

MISSISSIPPI LEGISLATES TO OUTLAW SUMMER CIVIL RIGHTS PROJECT

As civil rights workers complete plans for the Mississippi Summer Project, the state has been tightening legislative screws to halt as many phases of the project as possible.

As one Mississippi newspaper put it, there is a "statewide movement to erect a bulwark against anticipated racial demonstrations in Mississippi this coming summer." Part of this bulwark has been the recent enactment of six new laws aimed at the project by the state legislature.

An Associated Press story in the Jackson Daily News April 20 explained that the Mississippi legislature's program of "quietly arming the state for an expected invasion" by civil rights workers had received little notice because state solons "do not discuss racial bills on the floor and give only a minimum of explanation." The reason, the AP story continued, was that state legislators were fearful such speeches would be used by the federal government in civil rights cases to show the intent of the law was to maintain segregation and was therefore unconstitutional.

Following are the laws and a brief analysis.

1. "RIOT CONTROL." Authorizes cities to "pool" personnel, manpower and equipment, and in general, give "mutual assistance." Introduced in the state Senate as bill # 1526, the measure as enacted and signed into law by Governor Paul B. Johnson, facilitates exchange of jail space as well as the pooling of city police forces.

It is assumed the city of Jackson will be prominent in assisting other cities in "riot control." In recent months the city has strengthened its police force and laid in an extra supply of gas masks, shotguns and helmets according to Jackson newspapers. A \$15,000 tank known locally as Thompson's Tank will be part of the equipment of Allen's Army - both namesakes of Jackson Mayor Allen Thompson.

2. CURFEW. Authorizes cities to "restrict the movements of individuals and groups" and to set curfew hours. (House bill #64.)

3. A law which BOOSTS THE STATE HIGHWAY PATROL to almost double its present size gives state police full power in civil disorders as well as undercover investigations. Prior to the enactment, those officers were restricted to traffic law enforcement. The law has had special backing from the governor since he requested the legislation in a speech before a joint session of the state legislature March 3. The new law gives the governor personal power to send state police into areas, even over the heads of local law enforcement. Originally introduced in the House as bill # 564, the controversial measure passed despite opposition from some state solons who feared it might be used to control illegal liquor practices in this dry state.

In referring to the law which expands the patrol from 275 to 475 men a Greenville daily, the Delta Democrat-Times said, "A private army which can be used at the governor's own discretion is not a healthy kind of temptation to have around."

It was reported in January that every member of the state police then on the force had been trained in riot control techniques. Colonel T.B. Birdsong, commissioner of public safety, said these men in turn trained police and sheriff's officers across the state.

4. ANTI-PICKETING. Prohibits picketing of all public buildings, streets and sidewalks and other places belonging to the city, county and state. The maximum penalty on conviction is \$500 and/or six months in jail. The constitutionality of the new law is presently being tested in federal court by 44 persons arrested in Hattiesburg April 10-11.

House bill # 546 was introduced as an "emergency bill for Greenwood" March 25 - the same day as Greenwood's first Freedom Day - by a state representative from Forrest County (county seat: Hattiesburg) where a Freedom Day was held in January. Picketing of the Forrest County courthouse has occurred almost daily since then.

5. INCREASED PENALTIES. Larger penalties may be assessed by municipal courts as a result of enactment of Senate bill # 1517. Maximum fines may be raised from \$100 to \$300 in city courts and maximum jail terms from 30 to 90 days. This would apply to traffic violations which have been lodged with alarming frequency against rights workers as the summer approaches.

6. OUTLAWS DISTRIBUTION OF BOYCOTT LITERATURE. Senate bill # 1545 was introduced by a state senator from Canton, where a boycott to pressure for an end to discriminatory practices by merchants and businesses has been underway since January. The new law provides for a maximum penalty of \$500 and/or six months in jail for printing or circulating materials calling for boycotts.
- Rights workers maintain this law, and the anti-picket provision, are flagrantly unconstitutional.

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The State Sovereignty Commission - official watchdog agency to perpetuate segregation - has mailed a "handy" reference digest of statutes already on the books to law enforcement officers throughout the state with the suggestion that they be used to halt civil rights activity.

State code sections suggested by the state subsidized group for use in racial matters are the following:

- * Congregating and refusing to disperse when so ordered by a law officer (maximum fine \$200 and/or four months in jail),
- * Interfering with customers or the operation of restaurants, stores, hotels and theaters (maximum fine \$500 and/or six months in jail),
- * Making false statements to federal authorities - FBI, courts, Justice Department, Civil Rights Commission - about denial of constitutional rights by the state or its agents (maximum fine \$1,000 and/or five years in prison),
- * Disturbing the peace (maximum fine \$500 and/or six months in jail),
- * Obstructing arrest (maximum fine \$500 and/or six months in jail),
- * Obstructing public streets or traffic (maximum fine \$500 and/or six months in jail),
- * Encouraging another person to remain on the premises of another "when forbidden to do so" (maximum fine \$500 and/or six months in jail).

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INTRODUCED, BUT NOT YET PASSED. Other bills have been introduced in legislative chambers which, if passed and signed into law by the governor, would buttress official suppression of the Mississippi Summer Project.

The following laws are pending before the Mississippi House/Senate:

1. CRIMINAL SYNDICALISM. Senate bill # 2027 prohibits "criminal syndicalism" which is defined as the doctrine which advocates or teaches "the commission of crime, violence and force as a means of accomplishing or affecting a change in agricultural or industrial ownership or control...or in affecting any political or social change." That measure, now passed by the Senate and before the House, makes it a felony to teach or "justify" such a precept. It is claimed by state solons that the law could be used against "extremists" of either persuasion on the question of race.
2. ANTI-INVASION. House bill # 270 prohibits entry into the state with the intention of violating state laws, and sets the penalty at a fine of up to \$1,000 and as much as two years in prison.
3. OUTLAWS FREEDOM SCHOOLS. Senate bill # 1969 makes it a misdemeanor to teach in or conduct a school not licensed by the state. Rights workers contend it is explicitly directed at curbing Freedom Schools.
4. OUTLAWS COMMUNITY CENTERS. Senate bill # 2136 if passed would require certification by the state of all clinics or schools where general education and general health subjects would be taught. Summer project plans call for community centers where instruction in child care, dietary health and housing repair would be offered. The measure also arms the attorney general with injunctive power to "dissolve any operation" which does not have state permits.

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OTHER LAWS UNDER CONSIDERATION include:

1. A measure to ban demonstrators from chaining themselves together.
2. Two bills passed in the House which would keep Negroes from serving on juries in the state by restricting selection to resident landowners and/or registered voters. Only 6.6 percent of the voting age Negroes in Mississippi are registered to vote.
3. A juvenile demonstration measure provides that youths arrested in racial demonstrations be excluded from juvenile courts.