Georgia is the 8th most populated state and has the 15th largest Arab American population.

The Georgia Bureau of Investigation, Georgia Crime Information Center (GCIC), is the state agency responsible for the collection and publication of crime data. The GCIC does not publish annual hate crime statistics.

**HATE CRIME STATUTE**
Georgia is one of five states, along with Arkansas, Indiana, South Carolina, and Wyoming, that do not have a hate crime statute. Repealed in 2004, Ga. Code § 17-10-17 provided enhanced penalties for crimes in which the defendant, beyond a reasonable doubt, intentionally selects any victim or their property as the object of the offense “because of bias or prejudice.”

In 2004, the Georgia Supreme Court declared the state’s hate crime statute “unconstitutionally vague” and in violation of due process rights. Per the Court’s determination, the statute “impermissibly delegate[d] basic policy matters to policemen, judges, and juries for resolution on an ad hoc and subjective basis, with the attendant dangers of arbitrary and discriminatory applications.” The Georgia General Assembly repealed Ga. Code § 17-10-17 with an additional contention: that it interfered with First Amendment rights and authorized disparate treatment under the law.

**DATA COLLECTION STATUTE**
There is no Georgia statute that requires hate crime reporting or data collection. Ga. Code § 35-3-33 requires the GCIC to compile statistics on the nature and extent of crime in Georgia and publish those statistics no less frequently than once a year.

**LAW ENFORCEMENT TRAINING STATUTE**
There is no Georgia statute that requires specific law enforcement training on hate crime. Pursuant to Ga. Code § 35-8-7(15), the Georgia Peace Officers Standards and Training Council is required to “establish and modify” the basic curriculum for law enforcement training schools in Georgia.

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3. Id.
DATA COLLECTION & STATISTICS
Pursuant to Ga. Code § 35-3-33, the GCIC publishes an annual report on the nature and extent of crime in Georgia. The report is based on UCR submissions from law enforcement agencies across the state. The 2009-2016 editions of Georgia’s UCR report can be found on the GBI website but do not include hate crime statistics.7

ANNUAL STATEWIDE HATE CRIME REPORT
The GCIC does not publish annual state-level hate crime statistics.

- ANTI-ARAB HATE CRIME STATISTICS
The GCIC does not publish annual statistics on anti-Arab hate crime.

- ANTI-ISLAMIC (MUSLIM) HATE CRIME STATISTICS
The GCIC does not publish annual statistics on anti-Islamic (Muslim) hate crime.

UNIFORM CRIME REPORTING (UCR)
By January 2021, the FBI Uniform Crime Reporting (UCR) Program will depend solely on the National Incident-Based Reporting System (NIBRS) to collect nationwide crime data.8 This transition entails the sunset of summary-based crime reporting (SRS) and requires cooperation on the part of state UCR programs and individual reporting agencies.

The Georgia UCR program is one of 15 state programs that still rely exclusively on SRS data.9

Traditional summary-based crime reporting is constrained with respect to the various data elements that serve to put a particular incident in context, such as victim and offender demographics, the location of the incident, and whether an arrest occurred.

NIBRS reporting enables criminal justice agencies to acquire a better understanding of crime, including hate crime, occurring within their respective jurisdictions. This in turn has positive implications for effective law enforcement response and policy implementation.

CONTACT
Georgia Crime Information Center Georgia Bureau of Investigation
Post Office Box 370748
Decatur, Georgia 30037-0748
(404) 270-8454
http://gbi.georgia.gov/georgia-crime-information-center

THE GEORGIA CRIME INFORMATION CENTER DOES NOT PUBLISH ANNUAL HATE CRIME STATISTICS.

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<th>'02</th>
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According to supplemental data from the FBI, a single anti-Islamic (Muslim) hate crime incident was reported in Georgia in 2016. Georgia law enforcement agencies submit hate crime data to the FBI UCR Program through the GCIC.

FBI HATE CRIME STATISTICS (2015-2016)

<table>
<thead>
<tr>
<th>Bias motivation</th>
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<td>Anti-Arab</td>
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<tr>
<td>Anti-Islamic (Muslim)</td>
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FBI HATE CRIME STATISTICS
Pursuant to the Hate Crime Statistics Act (HCSA) of 1990 the FBI UCR Program collects data on "crimes that manifest evidence of prejudice based on race, gender or gender identity, religion, disability, sexual orientation, or ethnicity."10

Since 1993, the FBI UCR Program has published the annual report, Hate Crime Statistics, which is based on voluntary submissions from participating law enforcement agencies. In 2016, agencies from 49 states and the District of Columbia participated in the national hate crime statistics program.

For the most part, hate crime data is collected at the state level and forwarded to the FBI UCR Program. A total of 48 states maintain a state-level UCR data collection. UCR programs in 38 states publish annual hate crime statistics. Some participating law enforcement agencies submit hate crime data directly to the FBI UCR program.11

FBI HATE CRIME STATISTICS PARTICIPANT
Law enforcement agencies in Georgia submit hate crime data to the FBI UCR Program through the GCIC. According to the FBI UCR Program’s annual report, Hate Crime Statistics, 39 hate crime incidents were reported in Georgia in 2016.

