

## **END RACIAL PROFILING IN GEORGIA**

### **What is Racial Profiling?**

Racial profiling occurs when police target people for interrogations, searches and detentions based not on evidence of criminal activity but on individuals' perceived or actual race, ethnicity, nationality or religion.

### **What will Georgia's Anti-Racial Profiling Bill Accomplish?**

Georgia's anti-racial profiling bill will give law enforcement agencies, policymakers and the public the tools necessary to identify and address the problem of racial profiling in the state. It will help police agencies allocate their resources more effectively and build trust between communities of color and the police, leading to improved public safety.

Specifically, the bill will:

1. Prohibit racial profiling by all law enforcement agencies, including state police and county and municipal police departments;
2. Require annual training for law enforcement regarding racial profiling;
3. Require law enforcement officers to track the race, ethnicity, gender, and approximate age of every person subject to a routine traffic stop; and
4. Require the attorney general to annually report to the public on data collected under the new law and to establish procedures to investigate complaints.

### **Why is the Anti-Racial Profiling Legislation Necessary?**

- Racial profiling is a pervasive and serious problem - Data from around the country repeatedly shows that **people of color are more likely to be stopped and searched by the police**, despite the fact that they are **less likely to have contraband**.
- Racial profiling is at odds with our shared American values of fairness, justice and equality under the law.
- Racial profiling is ineffective and based on false assumptions - Contraband "hit rate" reports show that drivers of color (including African American and

Latino drivers) are no more likely, and very often less likely, to have drugs or weapons than white drivers.

- **Racial profiling violates the Constitution** - Using race, ethnicity, or national origin as a proxy for criminal suspicion violates the constitutional requirement that police and other government officials accord to all citizens the equal protection of the laws. Racial profiling also infringes on the Fourth Amendment guarantee that all people be free from unreasonable searches and seizures.
- **Data collection is an important supervisory tool** - You can't manage what you don't measure. Traffic stop data will help law enforcement focus on strategies that truly improve public safety and allocate resources more effectively.
- **Oversight and clear policies** ensure that stops and arrests are undertaken in a fair manner and provide genuine consequences for individuals and agencies that engage in profiling and undermine public safety.

### **What Will this Bill NOT Do?**

- **Georgia's anti-racial profiling bill will NOT add major costs to the budget.**
  - Half of all U.S. states have enacted legislation addressing racial profiling. Data collection has become commonplace. Thirteen U.S. states, including Missouri, Texas, and Utah, have required the collection of demographic data at traffic stops. Thousands of police departments across the country collect such data, some voluntarily.
  - Data collection costs could be MINIMAL, particularly when jurisdictions make modifications to existing technologies (like Mobile Data Terminals) in order to collect data.
- **Georgia's anti-racial profiling bill will not change the definition of reasonable suspicion.**