

PRESS RELEASE
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Police, Sheriffs, D.A. Groups Back Unconstitutional Double Standards Bill to Shield Officers from Criminal Charges

ATLANTA GA – A [memo](#) circulating in the Georgia House from HB941 sponsor Rich Golick states that 5 police, sheriff and District Attorney (D.A.) Associations have endorsed his bill. That may normally be a good thing but [HB941](#) contains [unconstitutional language](#) favoring law enforcers who face a grand jury indictment.

Grand juries are already required to notify Georgia “peace officers” of an investigation and allow them to testify during the investigation with an attorney present. **No other class of Georgia citizens** has those [unequal privileges](#) prior to an indictment and trial. [HB941](#) allows officers to be cross examined and excludes them from the rest of the hearing but instead of correcting the offending [code section](#), it introduces new code sections with [new double standards](#) that defy Equal Protection Clauses in the Georgia and U.S. Constitutions.

[HB941](#) eliminates the right of a victim’s family or attorney to petition a grand jury directly for an officer’s indictment. It requires 12 grand jurors to vote to investigate an officer even though no such vote is required today. It forces the grand jury to request information only from a District Attorney rather than through independent subpoenas. It also has a loophole that officers can use to circumvent the unlimited statute of limitations on murder if a D.A. delays an investigation for one year.

Double standards and D.A. misconduct were two key problems cited by an Atlanta Journal Constitution (AJC) [study](#) entitled: “*171 shot dead, zero prosecuted*”. They found that at least **171 Georgians have been killed by law enforcement none of whom were prosecuted under Georgia law.** The AJC [Over the Line](#) investigative series found that many of those killed had no criminal record, were unarmed, shot in the back and/or murdered after officers broke into their homes.

The Georgia Constitution is clear. Article I, Section I, Paragraph II states:

“Protection to person and property is the paramount duty of government and shall be impartial and complete. No person shall be denied the equal protection of the laws.”

Nevertheless, HB941 sailed through the Georgia House unopposed and is now in the Senate Non-Civil Judiciary Committee where it could be heard as early as Thursday, March 3. Its endorsements and first step in passage leave the burning question as to whether legislators and law enforcement officers violated their oath of office to uphold the Constitution of the State of Georgia.

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