

MEMORANDUM

From: Christopher Bruce, Political Director; Nicole Robinson, Policy Analyst
To: Members of the Senate Committee on Government Oversight
Date: March 14, 2021
Re: [House Bill 286](#) - LC 47 0821S

Sponsors: Houston Gaines (R-117th), et al.

ACLU of Georgia Issue Area(s) Addressed: Policing, Criminal Legal System

Code Sections Addressed:

- O.C.G.A.36-8
- O.C.G.A36-60

Status: HOUSE PASSED 101-69

Summary:

The passage of HB286 would penalize counties and municipalities in Georgia for reducing their police budgets [lines 13-16 county police forces; lines 56-59 municipal police forces]. In addition, this bill is potentially at odds with Title Nine of Georgia's Constitution and, more specifically, section two which grants home rule for counties. According to the Georgia Constitution, "the governing authority of each county shall have legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs and local government..."

- Limits the ability for local governments to set budget priorities based on the needs of their constituents and communities.

ACLU of GA Position: *The ACLU of Georgia **OPPOSES** House Bill 286* because it limits the ability for local governments to enact meaningful police reform through revisions to local budgets. By limiting the ability for local governments to enact police reform and accountability through reductions in police budgets, House Bill 286 stands in the way of one of the meaningful methods of police reform and in turn, it stands in the way of the ability for local governments to work towards fulfilling the promise of this nation - LIFE, Liberty and the Equality of opportunity for all

Talking Points on HB 286

Reducing funding for police departments can increase accountability, transparency, and address the root cause of police brutality.

- By reducing funding, counties and municipalities can focus on diverting and reinvesting funds away from the punitive and harmful institution of policing, and into community-based and community-led supportive services that uplift communities historically targeted and disproportionately harmed by police.

Reducing police budgets would not decrease public safety.

- There is little evidence, if any, to show that more police surveillance results in fewer crimes and greater public safety. Indeed, funneling police into communities of color and pushing officers to make arrests just perpetuates harm and trauma.

- Data shows that the raw numbers of police have declined over the past five years, and the rate of police officers per 1,000 residents has been dropping for two decades. At the same time, the violent crime rate has also dropped.
- White communities are a prime example of how less police surveillance actually increases public safety.
 - The harsh reality is that policing in communities of color looks very different than it does in wealthy, white communities.
 - In white communities police are often only present when responding to specific serious disruptions to the community, rather than just constantly intruding on people's everyday lives.
 - To understand the impact of this approach, one only has to look at the approach to policing marijuana — which is used at almost equal rates by Black and white people, though Black people are still arrested at a rate that is almost four times that of white people. Racialized policing is the best way to understand this disparity.

Local governments spend on average 30 percent of their general funds on policing, and they should be able to shift those resources to address the pressing needs of their communities.

- Georgia spends 4.8 billion dollars annually on police and corrections.
 - Georgia spending on police jails and prisons has increased 122% from 1977 to 2017 while spending on low-income families has decreased 81%.
- 85 percent of police funding is done at the local level.
- Funneling so many resources into law enforcement instead of education, affordable housing, and accessible health care has caused significant harm to communities, especially Black communities.