

Others have tried ‘saggin’ legislation but failed

By Chris Sykes Staff Writer, Orange Transcript, 11/19/2009

When the majority of the Orange City Council members decided to take a stand against males “rockin’ a sag” by wearing their pants below their waistlines, many times exposing their underwear or bare but tocks, they inadvertently set off on a trail that has been blazed by their counterparts in Paterson, Irvington and other municipalities across the country.

Attempts to criminalize or otherwise proscribe the fashions and styles of dress of individuals have been frowned upon by the public and, in some cases, deemed illegal by judicial courts. According to the Web site *takepart.com*, a Florida Circuit Court judge recently ruled that a law banning people from wearing baggy, sagging pants was unconstitutional.

Judge Paul Moyle was assigned the task of trying a case where a 17-year-old boy had been jailed for wearing sagging pants that exposed his underwear. The police report noted that 4 inches of the teenager’s boxer shorts were visible, which put him in violation of a town law enacted by voters in Rivera Beach, Fla. Despite that law on the books, Moyle struck down the law.

“We’re not talking about exposure of buttocks,” Moyle said in his remarks from the bench. “No. We’re talking about some one who has on pants whose underwear are apparently visible to a police officer, who then makes an arrest, and the basis is he’s then held overnight.”

Despite Moyle’s ruling, other efforts in less public domains have also been made to curtail “saggin’” in public. A blogger named The Maroon Tiger on the *TMOTTmedia.com* Web site noted in September that, by early October of this year, Morehouse College administration would enact its new “Appropriate Attire Policy,” based on the college president’s conceptualization of the Renaissance Man, specifically the expectation of the “well-dressed” man of Morehouse.

The policy will set a campuswide standard for student’s attire. It outlined 11 expectations pertaining to what students should not wear while on campus.

Instead of requiring certain articles of clothing, as a typical dress code would, the policy details those articles of clothing deemed unacceptable for students.

Some of the expectations discussed in the policy include the prohibition of wearing “sagging” pants, women’s clothing and headwear.

Officials in Paterson decided they wanted to do something about the “epidemic” of teens and others wearing their pants in a way that many adults find objectionable. Discussions included outlawing the practice of “saggin’” and making it punishable with fines and citations. They backed off that stance and decided to take another approach. Last year, some council members proposed a citywide ban on saggy pants, but later backed off in the face of harsh public criticism. In a compromise move, they began a campaign called “Reality Check,” targeting people who wear saggy pants.

After the campaign’s start, Councilman Anthony Davis said he tells teenagers to “pull it up” every day, but he hopes the Reality Check campaign will be more effective in taking that message to more city youth and other trendy, fashion-conscious residents.

“We’re tired of seeing your behind,” Davis said in 2007. “We don’t want to see your back side. We don’t need to see your underwear. We don’t need to see your drawers. Wear your pants.”

Other cities have had a difficult time pushing through the baggy pants bans.

Joseph Popham, a popular blogger on *takepart.com*, has tried to trace the roots of the outrage and seemingly age-specific ire toward “saggin.” He said the only conclusion he could come up with is that it’s not based on race or culture, but economics.

“I was forced to wonder how much of this is about race or class upon reading about this. Then I discovered Councilman Davis is African-American, which placed this rights infringing measure squarely in the ‘classism’ column,” Popham wrote.

“The baggy-saggy look obviously had its origins in the young African-American community in this country. Often these days, the look is banned in an effort to maintain a certain clientele and keep a certain “element” out of certain nightclubs, some of the few places where discrimination, of all sorts, is not only alive and well, but also part of the draw for many club-goers. But the style has grown and expanded to include multiple races, making it a statement of a subculture that spans across the old boundaries.”

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