

For further information:
call UN 8-0939

New England Friends of SNCC
1555 Massachusetts Avenue
Cambridge 38, Mass.

CURRENT STATUS OF MISSISSIPPI LEGISLATION,
as of May 13, 1964

Note: information about these legislative proposals has come mainly from Mississippi newspaper clippings. Please note stage of development. Not all, by any means, have passed both House and Senate of Mississippi Legislature.

1. SO-CALLED "ANTI-INVASION" LAW

House Bill 870 introduced by Mr. Jones of Sunflower County (Sen. Eastland's home county).

An act to prohibit entry into the state for the purpose of committing acts in willful violation of the laws of this state. Makes it illegal to "have purpose, aim or objective any change by force, violence, or willful violation of any of the laws of the State of Mississippi..."

Penalty: \$1000 and/or 2 years

Disposition: introduced May 6, not passed in either House or Senate.

2. NUISANCE PHONE CALLS

Persons making profane or obscene telephone calls in Mississippi or into Mississippi will be subject to \$500 fine and 6 months in jail, or two years in penitentiary. Chairman of Judiciary Committee McClellan said bill was drawn at request of "outstanding" circuit judges in state. McClellan said most of the obscene calls made to white women. Telephone companies which cooperate in apprehending violators would be immune to prosecution. (Jackson Clarion-Ledger, 5-5-64.)

Penalty: \$500 fine and 6 months, or two (2) years in pen

Disposition: passed unanimously by House, goes to Senate.

3. STERILIZATION OF FELONS

Bill introduced by same Mr. Jones of Sunflower, calls for: sexual sterilization of habitual criminals, any person convicted of three (3) felonies in "any court of the state of Mississippi or of the United States or any other state." Convict or relative would have 30 days to appeal.

Not passed in House or Senate

- this gives the state the right to tap all phones

1) 2) 3) 4) 5) 6) 7) 8) 9) 10)

(continued)

4. PENALTIES FOR PARENTS OF ILLEGITIMATE CHILDREN

offender
House Bill 180 makes it a felony to have second illegitimate child in Mississippi, punishable by not less than one (1) year in state penitentiary or more than three (3) years. Subsequent conviction punishable by not less than three (3) or more than five (5) years in state penitentiary. Multiple births counted as one. "Emotional and psychological" makeup of offer to be taken into account. Parent may submit to sterilization rather than go to jail. Applies to female or male parent.

Disposition: Bill passed House March 11, 1964 by vote of 72-37. Now in Senate Judiciary Committee B.

5. "FREEDOM SCHOOL" LAW

Makes it a felony to teach in or conduct a school of instruction which has not been licensed by the state of Mississippi.

Disposition: not passed in either House or Senate. *yet.*

6. ANTI-PICKETING LAW - House Bill 546

Prohibits unlawful picketing of all public buildings, streets and sidewalks and other places belonging to the city, county or state.

Disposition: Passed in House and Senate and signed into law.

6. CRIMINAL SYNDICALISM LAW

Senate Bill 2027 prohibits "criminal syndicalism," defined as doctrine or precept which advocates, teaches or aids and abets 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 or for profit. Any person who "advocates, instigates, suggests, teaches...etc." "criminal syndicalism" or "attempts to justify it" is guilty of a felony.

Penalty: \$200 - \$1000 fine and/or one (1) to ten (10) years in state penitentiary.

If two or more persons assemble or consort for purpose of advocating, encouraging, etc. "criminal syndicalism," they are guilty of a felony.

Penalty: \$200 - \$1000 fine and/or one (1) to ten (10) years in state penitentiary.

Any person (janitor, lessee, owner, etc.) who permits a meeting of "criminal syndicalists" on premises is guilty of a misdemeanor.

Penalty: \$100-\$500 fine and/or 60 days - one year imprisonment in county jail.

Disposition: introduced May 6, not passed in either chamber.

7. FALSE COMPLAINTS TO FEDERAL AUTHORITIES

Sections 2155-4, 2155-5, and 2155-6 of the Mississippi criminal codes make it illegal to make false statements to Federal authorities -- courts, Department of Justice, FBI, Civil Rights Commission -- about the denial of constitutional rights by the State...or to "issue false statement, affidavit or complaint" to Federal authorities that the complainant "or other persons" have been or are about to be deprived of constitutional rights ...or to make such a complaint "with intent to deceive or cause an investigation."

Penalty: maximum fine \$1000 and/or 5 years in prison.

Disposition: written into law.

