

WARNING: Every person who knowingly signs this petition with any other than his or her true name, signs more than one of these petitions relating to the same initiative measure, signs this petition when he or she is not a qualified elector or makes any false statement on this petition may be punished by fine, imprisonment, or both.

**• PETITION FOR INITIATIVE MEASURE •
TO AMEND THE MISSISSIPPI CONSTITUTION**

TO THE HONORABLE DELBERT ROSEMANN, SECRETARY OF STATE OF THE STATE OF MISSISSIPPI

We, the undersigned citizens and qualified electors of the State of Mississippi, respectfully direct that this petition and the proposed measure known as **Initiative Measure No. 40**, entitled Should the right to directly propose legislation, and file court complaints against law enforcement officers, be put into the constitution?
 a full, true and correct copy of which is printed or attached to this petition, be transmitted to the Legislature of the State of Mississippi at its next ensuing regular session, and we respectfully petition the Legislature to adopt the proposed measure; and each of us for himself or herself says: *"I have personally signed this petition. I am a qualified elector of the State of Mississippi in the city (or town), county, and congressional district written after my name, my residence address is correctly stated and I have knowingly signed this petition only once."*

Ballot Summary

Initiative #40 would amend the Mississippi Constitution to allow citizens to introduce ideas directly to the Legislature without being sponsored by a legislator, would provide that persons may file complaints in court against law enforcement officers who may be fined and suspended for misconduct, and would provide that judges, prosecutors or attorneys who engage in certain unlawful or improper conduct may be fined, suspended from the practice of law, and disbarred.

SIGNATURE <i>(include middle initial)</i>	STREET ADDRESS CITY/TOWN	COUNTY	PRINTED NAME <i>(include middle initial)</i>	DATE SIGNED	Precinct	Cong. Dist.
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CERTIFICATE OF PETITION CIRCULATOR:

INSTRUCTIONS: Petition circulators must sign and complete all blanks.

I hereby certify that I am a resident of the State of Mississippi during the time at which this petition is being circulated.

Signature of Circulator: _____
 Current physical address: _____
 Current telephone number: _____

Printed name: _____
 City, State and Zip: _____
 Date signed: _____

"MISSISSIPPI CITIZENS ACT" INITIATIVE

Delbert Hosemann
Mississippi Secretary of State
Post Office Box 136
401 Mississippi Street
Jackson, MS 39201-1004

Re: "Mississippi Citizens Act"

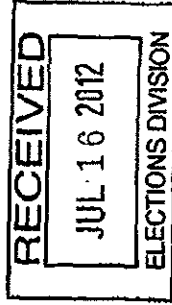
IN THE MATTER OF PROPOSED OF INITIATIVE TO AMMEND THE MISSISSIPPI CONSTITUTION OF 1890 RELATING TO THE MISSISSIPPI CITIZENS ACT;

- A. PROVIDE A METHOD WHEREBY CITIZENS MAY INTRODUCE LEGISLATIVE IDEAS TO THE MISSISSIPPI LEGISLATURE OFFICE;**
- B. TO PROVIDE A METHOD WHEREBY CITIZENS MAY FILE COMPLAINTS AGAINST LAW ENFORCEMENT OFFICERS REGARDING POLICE MISCONDUCT; TO PROVIDE FOR A HEARING FOR SUCH COMPLAINTS; TO PROVIDE PENALTIES; AND FOR RELATED PURPOSES.**
- C. TO PROHIBIT CERTAIN ACTS BY JUDGES, PROSECUTERS AND ATTORNEYS; TO PROVIDE PENALTIES FOR VIOLATIONS; AND FOR RELATED PURPOSES.**

SECTION 1. This Act shall be known and may be cited as the "Mississippi Citizens Act."

SECTION 2.

- A.** Any citizen legally registered to vote in the State of Mississippi can introduce legislative ideas to the State of Mississippi legislature's office without the bill being introduced or sponsored by a State Representative or State Senator. The citizen submitting the legislative idea must have a high school diploma or GED and have earned at least twenty-four (24) hours from a University or College to make a legislative submission to the State Legislature's office. The



citizen must abide by all State guidelines concerning submitting legislative ideas.

B. Any person aggrieved by an action by a law enforcement officer against such person may file a complaint in the circuit court district where the action took place. The court shall hold a jury trial hearings within sixty (60) days after receiving the complaint to determine if a violation has occurred. The juror selection will be three registered voters residing in the State of Mississippi all of different ethnicity. The person filing the complaint and the law enforcement officer shall take a polygraph examination two weeks prior to the court hearing regarding the incident. The case will ultimately be reviewed and determined by the jurors.

If the court finds that the law enforcement officer has committed a violation of misconduct, racial misconduct, unnecessary physical abuse or other improper conduct, the officer shall be subject to fine of Five Thousand Dollars (\$5,000.00) by State of Mississippi to paid over a one year period and a suspension from the law enforcement agency for thirty (30) days.

Any person who files a false claim under this section shall be subject to fine of One Thousand Dollars (\$1,000.00) or imprisonment for not more then 30 Days or both.

If the conduct of the officer is found to be a violation of law, the district Attorney shall file the appropriate criminal charges and prosecute the officer.

C. Any judge, prosecutor or attorney who deprives any person of their constitutional and civil rights, who is found guilty of false pretense, who abuses or exceeds their judicial power, who is guilty of improper courtroom decorum or who engages in unethical conduct shall, upon conviction, be fined Five Thousand Dollars (\$5,000.00) by the State of Mississippi. In addition to such fine the person shall be suspended from the practice of law for ninety

(90) days for the first offense and shall be suspended from the practice of law for one (1) year for a second or subsequent offense. A party with legal standing may petition the court and The Mississippi State Bar to disbar a violator for up to five (5) years if the actions of the violator are found to be acts of malice. No judge shall issue any ruling on a legal matter without conducting a fair hearing which allows all interested parties to participate. A violation of this section shall be subject to the penalties provided in Section 2-C of this act.

ECONOMIC IMPACT STATEMENT

The amount and source of revenue to implement the initiative would be paid by the state's General and Special Fund estimated to be \$100,000 or less.

Serial No. _____

Carlos Jackson
Goodman Road
Suite #4 P.O. Box 272
Olive Branch, MS 38654