

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA
NEW ORLEANS DIVISION

ROBERT HICKS

Plaintiff

v.

JESSE H. CUTRER, et al.

Defendants

CIVIL ACTION

NO. 66-225

DIVISION "B"

MEMORANDUM OF POINTS AND AUTHORITIES
IN SUPPORT OF PLAINTIFF'S MOTION FOR ADDITIONAL
PRELIMINARY INJUNCTIVE RELIEF

Introduction

This memorandum is filed in support of plaintiff's Motion for Additional Equitable Relief to enjoin preliminarily the enforcement of two new parade ordinances, recently enacted by the City of Bogalusa, described in plaintiff's Motion to Supplement the complaint and annexed hereto. Ordinance No. 755 institutes an outright ban on all parades, marches, and demonstrations on Columbia Street between Sixth Street and Willis Avenue. This total prohibition replaces the earlier provisions of Article 83(D) which imposed limited restrictions on parades on Columbia Street during "rush hours". Notably, defendant city officials had attempted to justify the earlier, more-limited restrictions as a necessary accommodation to the problems created by the heavy traffic volume in the restricted hours. Unarguably, that justification is no longer applicable to the 24 hour ban on marches on Columbia Road.

The second ordinance, No. 754, repeats the earlier "notice" provisions of Article 83 and replaces them with a system of application for and issuance of parade permits by the Chief of Police or the

Commissioner of Public Safety. It is made a crime to parade without a permit. Thus, whatever semantic differences existed in the past over whether Bogalusa had a "permit" system (and defendants took great comfort in their earlier brief from their position that Bogalusa did not then have a permit system), the system is now clear.

The new Ordinance requires that:

"No person shall engage in, participate in, aid, form, or start any parade, unless a parade permit shall have been obtained from the Chief of Police or Commissioner of Public Safety." Article 83B.

Application for a permit must be made not less than 24 hours before, nor more than 72 hours before, the hour of the parade (Article 83C(1)), and it must contain certain factual information. Article 83C(2).

Significantly, Ordinance No. 754 provides a broad measure of discretion to the cognizant city officials to deny a parade permit. Most important, the official need issue a permit only "when, from a consideration of the application and from such other information as may otherwise be obtained", the city official finds that:

"the conduct of the parade will not constitute a violation of an Ordinance of the city of Bogalusa, Louisiana, the Constitution and the Laws of the State of Louisiana, and the Constitution and the Laws of the United States of America....." Article 83E.

Furthermore, the cognizant city officials have broad discretion to reroute any parade in a fashion acceptable to the city official. The decision to reroute is based upon the vague standard of "circumstances where the public health, welfare and safety so require....." Article 83G. Further, whatsoever indicating how the parade shall be rerouted. After the city official notifies the applicant of the rerouting, the ordinance provides that failure to proceed along the rerouted line of march constitutes a revocation of the required permit and a violation of the ordinance.

Finally, there is an outright ban on "parades, demonstrations, processions, or marches...within the city limits...between the hours of 6:00 p.m. and 8:00 a.m.", Article 83D(1), and there is a ban on holding more than one parade at a time anywhere in the city where "such parades would prevent normal police protection to the municipality." Article 83D(2).

These new parade ordinances -- with sweeping bans on all marches in certain places and at certain times and vesting broad discretion in city officials either to deny necessary parade permits or condition their use on marching somewhere other than where the applicants want -- are patently unconstitutional, as we shall develop. The hearings held on the earlier, more moderate ordinance, which itself contained clear constitutional infirmities, fully developed the factual background and record. There is no need for any further hearings on the instant motion. For the following reasons, a preliminary injunction should be entered.

