

## Stop Street Harassment

# Mississippi

A variety of forms of street harassment are illegal in Mississippi, including verbal harassment, up-skirt photos, indecent exposure, following, and groping. Here are the laws and reporting procedures you need to know.

### Verbal Harassment

There are six laws that prohibit some form verbal street harassment in Mississippi.

#### ***Disorderly Conduct***

[Title 97, Chap. 35 §9](#)

It is illegal in Mississippi for anyone to “disturb the peace of any family or person” by any tumultuous or offensive conduct. “Tumultuous” can mean noisy or uproarious.

If a street harasser yells or shouts at you or engages in other boisterous and offensive actions you can report him/her.

Penalty: Disorderly conduct is punishable by a fine of up to \$100 and/or up to 6 months in jail.

#### ***Disorderly Conduct on Buses***

[Title 97, Chap. 35 §5](#)

Mississippi law prohibits disorderly conduct, a breach of the peace, or the use of any obscene, profane or vulgar language on any passenger bus or coach in the state. (It is also illegal to drink intoxicating liquors or smoke a cigar or pipe on a bus in Mississippi.)

If a street harasser is using obscene language or causing a scene on a public bus, you can report him or her to the bus driver or the police. The law gives the bus driver the right to stop the bus and eject the offending passenger, “using only such force as may be necessary to accomplish the removal,” enlisting the aid of other passengers in the removal if necessary.

Penalty: Disorderly conduct on a bus is a misdemeanor, punishable by a fine of up to \$500 and/or up to 30 days in jail.

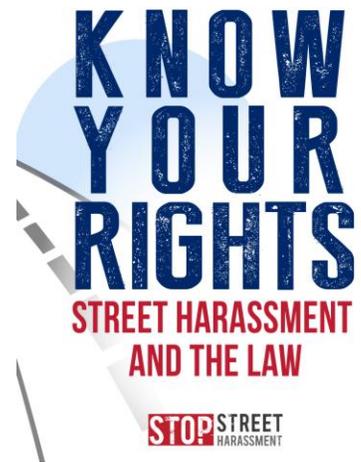
#### ***Disorderly Conduct: Interference with Business***

[Title 97, Chap. 35 §5](#)

It is illegal in Mississippi for anyone to prevent, seek to prevent, interfere with, or seek to interfere with the owner, operator, employees, or customers of a lawful place of business.

If someone is harassing you while you are at, entering, or leaving a business open to the public or while you are working, and you feel it is interfering with the business being conducted, you can report him/her.

Penalty: Disorderly conduct and interference with business is a misdemeanor, punishable by a fine of up to \$500 and/or up to 6 months in jail.



## Stop Street Harassment

### ***Disturbance and Breach of the Peace***

[Title 97, Chap. 35 §13 & 15](#)

Mississippi has two statutes that address disturbing the peace.

1. It is illegal for anyone to create a disturbance or breach of the peace in any public place via loud and offensive talk, making threats, attempting to intimidate others, or other conduct that causes a disturbance.
2. It is illegal to disturb the public peace or the peace of others by engaging in violent, loud, insulting, profane, indecent, offensive, or boisterous conduct or language.

If a street harasser is doing any of these things – such as yelling at you, using profane or obscene language, threatening you, or being otherwise loud or boisterous – you can report him/her.

Penalty: Disturbance and breach of the peace is a misdemeanor, punishable by a fine of up to \$500 and/or up to 6 months in jail.

### ***Procuring the Service of a Prostitute***

[Title 97, Chap. 29 §51](#)

Offering to pay for sexual conduct is illegal in Mississippi. If a street harasser solicits sexual activity from you, you can report him/her.

You can also make the case that harassers who yell, “How much?!” or offer you money, or anything else, for sex, even in jest, are soliciting prostitution.

Stop Street Harassment doesn’t oppose consensual sex work, but we do think it’s inappropriate for a street harasser to make assumptions about your sexual availability and make you feel uncomfortable.

Penalty: Procuring the service of a prostitute is a misdemeanor, punishable a fine of up to \$200 and/or up to 6 months in jail.

### ***Profanity in Public***

[Title 97, Chap. 29 §47](#)

It is illegal in Mississippi for anyone to “profanely swear or curse, or use vulgar and indecent language, or be drunk in any public place, in the presence of two or more persons.”

If a street harasser is swearing at you or using vulgar or obscene language (or appears to be drunk) in a public place, you can report him/her. This law would apply to cases in which a street harasser verbally harasses you in a place where others are present or harasses you while you are with someone else.

Penalty: Profanity in public is punishable by a fine of up to \$100 and/or up to 30 days in jail.

## Stop Street Harassment

### Unlawful Filming & Photography

#### ***Photographing or Filming Another without Permission***

##### [Title 97, Chap. 29 §63](#)

It's illegal in Mississippi for anyone to secretly photograph, film, tape, record, or otherwise reproduce the image of a non-consenting person when done with lewd, licentious, or indecent intent and in a place where one would intend to be undressed under a reasonable expectation of privacy.

If someone is inappropriately photographing you or recording you in a restroom, tanning booth, dressing room, or locker room, you can report him/her.