In 2016, 6 of the 493 Georgia law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program. Agencies representing four of the five largest cities in Georgia either submitted only zero data or failed to provide data in at least one quarterly submission period.

As the GCIC does not publish an annual hate crime report, we are unable to make comparisons between state and federal hate crime statistics.

PARTICIPATION IN UCR HATE CRIME STATISTICS PROGRAM

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<th>Year</th>
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<td>21</td>
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<tr>
<td>2013</td>
<td>7</td>
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<tr>
<td>2014</td>
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</tr>
<tr>
<td>2016</td>
<td>6</td>
<td>39</td>
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</table>

SUMMARY
Georgia is one of five states, along with Arkansas, Indiana, South Carolina, and Wyoming, that do not have a hate crime statute. Ga. Code § 17-10-17, which provided enhanced penalties for crimes motivated by “bias or prejudice,” was repealed in 2004. After more than a decade, the Georgia General Assembly has yet to pass a replacement statute. Georgia does not have statutes that require reporting, data collection, or specific law enforcement training on hate crime. Housed within the Georgia Bureau of Investigation, the Georgia Crime Information Center maintains the state clearinghouse for all police-reported crime data, including hate crime, and is responsible for publishing annual statistics. Copies of Georgia’s UCR report can be found on the GBI website but do not include hate crime statistics. In 2016, 6 Georgia law enforcement agencies submitted hate crime incident reports to the FBI UCR Program. The remaining 487 participating agencies provided zero data. A total of 82 participating agencies recorded blank data in at least one quarterly submission period. Georgia receives an overall score of 10 points, denoting a minimal response to hate crime.

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ADVOCACY RESOURCES - Georgia

IMPROVING THE RESPONSE
Most states have failed to enact sufficient legislation to address, prevent, and counteract hate crime in American communities. To accompany our federal hate crime laws, state legislatures must pass the following:

1. **An inclusive hate crime statute**, which covers a wide range of criminal offenses and provides enhanced penalties for crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, or homelessness. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute. According to the model statute, penalty enhancement may incorporate alternatives to fines or increased prison sentences. Alternatives include restitution for victims and communities, participation in educational programs, and restorative justice.

2. **Statutes that require reporting, data collection, and specific law enforcement training on hate crime.** Centralized state agencies must publish comprehensive, accessible statistics on the nature and extent of hate crime occurring within their state. These statistics must conform to national UCR standards and include the bias motivation categories identified in the FBI’s annual report, *Hate Crime Statistics*. States must also require law enforcement training schools to provide comprehensive training to ensure that officers are prepared to investigate, report, and respond to hate crime incidents.

STATE RECOMMENDATIONS
According to our rating methodology, Georgia receives an overall score of 10 points, denoting a minimal response to hate crime. Advocates for an improved response to hate crime in Georgia should promote the following:

1. **Georgia is one of five states without a hate crime statute.** The Georgia General Assembly must enact legislation for a new criminal statute prohibiting crimes motivated because of citizenship status, race, ethnicity, color, disability, age, ancestry or national origin, gender or gender identity, sexual orientation, religion, homelessness, or association with a person or group with one of these actual or perceived characteristics. Such protections are pursuant to model hate crime legislation drafted by the Arab American Institute.

2. Georgia state code does not require reporting, data collection, or specific law enforcement training on hate crime. In 2016, 6 of the 493 Georgia law enforcement agencies participating in the national hate crime statistics program submitted incident reports to the FBI UCR Program.
   - Law enforcement agencies must report hate crimes to the Georgia Crime Information Center (GCIC).
   - The GCIC must collect data and publish statistics, conforming to national UCR standards, on the nature and extent of hate crime within the state.
   - Georgia must transition to the National Incident-Based Reporting System (NIBRS) to facilitate hate crime reporting and data collection. By January 2021, all law enforcement agencies in the United States will be required to report crime information through NIBRS.
   - The Georgia Peace Officers Standards and Training Council (POST) must prescribe instruction relating to investigating and reporting hate crime incidents for law enforcement training schools throughout the state. The Georgia POST is required by law to establish and modify the curriculum for basic law enforcement training.

STATE CONTACTS
Advocates for an improved response to hate crime in Georgia should contact current state legislators and members of Congress.

**Georgia General Assembly**
- Senate: [http://www.senate.ga.gov/senators](http://www.senate.ga.gov/senators)

**United States Senate**
- Contact: Georgia
  [https://www.senate.gov/senators/contact](https://www.senate.gov/senators/contact)

**United States House of Representatives**
- Directory of Representatives: Georgia
  [https://www.house.gov/representatives#state-georgia](https://www.house.gov/representatives#state-georgia)