A. The Outright Ban on All Marches and Demonstrations from 6:00 p.m. to 8:00 a.m. is Unconstitutionally Broad.

The blanket prohibition on all marches from 6:00 p.m. to 8:00 a.m., which was found in Article 83(D) of the now-repealed ordinance, has been carried forward into the new parade permit ordinance. Plaintiff has discussed fully the evidence demonstrating that this blanket prohibition is unconstitutional and will not repeat those arguments here. See Supplemental Memorandum in Support of Plaintiff's Motion for a Preliminary Injunction, p5-10. However, there are two additional matters of importance.

First, whatever the indications from the prior hearing that city officials might interpret the curfew hours for marches with some flexibility, there is no doubt that the ordinance is being applied presently so as to bar all marches, in the prescribed hours. For

example, on two occasions, the Voters League has been recently informed:

"If on your return to the point where the parade begins, your procession will be placed on Columbia Road between the prohibited hours, then it will be rerouted to First Avenue when it reaches the intersection of Willis Avenue and Columbia Road....Failure to comply with the reroute in the event your procession will be on Columbia Road during the prohibited hours will result in an automatic revocation of the permission herein granted." See letters of July 9, July 8, July 7, and July 3 to the Bogalusa Voters League, annexed hereto.

Second, the only essential change in the new ordinance is that the word "demonstrations" has been added to the list of prohibited activities. It will be recalled that the prohibition against "demonstrations" were stricken from the earlier ordinance on September 7, 1966, after plaintiff had pointed out that that prohibition was so sweeping that it might be applied to prohibit clearly-lawful exercises of peaceful assembly in churches, halls or individual homes. See, Memorandum in Support of Plaintiff's Motion for a Preliminary Injunction, p.9. Furthermore, defendants have earlier acknowledged that the word "demonstrations" might permit a broad and improper application of the ordinance. See Memorandum in Support of Defendants, p.3. Nevertheless, this present ordinance resurrects this prohibition with its apparent constitutional infirmity.

B. The Total Ban on All Marches on Columbia Street is Unconstitutional.

Ordinance No. 755 bans all parades -- no matter what the time or circumstances -- on Columbia Street between Sixth Street and and Willis Street.¹ Thus, all marches in the economic center of the city -- the very place where it is essential for Negroes to

¹The only exceptions are for funeral processions, governmental functions, and sidewalk picketing.

bear witness to their grievances -- are prohibited. Clearly, this wholesale ban transgresses the constitutional requirements of reasonably drawn prohibitions on parades and marches.

The prior ordinance prohibited marches on Columbia Street between 6:00 a.m. and 8:00 a.m., between 12:00 noon and 2:30 p.m., between 4:00 p.m. and 5:30 p.m., and between 9:30 p.m. and 10:30 p.m. These more limited restrictions were said to be justified because of "a heavy flow of traffic on this street which has been shown to be a state highway traversing the city and which has, also, been shown to be heavily congested by traffic before, during, and after changes of shift at Crown Zellerbach Corporation." Memorandum in Support of Defendants, p.11. Plaintiff has sharply contested these justifications. But whatever relevance traffic flow and shift changes might have had to the earlier ordinance, they have none whatsoever to the present outright ban on any parades on Columbia Street.

In explaining the justification of the new Ordinances the mayor was reported to have "commented that the business people of Columbia Street had suffered severe interruptions during business hours for too long." The Commissioner of Safety was reported to have said "the new ordinance was needed for the safety of Bogalusa citizens." Bogalusa Sunday News, July 9, 1967, p.1.

There has been no radical change of conditions which would justify even more oppressive restrictions on marching on Columbia Street than those contained in the earlier ordinance. Clearly, on the basis of the record, there can be no doubt that the prime effect of this ordinance is to deny to the Negro community -- and only to the Negro community -- the right to parade in the very area where it is most important for them to air their grievances. This wholesale prohibition is overly broad and restrictive; it goes far beyond any conceivable legitimate interest of the commercial and industrial

community situated along the forbidden street. As such, Ordinance 755 is unconstitutional on its face. See, Cox v. Louisiana, 379 U.S. 559, 575 (1965); Hague v. CIO, 307 U.S. 496, 517 (1939).

