



MISSISSIPPI JUSTICE INSTITUTE



The city of Jackson has a long history of violating people's civil liberties. For a great many years, the city's abuses focused on your race. Now, sadly, the city's abuses focus on your beliefs.

Last year, the Jackson City Council passed a new law that makes it a crime for those who oppose abortion inside the city limits to exercise what most of us would believe are fundamental – and constitutionally guaranteed – rights of speech and the press. The city has criminalized the conduct of its citizens through the use of nice-sounding terms like “buffer zones,” “bubble zones” and “quiet zones” around abortion centers, by creating such “zones” around all health care facilities in the city.

Here are some examples of things that will make you a criminal in the city limits of Jackson:

- Coming within eight feet of another person (even the pandemic gives us six feet!) if you want to talk or distribute printed material if you are within 100 feet of the property entrance to an abortion center;
- Congregating or demonstrating within 15 feet of the property where an abortion center is located, regardless of whether you are on public or private property.
- Playing a radio or television or the drums or using an amplifier, even on your own private property, if you are within 100 feet of the property line of a lot where an abortion center is located.

In Jackson, Mississippi today, any of those acts could get you fined \$1,000 and sent to jail for 90 days. Oh, but if you work for the abortion center, you are allowed to do any of those things that are illegal for the rest of us.



These are just some of the reasons I am pleased to join Aaron Rice and the team of the Mississippi Justice Institute in representing individual citizens who have the courage literally to fight city hall. A group of ordinary citizens have brought a suit against the city on the grounds that the anti-free speech/anti-free press ordinance passed last year violates their rights under the Constitution of the State of Mississippi.

Our state constitution provides even a higher degree of protection of the free speech and press rights of Mississippians than does the First Amendment to the U.S. Constitution for all Americans. Here in Mississippi, our constitution says that "[t]he freedom of speech and of the press shall be held sacred."

Of course, freedom of speech and freedom of the press don't mean very much if you can't talk to someone or give someone what you wrote or printed. And those rights only matter anyway, right, when we say or write things the government doesn't like. No one ever gets charged for saying or writing something the government likes to hear or read.

On the other hand, just because we have the right to free speech doesn't mean that anyone has to listen. And no one has to read – or even take – what you write. But the government can't make you a criminal for talking to people or giving them printed materials just because the government doesn't like what you say, write and believe.

Before I became involved in the case, the city of Jackson had already tried to discourage its citizens from pursuing their lawsuit against the city, by procedural steps designed to increase the cost of the case and to drag it out. But all the

Now, it is time for the city finally to respond to its citizens' claims that their rights to free speech and free press are being violated, in the face of state constitutional protection that describes those rights as "sacred."

I look forward to being a part of their fight.

- Andy