Although one would think you have a reasonable expectation to privacy when the intimate parts of your body are covered by clothing, this law does not specifically address up-skirt and down-blouse photos.

If someone is taking a photograph under your skirt or dress, down your shirt, or in some other inappropriate way, you can still report him or her to the police, but note that the law does not specifically address this situation.

Penalty: Photographing or filming another without permission is a felony, punishable by a fine \$5,000 and/or up to 5 years in prison. If the person being photographed or filmed is under 16 years of age, the prison time rises to up to 10 years.

### Indecent Exposure

#### ***Indecent Exposure***

##### [Title 97, Chap. 29 §31](#)

It is illegal in Mississippi for anyone to “willfully and lewdly” expose his or her private parts, or persuade or cause someone else to do so, in a public place or in any place where others are present.

If a street harasser exposes him or herself to you or flashes you, you can report him/her.

Penalty: Indecent exposure is a misdemeanor, punishable by a fine of up to \$500 and/or up to 6 months in jail.

### Obstructing Your Path

#### ***Obstructing Public Streets***

##### [Title 97, Chap. 35 §23](#)

It is illegal in Mississippi for anyone to intentionally obstruct or interfere with the free use and passage of pedestrians on any public sidewalk.

If a street harasser is blocking your path on the sidewalk to get your attention or prevent you from leaving a space, you can report him/her.

Penalty: Obstructing public streets is a misdemeanor, punishable by a fine of up to \$400 and/or up to 4 months in jail.

## Stop Street Harassment

### Following

If you think someone is following you, you can call 911 right away, the first time it happens. You do not have to wait for that person to commit a crime.

#### ***Attempt to Commit Offense***

##### [Title 97, Chap. 1 §7](#)

Mississippi has a provision that holds accountable any person that attempts to commit a crime, even if s/he doesn't succeed.

If you are being harassed or followed and you think the harasser may try to commit a crime - such as sexually assaulting you - you can report him or her to the police. That person will be held accountable in proportion to the crime s/he intended to commit. This applies whether the person was apprehended in the process or simply fails to complete the crime.

Penalty: Sentencing for attempting to commit a crime is based on the crime attempted, and cannot exceed the prescribed penalty for that crime.

#### ***Stalking***

##### [Title 97, Chap. 3 §107](#)

Stalking is defined as engaging in a course of conduct – a series of at least two acts – directed at a specific person that would cause a reasonable person to fear for his or her safety. The actions that might make up a course of conduct include, but aren't limited to, following or confronting you in a public place and making a credible threat to cause you harm.

If a street harasser repeatedly follows you, threatens you, or does anything else to make you fear for your safety, you can report him/her.

Penalty: Stalking is punishable by a fine of up to \$1,000 and/or up to 1 year in jail.

### Groping

#### ***Simple Assault***

##### [Title 97, Chap. 3 §7](#)

Any act that causes you bodily injury or puts you in fear of imminent and serious bodily harm is an assault in Mississippi.

If someone makes unwanted physical contact with you or does something that put you in immediate fear of physical injury, you can report him/her.

Penalty: Simple assault is punishable by a fine of \$500 and/or up to 6 months in jail.

### Reporting Crimes to the Police

- Call 911 for help if:
  - The crime is in progress
  - You or someone else is physically hurt or have been threatened with physical violence

## Stop Street Harassment

- You can provide information about who may have committed a crime.
- Call the local police office's non-emergency number to submit a report afterward. For example, in Jackson, the number is (601) 960-1234 and in Biloxi, it is (228) 435-6100. In Gulfport, it is (228) 868-5959. Be prepared to provide them with:
  - When it happened (date and time).
  - Where it happened (street location, store location, bus line or bus stop, park name, etc).
  - Who is reporting (your name and contact information).
  - A description of what happened.
  - The name and contact information of witnesses, if you spoke to any.
  - It can be helpful to include the law the crime falls under, such as unconsented conduct, [Miss. Code Ann. § 97-3-107](#). If you're not sure which law you should use to report an incident of street harassment, just tell the police what happened and s/he or the district attorney's office can determine the appropriate charges.
  - A description of the harasser/s.
- Many police departments also have online reporting forms. Visit your local police department's website.
- Some police departments also allow you to anonymously send a tip about a non-emergency incident, for example if you see a group of people routinely harassing passersby at the same location. Visit your local police department website for information.
  - In Northeast Mississippi, you can do this by calling 1-800-773-Tips (8477), submitting this [webform](#), or by texting the number 274637 (CRIMES) and beginning your message with the words "TIPINFO."
  - Gulfport and the Mississippi coast can do this by texting the number 274637 (CRIMES) and beginning the message with "CSTIP" or by calling 1-877-787-5898. You can also submit your tip via [webform](#).
- Once you've reported a crime, if you've provided your contact information, within a few days, you will receive a call with a police report case number and may have to answer follow-up questions. Save a copy of the police report for your records.

If someone tries to tell you that street harassment "isn't a big deal," or isn't illegal, don't buy it. You always have the right to be free from sexual harassment and assault in public.