C. Sections 83E(3) and 83G, Vesting Broad Discretion in City Officials to Administer the Parade Ordinance With No Clear Standards in the Exercise of that Discretion, Are Unlawful.

In creating its new "permit" plan for parades, the city has vested in the responsible official an unlawful measure of unchecked discretion over the issuance of permits or rerouting of parades. There is no clearer principle in the constitutional decisions relating to parade permits: the opportunity to reject applications for permits on subjective discretionary grounds is the hallmark of illegality.

A long line of cases in the United States Supreme Court establishes that an ordinance is unconstitutional on its face where it provides no guidelines for the exercise of discretion by the city officials whether or not to grant a permit. The due process and equal protection clauses of the Fourteenth Amendment of the United States Constitution prohibit, in the statutes or ordinances regulating First Amendment rights, the delegation of this form of broad discretion to administrative officials. See Lovell v. Griffin, 303 U.S. 444 (1938) (distribution of handbills); Schneider v. State, 303 U.S. 147 (1939) (same); Largent v. Texas, 318 U.S. 418 (1943) (same); Saia v. New York, 334 U.S. 558 (1948) (use of loudspeakers in the public streets); Niemotko v. Maryland, 350 U.S. 268 (1951) (use of parks for public meetings); Kunz v. New York, 340 U.S. 290 (1951) (use of city streets for public meetings); Cox v. Louisiana, 379 U.S. 536, 555-57 (1965) (parades). In Saia v. New York, supra,

the Supreme Court states:

"We hold that Section 3 of this ordinance is unconstitutional on its face, for it establishes a previous restraint on the right of free speech in violation of the First Amendment, which is protected by the Fourteenth Amendment against state action. To use a loudspeaker or amplifier one has to get a permit from the Chief of Police. There are no standards prescribed for the exercise of his discretion." 344 U.S. at 559-60.

And in Cox v. Louisiana, 379 U.S. 559, 574 (1965), the Supreme Court specifically stated that a statute which authorized an administrative official to issue or deny permits to persons wishing to engage in peaceful parades, but which did not include specific guidelines for the exercise of this discretion, is invalid under the First and Fourteenth Amendments. See 379 U.S. at 555-57.

The decisions cited above make clear that where a statute or ordinance does not contain guidelines for the exercise of discretion to grant or deny a permit it is unlawful and cannot be applied, regardless of whether the statute or ordinances have been arbitrarily applied. The two sections under challenge here clearly do not contain constitutionally adequate guidance to city officials in the exercise of their discretion.

First, Section 83E conditions the granting of a parade permit upon two basic conditions. Plaintiff has no quarrel with initial condition that the application be complete. Article 83E(1) and (2). However, the other condition vests broad discretion in the responsible city official, with no restrictions whatsoever on the exercise of that discretion. The official will issue the application only:

"When the information in this application shows that the conduct of the parade will not constitute a violation of an Ordinance of the City of Bogalusa, Louisiana, the Constitution and the Laws of the United States of America; nor a violation of the prohibitions contained in Section D of this Ordinance!"

Moreover, in making that determination, the city official may consider "such other information as may otherwise be obtained..."

This provision is an invitation to arbitrary official action. For example, if the city official believes that the "conduct of the parade" might violate the city ordinance against disorderly conduct and disturbing the peace, he can deny the permit. Article 65.² Or, if he believes that the conduct of the parade might "make, continue, or cause to be made or continued any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others; within the corporate limits", he may deny the permit. Article 81.

This broad discretion to deny permits is patently arbitrary. It is not the responsibility of public officials to deny expression of First Amendment rights on the belief that some city, state, or federal law might be violated. Further, this uncontrolled authority to deny a permit on such grounds can easily serve as a justification to deny a permit to a group out-of-favor with the city officials. This authority in Article 83E(3) to pick and chose on arbitrary grounds is, on the clear line of decisions cited above, grossly illegal.