8. ANTI-BOYCOTT LAW

Senate Bill 1545 makes it unlawful for any persons to willfully or maliciously print and circulate literature calling for trade boycotts, i.e. "impair or interfere with another person exercising a lawful trade or calling."

Penalty: maximum fine \$500 and/or no more than six (6) months in county jail.

Disposition: written into law.

9. CURFEW LAW

House Bill 64 authorizes municipalities to restrain movements of individuals or groups where law and order is threatened, and to set curfews. (Memphis Commercial-Appeal, 4-19-64.)

Disposition: written into law, 1964.

10. "MUTUAL AID," ENFORCEMENT AND PENALTIES

The maximum penalties which a municipality can assess have been increased by Senate Bill 1517 from \$100 to \$300 and from 30 to 90 days in jail. In addition, municipalities have been authorized to pool their resources of manpower, equipment, and materials in preventing or alleviating riots or civil disturbances (Senate Bill 1526).

Furthermore, the Mississippi Senate on April 22, 1964 authorized the governor to use the highway patrol, which was increased from 275 to 475 men, to suppress "mob violence, intimidation and terror" in racial disturbances, whether or not the local government has requested it.

There is also a bill which passed the Senate unanimously which would permit the state penitentiary facilities to be used for municipal prisoners.

Disposition: All the above are laws; the last was voted on by the Senate on May 4, 1964, and needed only the governor's signature.

11. MISCELLANEOUS SECTIONS OF THE MISSISSIPPI CRIMINAL CODE

a. Section 2087-5 makes it illegal to congregate and refuse to disperse when ordered to do so by a law enforcement officer or to make insulting remarks or use physical acts to cause a disturbance.

Penalties: maximum fine \$200 and/or four months in jail, with a maximum jail sentence of ten (10) years if anyone is killed or injured as a result of such disturbances.

b. Section 2087-7 prohibits any person from interfering with the customers or business operations of restaurants, stores, hotels, and movies.

Penalty: maximum fine \$500 and/or six months in jail.

c. Section 2089-5 deals with disturbing the peace by loud or boisterous conduct or language.

Penalty: maximum fine of \$500 and/or six months in jail.

d. Section 2292-5 prohibits obstruction by force or threats of lawful arrest.

Penalty: maximum fine of \$500 and/or six months in jail.

e. Section 2296-5 forbids the willful obstruction of public street or restraining traffic.

Penalty: maximum fine of \$500 and/or six months in jail.

f. Section 2296-6 prohibits intentional obstruction of public streets, etc. by vehicular traffic.

Penalty: maximum fine \$400 and/or four months in jail.

g. Section 2409-5 makes it illegal to encourage any other person on the premises of another when "forbidden" to do so.

Penalty: maximum fine \$500 and/or six months in jail.

Note for concerned persons: some of the above laws, i.e., sections of the Mississippi criminal codes, are not new laws. Others listed in this brochure are. In any case these laws, old and new, are being revived and newly passed for only one purpose: to deter and harass civil rights workers going to Mississippi for the COFO summer project.

Examples: State Sen. John Powell of Liberty said May 5, 1964, in referring to the nuisance phone call bill, "This bill applies to those visitors who might be coming into our state this summer." (Jackson Clarion-Ledger, 5-5-64)

Columnist Charles M. Hills writing in the Jackson Clarion-Ledger, 5-5-64: "...Latest is a scourge of this state for legislative actions in which our law-makers seek to protect against outside invasion by equipping our police with adequate laws to

(continued)

handle any emergency."

Jackson Daily News, 4-20-64, headlined "LEGISLATURE ARMING STATE FOR C. R. INVASION." The story reads, in part: "The Mississippi Legislature is quietly arming the state for an expected invasion by civil rights demonstrators this summer."

Memphis Commercial Appeal, 4-19-64, by Kenneth Toler from Jackson, headlined "STATE READY TO DEAL WITH DEMONSTRATORS." The story reads, in part: "Gov. Paul Johnson's Highway Patrol-police power authority is not the only recourse to local authorities in handling an anticipated mass integration invasion and planned demonstrations protesting Mississippi segregation practices and policies..."

ADDENDA (May 15, 1964):

a. The bill which would make it a felony to have a second illegitimate child -- or submit to sterilization -- was modified May 14 in Mississippi Senate debates. The Senate made the following revisions, passed the revised bill, and sent it back to the House for passage:

1. The sterilization provision was eliminated.
2. The penalty for the birth of a second illegitimate child was reduced from a felony to a misdemeanor.

b. The "criminal syndicalism" law was passed by the Senate and goes now before the House.