

Senate Resolution 555

By: Senators Cowser of the 46th, Adelman of the 42nd, Hamrick of the 30th and Fort of the 39th

A RESOLUTION

- 1 Creating the Senate Study Committee on Hate Crime Legislation; and for other purposes.
- 2 WHEREAS, hate-motivated crimes have a special emotional and psychological impact
3 extending beyond the individual victim; and
- 4 WHEREAS, hate-motivated crimes intimidate not only the victim but other people in the
5 victim's community, making people feel isolated, vulnerable, and unprotected; and
- 6 WHEREAS, hate-motivated crimes polarize communities and damage the very fabric of
7 society; and
- 8 WHEREAS, although prejudice and hatred cannot be legislated out of existence, government
9 can do more to deter and redress violence motivated by bigotry, and providing for a study
10 to determine the impact a statute may have on this state, as well as the need for programs
11 educating law enforcement officials and the public about the dangers of hate-motivated
12 crimes and what can be done in response, are important tools to counter this violence; and
- 13 WHEREAS, there is a need for training of law enforcement to recognize and respond
14 appropriately to hate-motivated crimes; and
- 15 WHEREAS, police officers should be trained to recognize potential bias-related incidents,
16 use standard criteria for determining bias and assessing perpetrators' intent, interview victims
17 and witnesses, collect and preserve evidence, refer victims to appropriate community
18 agencies, provide information to prosecutors and the courts, and standardize documentation
19 of all hate-motivated incidents; and
- 20 WHEREAS, in 2000 the General Assembly enacted a statute addressing hate-motivated
21 crimes which was declared unconstitutional in 2004, and because of the importance of this
22 subject and the need for careful drafting, establishing a study committee would be a practical

1 and effective way of determining appropriate language so that any new legislation would
2 likely withstand a constitutional challenge.

3 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that there is created the Senate
4 Study Committee on Hate Crime Legislation to be composed of five members of the Senate
5 to be appointed by the Lieutenant Governor. The Lieutenant Governor shall designate a
6 member of the committee as chairperson of the committee. The chairperson shall call all
7 meetings of the committee.

8 BE IT FURTHER RESOLVED that the committee shall undertake a study of the conditions,
9 needs, and issues mentioned above or related thereto and recommend any action or
10 legislation which the committee deems necessary or appropriate. The committee may
11 conduct such meetings at such places and at such times as it may deem necessary or
12 convenient to enable it to exercise fully and effectively its powers, perform its duties, and
13 accomplish the objectives and purposes of this resolution. The members of the committee
14 shall receive the allowances provided for in Code Section 28-1-8 of the Official Code of
15 Georgia Annotated. The allowances authorized by this resolution shall not be received by any
16 member of the committee for more than five days unless additional days are authorized. The
17 funds necessary to carry out the provisions of this resolution shall come from the funds
18 appropriated to the Senate. In the event the committee makes a report of its findings and
19 recommendations, with suggestions for proposed legislation, if any, such report shall be
20 made on or before the convening of the 2008 session of the General Assembly, at which time
21 the committee shall stand abolished.