Second, the discretion granted in Article 83G to reject an applicant's proposed route "based on circumstances where the public health, welfare, and safety so require" and the power to order the parade to follow a route selected by the issuing authorities is likewise unlawful. Under these vague standards, the city officials need not base a rejection of an applicant's route on a criterion that has some constitutional foundation such as a "clear and present danger". The authority to reject is as broad as the imagination of the city officials. Furthermore, there is no standards for rerouting the parade.

²Article 65, Disturbing the Peace, includes "doing of any of the following in such a manner as would disturb or alarm the public:

- ... (2) Using of any loud, offensive or insulting language;
- ... (7) Interruptions of any lawful assembly of people; or
- (8) Commission of any other act in such a manner as to disturb or alarm the public

This broad discretion to reroute can have the same potential effect as denying a permit out of hand. A proposed parade sponsored by the League can be "rerouted" on grounds of "public health, welfare, and safety" so that it would never get out of the Negro district. This is the very exercise of discretion prohibited by the First Amendment.

Conclusion

The two new parade ordinances challenged here extend far beyond any legitimate and reasonable exercise of the city's police power; their effect is to stifle almost entirely the right of Negro citizens of Bogalusa to air their grievances.

Plaintiff prays that a preliminary injunction be issued enjoining the enforcement of Article 83D(1) against parades concluded before 9:30 p.m., enjoining the enforcement of Articles 83E(3) and 83G, and enjoining the enforcement of Ordinance No. 755.

Respectfully submitted,

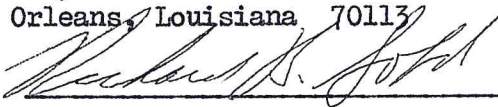
RICHARD B. SOBOL
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New Orleans, Louisiana 70113
523-1797

COLLINS, DOUGLAS & ELIE
2211 Dryades Street
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Of Counsel:

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Washington, D. C.

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603 North Farish Street
Jackson, Mississippi 39202

By: 
Attorneys for Plaintiff

Dated: July 14, 1967

Exhibit A.

Bogalusa, Louisiana
July 9, 1967

Bogalusa Voters League
Bogalusa, Louisiana

Attention: Mr. Charles Sims
1636 North Avenue
Bogalusa, Louisiana

Re: Request for Parade - Procession
July 9, 1967, at 2:30 P.M.
PERMIT

Dear Mr. Sims:

Your request for permission to parade and/or have a procession at 2:30 P.M. on July 9, 1967, has been granted with the following reservations, to-wit:

- 1) Your application would place the route of the parade on Columbia Street between the intersections of Columbia Street and Sixth Street and between Columbia Street and Willis Avenue. An Ordinance passed by the City of Bogalusa, Louisiana, on July 7, 1967, prohibits any parade - procession, such as you have requested on Columbia Street at any time.

Enclosed is a copy of this Ordinance for your file.

Further the City of Bogalusa passed a new Ordinance on July 7, 1967, concerning parades, - processions in general and repealed the old Ordinance. Enclosed is a copy of this Ordinance for your file and guidance. In the event you desire any assistance in making future application, please advise and our office will be happy to assist you.

Under the provisions of this new parade Ordinance, the Police Chief and/or Commissioner of Public Safety, are authorized and empowered to designate a different route and we have taken the liberty to re-route your parade as follows, to-wit:

Leave Union Hall (Sullivan Drive);

Sullivan Drive to Sixth Street;

Sixth Street to First Avenue;

First Avenue to intersection of Columbia Street and Willis Avenue;

Columbia Street to Montgomery Street;

Montgomery Street to Georgia Avenue;

Georgia Avenue to Hoppen Place;

Hoppen Place to City Hall (Arkansas);

City Hall (Arkansas) to Hoppen Place;

Hoppen Place to Georgia Avenue;

Georgia Avenue to Montgomery Street;

Montgomery Street to Columbia Street;

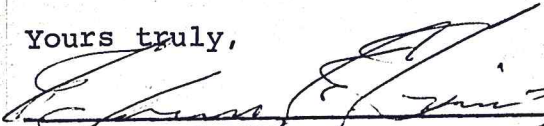
Columbia Street to intersection of Willis Avenue;

Intersection of Columbia Street and Willis Avenue - First Avenue, up First Avenue to Sixth Street;

Sixth Street to Sullivan Drive;

Sullivan Drive to Union Hall.

