and can be found in full on the MCJ web site.

The ribbon-cutting ceremony on June 12 and street party on June 13 were heralded by torrents of rain, but the celebratory spirit was not dampened. Our speakers invoked the exhortation of Amos, “Let justice roll down like waters

and righteousness like a mighty stream,” and noted the auspiciousness of the life-giving downpour.

On the 40th anniversary of Medgar Evers’ death, Fred Banks paid tribute to Evers’ memory, committing the Center to carry on his heroic legacy of service to the cause of social justice in Mississippi.

Mayor Harvey Johnson was on hand to welcome the Center to Jackson, lead the ribbon cutting, and present Ford with a key to the city.

The day ended in the lovely home of attorney Don Mitchell, with the rain still

coming down. With great food and fellowship, we celebrated the generosity of our donors and enjoyed the company of special guest Richard Ford.

At the block party on Friday afternoon, more than 100 neighbors and friends gathered on the freshly washed street for delicious food contributed by our neighborhood restaurants – 930 Blues Café, Two Sisters Kitchen, and George Street Grocery – and terrific entertainment by The Earth Angels, appearing thanks to the generous contributions of our event hosts.



“Let justice roll down like waters...”

*Robert McDuff
MCJ Co-Chair
at Center Opening*

Mass Firings

Continued from Page 5 – MCJ Responds to Mass Firings

The workshop was coordinated by the **Equal Justice Center**, of Austin, Texas, and co-sponsored by **Mississippi Immigrant Rights Alliance**, **United Methodist Hispanic Ministries of Jackson**, **United Food and Commercial Workers**,

the **National Immigration Law Center**, **Daughters of Charity**, **Mississippi Center for Justice (MCJ)**, **Catholic Charities of Jackson**, the **Mexican American Legal Defense and Educational Fund, Inc.**

(**MALDEF**), the **National Interfaith Committee for Worker Justice**, **St. Andrew’s Episcopal Church**, **Sacred Heart Catholic Church**, the **Mississippi Workers’ Center for Human Rights**, and **Saint Anne’s Catholic Church**.



Terminating an employee based solely upon receipt of a no-match letter may constitute citizenship status or national origin discrimination, or unfair documentary practices, in violation of the anti-discrimination provision of the Immigration and Nationality Act.

Schoolhouse to Jailhouse

Continued from page 4 – Derailing the Schoolhouse to Jailhouse Train

with state, regional, and national coalition partners meeting monthly in Jackson to develop campaign action plans. The Center, in conjunction with the **Southern Poverty Law Center**, and the **Juvenile Justice Project of Louisiana**, also serves as co-counsel in litigation mentioned in the Justice Department’s

report that is pending against the Oakley Training School.

One of every 18 children is involved in Mississippi’s Schoolhouse to Jailhouse pipeline. Mississippi’s Division of Youth Services annual reports list 22,789 reported dispositions in 2000 and 21,496 in 2001.

Over 98.68% of the

dispositions each year involved children between the ages of 10-18. That amounts to one disposition for every 17.60 children in that age group in 2000 and one for every 18.66 in 2001.



Mississippi spends between \$35- and \$50,000 each year to keep a child in training school. This is more than it costs to house an inmate in maximum security at Parchman State Penitentiary.

Meet the MCJ Staff



Left to Right: Martha Bergmark, Monica Galloway, Leslie Gross, David Miller

"We are dedicated to building a center that will advance racial and economic justice in Mississippi."

-- The MCJ Staff

For **President and CEO Martha Bergmark**, the Mississippi Center for Justice is "a coming home and a dream come true."

Martha grew up in Jackson and practiced law in Hattiesburg, but for the past 15 years her home base was Washington DC, where she was senior vice president for programs of the National Legal Aid and Defender Association and president and executive vice president of the Legal Services Corporation.

She was the founding executive director of Southeast Mississippi Legal Services Corporation in Hattiesburg. She is a former Reginald Heber Smith Fellow and the 1990 recipient of the Kutak-Dodds Prize for her civil rights and legal aid work in Mississippi. She is a graduate of the University of Michigan Law School and Oberlin College.

Martha spends alternate weeks working in Jackson and from her home office in Takoma Park, Maryland. Her husband Elliott Andalman, who practices law in Maryland and DC, joins her in Jackson once a month. Their twenty-something sons both live in Boston, where Aaron is a graduate student at MIT and David is a filmmaker.

Monica Galloway, Business Manager, a native of Jackson and graduate of Jackson State University's School of Business, has returned home to use her corporate skills to make a difference.

Upon graduation from Jackson State, Monica was hired by Atlantic Richfield (ARCO/BP) to work in their oil and gas division in Dallas, Texas. Monica's career with ARCO spanned 18 years and gave her the opportunity to work and live in Texas, Colorado and California doing business process engineering, system implementations at several of their business locations. She also worked on various projects in Australia and Mexico.

After eighteen years away from Mississippi, Monica's desire to be closer to her family and enhance the lives of Mississippians won out. Like with Martha, this too is a "coming home" and a dream come true.

Leslie Gross, Director of Advocacy, has advocated for racial and economic justice by working as a litigator, a community lawyer, and a public policy analyst. Immediately prior to joining the Center, Leslie provided technical and legal assistance to rural Georgia communities through her work with the Middle Georgia and Southwest Georgia Parent Support Networks. It was through her previous work as an

Education Staff Attorney with the Lawyers Committee for Civil Rights Under Law that Leslie first visited Mississippi. A former news producer and newspaper editor, Leslie is a graduate of George Washington University Law School and holds a degree in Journalism from Howard University.

David B. Miller, Equal Justice Works Fellow and staff attorney, is a native of Hattiesburg and a proud product of its public schools. A graduate of the University of Virginia and the Yale Law School, David's legal experience includes brief stints as a Special Assistant Attorney General for the State of Mississippi, as an associate under Jimmy Robertson at Wise Carter Child & Caraway, and as a contract attorney with the Mississippi Secretary of State's office. David is in the process of fixing up a house in Jackson's Belhaven neighborhood and will be married to Sara Evans of Hattiesburg in November.

Special Thanks!

Merri Bouchett, the Center's first legal fellow, is a University of Alabama graduate and a second year law student at Mississippi College of Law. Merri is currently researching several issues, including felony disenfranchisement.