



LEGAL PROTECTIONS FOR PUBLIC HEALTH OFFICIALS

Mississippi Fact Sheet

Crimes Against Administration of Government


Nationwide, state and local public health officials working to protect the public from COVID-19 are on the receiving end of threatening and harassing conduct for simply fulfilling their duty to protect the public health. In response, the Network conducted research to examine whether the states and Washington, D.C., have criminal statutes punishing individuals who impede public health officials' duties with such behavior. Our research is presented in this [chart](#). Many states have adopted statutes to protect public officials generally; included here are those with broad enough language to include public health officials. However, we have also included the three states with laws that if broadened, would encompass public health officials, namely, Illinois, North Carolina, and Vermont. While 35 states and Washington, D.C., have such a statute, the remaining 15 states either do not have a statute protecting government officials in these circumstances or do not have one protecting public health officials. Of the 35 states and Washington, D.C., all but two, Louisiana and Oklahoma, include protections for state **and** local officials. Below is more information on Mississippi's relevant law.

Mississippi Code, § 97-7-17, Interfering with Discharge of Duties

If two (2) or more persons conspire to prevent, by force, intimidation, or threat, any person from accepting or holding any office, trust, or place of confidence under the State of Mississippi, or any subdivision thereof, or from discharging any duties thereof, or to induce by like means any officer of the State of Mississippi or subdivision thereof, to leave the place where his duties as an officer are required to be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or while engaged in the lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duties, each of such persons shall be fined upon conviction not more than one thousand dollars (\$1,000.00) or imprisoned for not more than five (5) years, or both.

Mississippi Code, § 97-7-63, Obstructing Access to Public Buildings

(1) It shall be unlawful for any person, singly or in concert with others, to engage in picketing or mass demonstrations in such a manner as to obstruct or unreasonably interfere with free ingress or egress to and from any public premises, state property, county or municipal courthouses, city halls, office buildings, jails, or other public buildings or property owned by the State of Mississippi, or any county or municipal government located therein, or with the transaction of public business or administration of justice therein or thereon conducted or so as to obstruct or unreasonably interfere with free use of public streets, sidewalks, or other public ways adjacent or contiguous thereto.



(2) Any person guilty of violating this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than five hundred dollars (\$500.00), or imprisoned in jail not more than six (6) months, or both such fine and imprisonment.

(3) This section shall not be construed to affect any suit or prosecution pending on July 9, 1964 in any court.

Penalties

Mississippi Code, § 97-7-17

A person convicted of § 97-7-17 faces up to 5 years imprisonment and/or a fine of up to \$1,000.

Mississippi Code, § 97-7-63

A person convicted of § 97-7-63 faces up to 6 months imprisonment and/or a fine of up to \$500.

Summary

A person may face criminal charges if he/she interferes with the discharge of state or local government duties by using threats, force, or intimidation. If convicted, a person may be imprisoned for up to 5 years and/or be required to pay a fine of up to \$1,000. Similarly, a person may also face criminal charges if he/she obstructs access to public buildings by engaging in demonstrations that unreasonably interfere with one's ability to enter or exit a state, county, or municipal building. If convicted, a person faces up to 6 months imprisonment and a fine of up to \$500.

Template for Notifying Violators

Below is a sample template for notifying individuals regarding their conduct relative to the code.

Mississippi Code, § 97-7-17 prohibits the interference with the discharge of government duties due to force, threat, or intimidation. [Insert here a description of the conduct with a date—for example: On August 28, 2020, you sent an email to the Mississippi Governor threatening his life if he announced a mask mandate.] *This may constitute a violation of §97-7-17 and if convicted, you face up to 5 years imprisonment and/or a fine of up to \$1,000.*

- If the conduct is extreme, add: *We have notified the [insert proper law enforcement agency] of this conduct.*
- If the conduct does not rise to the level of reporting, add: *Should you continue with this conduct, we may report the matter to [insert law enforcement agency].*

Mississippi Code, § 97-7-63 prohibits obstructing access to/from public buildings. [Insert here a description of the conduct with a date—for example: On August 28, 2020, you held a protest at the Mississippi Department of Health making it impossible for employees to enter the building.] *This may constitute a violation of §97-7-63 and if convicted, you face up to 6 months imprisonment and/or a fine of up to \$500.*

- If the conduct is extreme, add: *We have notified the [insert proper law enforcement agency] of this conduct.*
- If the conduct does not rise to the level of reporting, add: *Should you continue with this conduct, we may report the matter to [insert law enforcement agency].*
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