Yours truly,


ELMER G. SMITH,

Commissioner of Public Safety


HAYNES J. WASCOM,

Chief of Police

Copies of Ordinances attached.

ORDINANCE NO. 754

AN ORDINANCE repealing and re-enacting Article 83 of the Municipal Criminal Code of the City of Bogalusa, Louisiana, regulating parades, providing penalties for violation of the Ordinance; repealing any Ordinances or parts of Ordinances in conflict herewith, regulating the effect of the repeal; making the provisions hereof emergency by nature and providing a savings clause.

SECTION 1. BE IT ORDAINED by the Commission Council of the City of Bogalusa, Louisiana, in special session convened, that Article 83 of the Municipal Criminal Code of the City of Bogalusa, Louisiana, which was adopted October 5, 1964, as Ordinance No. 723 is hereby repealed and re-enacted to read as follows, to-wit:

A. Definitions.

(1) "Parade" is any parade, march, ceremony, show, exhibition, pageant, or procession of any kind, or any similar display, in or upon any street, park or other public place in this municipality.

(2) "Parade Permit" is a permit as required by this Article.

(3) "Person" is any person, firm, partnership, association, corporation, company or organization of any kind.

B. Permit Required.

No person shall engage in, participate in, aid, form or start any parade, unless a parade permit shall have been obtained from the Chief of Police or Commissioner of Public Safety.

(1) Exceptions. This Article shall not apply to:

(a) Funeral processions;

(b) A governmental agency acting within the scope of its functions.

C. Application.

A person seeking issuance of a parade permit shall file an application with the Chief of Police or Commissioner of Public Safety at the Bogalusa City Jail, Bogalusa, Louisiana.

(1) Filing Period. An application for a parade permit shall be filed with the Chief of Police or Commissioner of

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A. Definitions.

(1) "Parade" is any parade, march, ceremony, show, exhibition, pageant, or procession of any kind, or any similar display, in or upon any street, park or other public place in this municipality.

(2) "Parade Permit" is a permit as required by this Article.

(3) "Person" is any person, firm, partnership, association, corporation, company or organization of any kind.

B. Permit Required.

No person shall engage in, participate in, aid, form or start any parade, unless a parade permit shall have been obtained from the Chief of Police or Commissioner of Public Safety.

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(a) Funeral processions;

(b) A governmental agency acting within the scope of its functions.

C. Application.

A person seeking issuance of a parade permit shall file an application with the Chief of Police or Commissioner of Public Safety at the Bogalusa City Jail, Bogalusa, Louisiana.

(1) Filing Period. An application for a parade permit shall be filed with the Chief of Police or Commissioner of

Public Safety not less than twenty-four (24) hours nor more than seventy-two (72) hours before the date on which it is proposed to conduct the parade.

(2) Contents. The application for a parade permit shall set forth the following information:

- (a) The name and address of the person seeking to conduct such parade;
- (b) If the parade is proposed to be conducted for, on behalf of, or by an organization, the name and address of the headquarters of the organization, and of the authorized and responsible heads of such organization;
- (c) The name and address of the person who will be the parade chairman and who will be responsible for its conduct;
- (d) The date when the parade is to be conducted;
- (e) The time when such parade will start and approximate time it will terminate;
- (f) The desired route to be traveled, the starting point and the termination point;
- (g) The approximate number of persons who, and animals and vehicles which, will constitute such parade; the type of animals, and description of the vehicles;

D. Prohibitions.

(1) No parades, demonstrations, processions, or marches shall be permitted within the city limits of this municipality between the hours of 6:00 p.m. and 8:00 a.m.

