

**AN ORDINANCE OF THE CITY OF JACKSON,
MISSISSIPPI PROHIBITING INDIVIDUALS FROM
ENTERING, APPEARING IN, OR BEING PRESENT IN ANY
OUTDOOR PUBLIC SPACE WITHIN THE CITY WHILE
WEARING A MASK, AS DEFINED IN SECTION (A) OF
THIS ORDINANCE**

WHEREAS, in June 2024, United States Surgeon General Dr. Vivek Murthy declared that gun violence is a public health crisis that has led to loss of life, unimaginable pain, and profound grief in our country; and

WHEREAS, the City of Jackson, Mississippi is committed to the health, safety, and well-being of all its residents and recognizes that gun violence represents an urgent public health crisis affecting our community; and

WHEREAS, from January 1, 2024 to July 13, 2025, 137 City of Jackson residents have become criminal homicide victims within the City of Jackson limits, the vast majority by firearm; and

WHEREAS, from January 1, 2024 to July 13, 2025, 563 Aggravated Assaults have occurred in the City of Jackson. This number underscores the ongoing and profound impact of gun violence in our community with wide-reaching implications for both public health and our community; and

WHEREAS, as of the calendar year 2023, FBI national statistics state that robbery subsets point to 15-20% of offenders wear masks to avoid cameras and facial recognition; and

WHEREAS, likewise, the City of Jackson Police Department (JPD) has observed the increasing use of masks by suspects in violent crimes to obscure their identities when committing violent acts against the City's residents; and

WHEREAS, a review of JPD's incident report narratives from April 01, 2025 through July 13, 2025 indicates approximately a 1% use or modus operandi of mask wearing; and

WHEREAS, JPD officers have reported consistent increases in individuals threatening, attempting to commit violent crimes, and committing violent crimes while wearing masks, masking, or other facial coverings to conceal their identities from the public, from JPD and from facial recognition software; and

WHEREAS, violent crime prevention and safety in public spaces are top priorities for JPD, and JPD's public safety strategy to address violence includes increasing ways to identify suspects of violent crime; and

WHEREAS, it is the responsibility of JPD to provide training on best practices on all policies, including enforcement of a mask ordinance; and

WHEREAS, JPD's documentation of all stops and citations is key to ensuring transparency and oversight; and

WHEREAS, it is also critically important that individuals face no barriers to wearing masks for the protection of their health and the health of others, for purposes of religious expression, or to participate in holiday, cultural or celebratory events at which masks are customarily worn, among other valid purposes; and

WHEREAS, the City of Jackson is dedicated to enforcing this ordinance fairly and equitably such that individuals are not stopped or detained for wearing a mask in the absence of a totality of circumstances that would create a reasonable articulable suspicion of a violation of law.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI AS FOLLOWS:

SECTION 1. Prohibition of Wearing Of Masks.

(A) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(1) *MASK.* Any face covering mask, device or hood whereby any portion of the face is so hidden or covered as to conceal the identity of the wearer.

(2) *PUBLIC PLACE.* All walks, alleys, boulevards, avenues, lanes, roads, highways or other ways or thoroughfares dedicated to public use or owned or maintained by a public authority; all outdoor grounds and buildings owned, leased by, operated or maintained by a public authority.

(B) *Wearing of mask in a public place.* No person shall, while wearing any mask as defined in subsection (A) of this section, enter, be present, or appear in any outdoor public place within the City of Jackson.

(C) *Exemptions.* The following are exempted from the provisions of subsection (B) of this section:

(1) Any person under 14 years of age;

(2) Any person 60 years of age or older;

(3) Any person wearing a mask for health and safety reasons, including but not limited to the prevention of illness, protection of respiratory health, protection from environmental hazards including weather, or by order of a public authority;

(4) Any person wearing a mask due to participation in a celebratory, holiday, recreational, or cultural event, including parades, festivals, theatrical productions, and sporting events, where masks are customarily worn;

(5) Any person lawfully engaged in trades or employment where a mask or facial covering is worn for the purpose of ensuring the physical safety of the wearer or because of the nature of the occupation, trade or professional or sporting activity;

(6) Any person wearing a gas mask in drills, exercises, or emergencies;

(7) Any person engaging in an activity such that the wearing of the mask is protected by the Constitution of the State of Mississippi or the United States Constitution, including but not limited to the free exercise of religion.

(D) *Limitation on enforcement.* Peace officers shall not stop or detain an individual solely on the basis that they are wearing a mask.

SECTION 2. Penalties.

(1) Violation of this ordinance is punishable by a fine of not more than five hundred dollars (\$500.00) or up to ninety (90) days confinement, or both.

(2) If the Court finds that the violator was committing or attempting to commit a crime of violence as defined by the State of Mississippi while in violation of this ordinance, the penalty is increased to a fine of up to one thousand dollars (\$1,000.00) or up to six (6) months in jail, or both.

SECTION 3. Conflicts.

All ordinances in conflict with this ordinance are repealed to the extent of such conflict.

SECTION 4. Severability.

The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 5. Effective Date.

This Ordinance shall take effect upon its passage and approval or otherwise becoming law.

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OFFICE OF THE CITY ATTORNEY

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Drew Martin

Drew Martin, City Attorney

Sondra Moncure, Special Assistant sm

8/5/25

Date