



## LEGISLATIVE SUMMARY

### Adult Criminal Justice Reform

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**GOOD! SB 407 Bail/Fines and Fees.** Bail reforms include: 1) requiring the court consider financial circumstances in setting bail; 2) expanding law enforcement discretion to issue citations instead of arrest; and 3) allowing courts to release people from jail on unsecured bonds. The bill also expands the definition of “community service” and allows courts to convert fines and fees to community service for ordinance violations.

**GOOD! HB 716** requires every law enforcement agency to maintain a pre-arrest diversion program and adopt written policies that allow officers to take people to mental health and substance abuse treatment instead of jail.

**GOOD! HB 768** improves fairness for people facing the death penalty who may have an intellectual disability by matching the standard of proof to that used by other states.

**GOOD! HB 857 The Dignity for Incarcerated Women Act** requires: 1) access to feminine hygiene products; 2) no coughing/squatting for pregnant women; 3) no male strip searches; 4) no men in areas where women bathe or undress; and 5) consideration of family location during placement.

### Juvenile Justice Reform

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**GOOD! HB 53** raises the age for juvenile court jurisdiction from 17 to 18. Currently in Georgia, when a young person turns 17, he or she is tried as an adult regardless of the severity of their offense. HB 53 expands juvenile jurisdiction to all those younger than 18. Georgia is one of only five states that have not passed “Raise the Age” legislation. Four states have passed similar legislation in just the last two years alone, including three Southern states—Louisiana, South Carolina, and North Carolina.

**GOOD! HB 802** eliminates the sentence of life without parole for individuals who were under 18 at the time of their offense. The bill also guarantees all youthful offenders a parole hearing after serving 25 years for a murder conviction or 15 years for any other conviction.

### Reentry Reform

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**GOOD! HB 981** allows people with certain past convictions to petition the court to limit public access to those records. Georgians with records face enormous obstacles to stable housing and employment, and this bill will help ease those barriers. This year, the Council on Criminal Justice Reform recommended legislation to expand record restriction and sealing to certain convictions.

## Adult Criminal Justice Reform

- **HB 716 -- Pre-Arrest Diversion:**
  - Taxpayer dollars are more effectively spent when people are sent to treatment instead of jail.
  - Public health and safety improve when people are not arrested but instead can access quality treatment in their community.
  - **I support HB 716 to require law enforcement agencies maintain pre-arrest diversion programs and adopt written policies.**
- **HB 768 - Death Penalty:**
  - The U.S. Supreme Court has held that it violates the Eighth Amendment of the constitution to execute someone with an intellectual disability.
  - Georgia's current law allows people with an intellectual disability to be executed because the standard of proof is too high and the process too prejudicial.
  - Georgia is the only state in the country where the burden of proof is beyond a reasonable doubt and the only state to require the jury to decide intellectual disability and guilt at the same time.
  - **I support HB 768 to improve fairness for people facing the death penalty who may have an intellectual disability.**
- **HB 857 - Dignity for Incarcerated Women Act:**
  - Women should not have to choose between using commissary funds to call their families and purchasing feminine hygiene products.
  - Pregnant women who are incarcerated should not be forced to squat and cough.
  - 97% of the women in prison in Georgia have at least one child and most were primary caregivers before their incarceration.
  - **I support HB 857 to improve treatment and outcomes for women in Georgia's prisons.**
- **SB 407 - Bail/Fines and Fees:**
  - It is unconstitutional to hold someone in jail simply because they cannot afford a financial payment.
  - People who are unable to pay financial obligations should be offered an opportunity to engage in community service that benefits both the individual and the community.
  - **I support SB 407 and the efforts to reform the bail system in Georgia.**

## Juvenile Justice Reform

- **HB 53 - Raise the Age:**
  - Georgia is one of only seven states that does not extend juvenile court jurisdiction to age 18.
  - Young people are developmentally different from adults and should be treated that way.
  - 17-year-olds should be able to access critical services and resources in the juvenile system.
  - **I support HB 53, which raises the age from 17 to 18.**
- **HB 802 - Juvenile Sentencing Reform:**
  - The Supreme Court has held that life without parole is an unconstitutional sentence for most juveniles.
  - 20 states have banned life without parole sentences for juveniles.
  - Harsh sentences that deny juveniles a meaningful opportunity for rehabilitation disrupt healthy development and increase the likelihood that a child will reoffend.
  - **I support HB 802, which eliminates the sentence of life without parole for individuals who were under 18 at the time of their offense, and requires parole hearings for youthful offenders.**

## Reentry Reform

- **HB 981 - Limiting Public Access to Past Convictions:**
  - Georgia is far behind most states in this area—in Georgia, almost all convictions stay on your record for life.
  - Over one-third of adult Georgians have criminal records, and these Georgians often cannot find adequate employment or housing.
  - Lack of housing and employment increases recidivism, decreases public safety, and hurts our economy.
  - **I support HB 981, which would give people second chances and make our state safer and more prosperous.**