(2) Not more than one parade can be held within the corporate limits of the City of Bogalusa at the same time by more than one different person, nor by the same person on different routes, when such parades would prevent normal Police protection to the municipality.

E. Standards for Issuance.

The Chief of Police or Commissioner of Public Safety shall issue a permit as provided for hereunder when, from a consideration of the application and from such other information as may otherwise be obtained, he finds that:

(1) The application has been completed and filed within the time specified in Section C(1) of this Ordinance.

(2) The application contains the information required by Section C (2) (a) - (2) (g) of this Ordinance.

(3) When the information in this application shows that the conduct of the parade will not constitute a violation of an Ordinance of the City of Bogalusa, Louisiana, the Constitution and the Laws of the State of Louisiana, and the Constitution and the Laws of the United States of America; nor a violation of the prohibitions contained in Section D of this Ordinance.

F. Notice of Approval or Rejection.

The Chief of Police and/or Commissioner of Public Safety shall give notice of the approval or rejection of the application to the applicant as soon as practical after such decision.

G. Alternative Route.

The Chief of Police or Commissioner of Public Safety shall be empowered to designate a route different from that named by the applicant based on circumstances where the public health, welfare and safety so require, and shall notify the applicant of any such re-routing. Failure of the parade to proceed along such different route shall constitute a revocation of the permit required herein and a violation of this Ordinance.

H. Penalty.

Whoever violates the provisions of this Article shall be fined not more than One Hundred and No/100 (\$100.00) Dollars, or shall be confined for not more than ninety (90) days, or both.

SECTION 2. BE IT FURTHER ORDAINED that it is hereby declared to be the intention of the City of Bogalusa, Louisiana, that the articles, paragraphs, sentences, clauses and phrases of the City of Bogalusa, Louisiana, Criminal Code are severable, and, if any article, paragraph, sentence, clause or phrase of such Code shall be declared unconstitutional and invalid, such unconstitutionality and invalidity shall not affect any of the remaining articles, paragraphs, sentences, clauses and phrases of this Code, since the same would have been enacted by this body without the incorporation in such Code of any such unconstitutional or invalid article, paragraph, sentence, clause or phrase.

SECTION 3. BE IT FURTHER ORDAINED that all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4. BE IT FURTHER ORDAINED that the repeal provided for herein shall not affect any offense or act committed or done, or any forfeiture incurred, before the effective date of this Ordinance.

SECTION 5. BE IT FURTHER ORDAINED that the public health, welfare and safety being affected by the provisions hereof, the provisions of this Ordinance are hereby declared to be emergency by nature and the same shall be effective immediately upon adoption.

Curt Siegelin
CURT SIEGELIN, MAYOR

S. Boyd Jones
S. Boyd Jones, City Clerk

INTRODUCED and ADOPTED: July 7, 1967.

I hereby certify that the above and foregoing is a true and correct copy of ORDINANCE NO. _____ of the City of Bogalusa, Louisiana.

S. Boyd Jones, City Clerk

ORDINANCE NO. 755

AN ORDINANCE PROHIBITING PARADES, PROCESSIONS, MARCHES OR DEMONSTRATIONS ON COLUMBIA STREET AND STREETS INTERSECTING COLUMBIA STREET BETWEEN ITS INTERSECTION WITH SIXTH STREET AND WILLIS AVENUE, PROVIDING A PENALTY FOR VIOLATION THEREOF, REPEALING ANY ORDINANCE OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, PROVIDING FOR THE EFFECT OF THE REPEAL, AND MAKING THE PROVISIONS HEREOF EMERGENCY BY NATURE.

SECTION ONE: BE IT ORDAINED by the Commission Council of the City of Bogalusa, Louisiana, in special session convened, that the following ordinance is hereby adopted:

A. No parades, demonstrations or marches shall be permitted on Columbia Street between its intersection with Sixth Street and Willis Avenue, or any other street intersecting Columbia Street between the intersection of Columbia Street and Sixth Street and Columbia Street and Willis Avenue.

