**ARTICLE: WCIV, CHAPTER 21, SECTION 4 – DISCUSSION**

**Are Your Jeans Sagging? Go Directly to Jail.**

By NIKO KOPPEL

JAMARCUS MARSHALL, a 17-year-old high school sophomore in Mansfield, La., believes that no one should be able to tell him how low to wear his jeans. “It’s up to the person who’s wearing the pants,” he said.

Mr. Marshall’s sagging pants, a style popularized in the early 1990s by hip-hop artists, are becoming a criminal offense in a growing number of communities, including his own.

Starting in Louisiana, an intensifying push by lawmakers has determined pants worn low enough to expose underwear poses a threat to the public, and they have enacted indecency ordinances to stop it.

Since June 11, sagging pants have been against the law in Delcambre, La.. The style carries a fine of as much as $500 or up to a six-month sentence. “We used to wear long hair, but I don’t think our trends were ever as bad as sagging,” said Mayor Carol Broussard.

An ordinance in Mansfield, subjects offenders to a fine (as much as $150 plus court costs) or jail time (up to 15 days). Police Chief Don English said the law, will set a good civic image.

Behind the indecency laws may be the real issue — the hip-hop style itself, which critics say is worn as a badge of delinquency, with its distinctive walk conveying thuggish swagger and a disrespect for authority. Also at work is the larger issue of freedom of expression and the questions raised when fashion moves from being merely objectionable to illegal.

Efforts to outlaw sagging in Virginia and statewide in Louisiana in 2004, failed, usually when opponents invoked a right to self-expression. But the latest legislative efforts have taken a different tack, drawing on indecency laws, and their success is inspiring lawmakers in other states.

The [American Civil Liberties Union](http://topics.nytimes.com/top/reference/timestopics/organizations/a/american_civil_liberties_union/index.html?inline=nyt-org) has been steadfast in its opposition to dress restrictions. The executive director of the A.C.L.U. of Georgia said, “I don’t see any way that something constitutional could be crafted when the intention is to single out and label one style of dress that originated with the black youth culture, as an unacceptable form of expression.”

School districts have become more aggressive in enforcing dress bans, as the courts have given them greater latitude. Restrictions have been devised for jeans, miniskirts, long hair, piercing, logos with drug references and gang-affiliated clothing including colors, hats and jewelry.

Dress codes are showing up in unexpected places. The National Basketball Association now stipulates that no sports apparel, sunglasses, headgear, exposed chains or medallions may be worn at league-sponsored events. After experiencing a brawl that spilled into the stands and generated publicity headaches, the league sought to enforce a business-casual dress code, saying that hip-hop clothing projected an image that alienated middle-class audiences.

Following a pattern of past fashion bans, the sagging prohibitions are seen by some as racially motivated because the wearers are young, predominantly African-American men.