B. Whoever violates the provisions of this Ordinance shall be fined not more than One Hundred and No/100 (\$100.00) Dollars or shall be confined not more than ninety (90) days, or both.

SECTION TWO: BE IT FURTHER ORDAINED that this Ordinance shall not apply to:

(1) Funeral processions;

- (2) A governmental agency acting within the scope of its functions;
- (3) Lawful picketing on public sidewalks.

SECTION THREE: BE IT FURTHER ORDAINED that all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION FOUR: BE IT FURTHER ORDAINED that the repeal provided herein shall not affect any offense or act committed or done, or any penalty of forfeiture incurred before the effective date of this Ordinance.

SECTION FIVE: BE IT FURTHER ORDAINED that the public health, welfare and safety being affected by the provisions hereof, this Ordinance is hereby declared to be emergency by nature and the same shall be effective immediately upon adoption.

/s/ Curt Siegelin
CURT SIEGELIN, MAYOR

/s/ S. Boyd Jones
S. Boyd Jones, City Clerk

INTRODUCED and UNANIMOUSLY ADOPTED: July 7, 1967.

I hereby certify that the above and foregoing is a true and correct copy of ORDINANCE NO. _____ of the City of Bogalusa, Louisiana.

S. Boyd Jones, City Clerk

BOGALUSA, LOUISIANA

July 8, 1967

Bogalusa Voters League
Bogalusa, Louisiana

Attention: Mr. Charles Simms

Dear Mr. Simms:

Your application for a permit to march on July 8, 1967, at 2:30 p.m. has been received.

Permission is hereby granted according to the terms of the application with the following reservation:

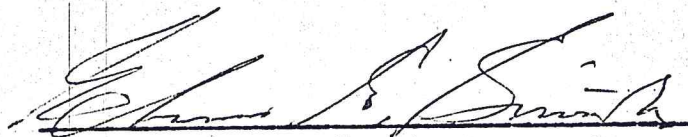
- (1) Your application request that the procession begin at 2:30 p.m. and that it proceed to the city hall and then back along the same route to the Union Hall on Sullivan Drive

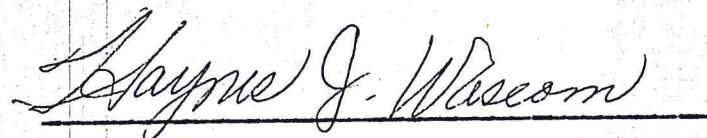
You are advised again that the Ordinances of the City of Bogalusa prohibit parading on Columbia Road between the hours of 4:00 p.m. and 5:30 p.m. between the intersections of Willis Avenue and Sixth Street.

If on your return to the point where the parade begins, your procession will be placed on Columbia Road between the prohibited hours, then it will be re-routed to first Avenue when it reaches the intersection of Willis Avenue and Columbia Road. If your procession can be off Columbia Road before the prohibited hours it will be allowed to proceed as requested.

Bogalusa Voters League
July 8, 1967
Page -2-

Failure to comply with the re-route in the event your procession will be on Columbia Road during the prohibited hours will result in an automatic revocation of the permission herein granted.


ELMER G. SMITH, Commissioner of
public Safety


HAYNES J. WASCOM, Chief of police

BOGALUSA, LOUISIANA

July 7, 1967

Bogalusa Voters League
Bogalusa, Louisiana

Attention: Mr. Robert Hicks

Dear Mr. Hicks:

Your application for a permit to march on July 7, 1967, at 2:30 p.m. has been received.

Permission is hereby granted according to the terms of the application with the following reservation:

(1) Your application requests that the procession begin at 2:30 p.m. and that it proceed to City Hall and then back along the same route to the Union Hall on Sullivan Drive.

You are advised again that the Ordinances of the City of Bogalusa prohibit parading on Columbia Road between the hours of 4:00 p.m. and 5:30 p.m. between the intersections of Willis Avenue and Sixth Street.

If on your return to the point where the parade begins, your procession will be placed on Columbia Road between the prohibited hours, then it will be re-routed to First Avenue when it reaches the intersection of Willis Avenue and Columbia Road. If your procession can be off Columbia Road before the prohibited hours it will be allowed to proceed as requested.

Bogalusa Voters League

July 7, 1967

Page -2-

Failure to comply with the re-route in the event your procession will be on Columbia Road during the prohibited hours will result in an automatic revocation of the permission herein granted.



ELMER G. SMITH, Commissioner of
Public Safety



HAYNES J. WASCOM, Chief of Police

BOGALUSA, LOUISIANA

July 3, 1967

Bogalusa Voters League
Bogalusa, Louisiana

Attention: Mr. Royan Burris

Dear Sir:

Your request for a parade permit for 10:00 a.m. on July 4, 1967, has been received.

This is to advise you that we will not be able to grant the permit for a parade at the time requested.

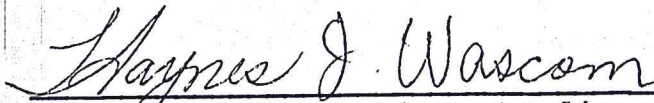
On June 26, 1967, the American Legion requested a parade permit for a Fourth of July parade, to begin at 9:00 a.m. and end at 1:00 p.m. on July 4, 1967. This parade will have approximately 1,500 persons.

We are required by order of the Federal Court to furnish protection for your parades. It will be impossible for us to control the American Legion parade and your parade at the same time.

If you wish to have a parade on July 4th, at any time after 1:00 p.m., then you should submit to us a new application for a parade permit, which we will be happy to consider.



ELMER G. SMITH, Commissioner of
Public Safety



HAYNES J. WASCOM, Chief of Police

BOGALUSA, LOUISIANA

July 3, 1967

Bogalusa Voters League
Bogalusa, Louisiana

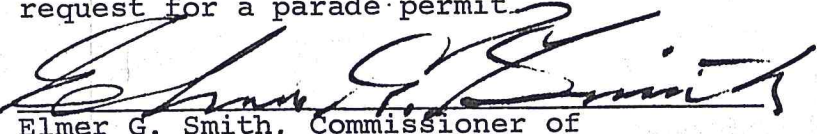
Attention: Mrs. M. C. Williams
1114 North Roosevelt Street
Bogalusa, Louisiana

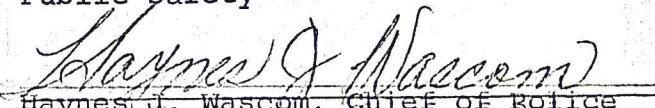
Dear Mrs. Williams:

Your application for a permit to hold a parade on July 3, 1967, at 4:30 p. m., is hereby denied. The reason for the denial of this request is as follows, to-wit:

- (1) Your request for a permit failed to approximate the number of persons to participate in the parade or procession. Under the provisions of the Code of Ordinances of the City of Bogalusa, Section 21-16.1(3), it is required that the approximate number of persons to participate in the parade or procession be furnished in the application for a parade permit.
- (2) Your application for a parade permit fails to give the name and address of at least one (1) person to be responsible for the orderly conduct of the parade, as required by the Code of Ordinances of the City of Bogalusa, Section 21-16.14.
- (3) Further, when this parade permit was first received, we immediately called and notified you of the incomplete application. We returned the application to you and requested this information in order that we might consider the application in its entirety. As of this date and hour, we have not yet received your completed application, thus your 24-hour deadline has expired.

Since the application was incomplete and your refusal to return the complete application to us, leaves us no alternative but to deny your request for a parade permit.


Elmer G. Smith, Commissioner of
Public Safety


Haynes J. Wasson, Chief of Police