

**WITHDRAWN**

The House Committee on Rules offers the following substitute to HR 128:

A RESOLUTION

1 Compensating individuals who have been exonerated following a wrongful conviction and  
2 incarceration; and for other purposes.

3 **PART I**

4 *Compensating Mr. Joseph Samuel Watkins*

5 WHEREAS, on the evening of January 11, 2000, while driving north on Highway 27 toward  
6 Rome, Georgia, a man saw a small blue car driving erratically in front of him and interacting  
7 aggressively with a truck, and shortly thereafter the man observed a flash and saw the truck  
8 veer over the median and opposite lanes and then crash; and

9 WHEREAS, 20-year-old Mr. Isaac Dawkins was driving north in his truck on Highway 27  
10 when he was shot in the head, causing Mr. Dawkins to crash his truck and later die from the  
11 injuries he suffered; and

12 WHEREAS, on the same evening of January 11, 2000, 18-year-old Mr. Joseph Samuel  
13 Watkins drove his white truck south from his home in Rome to the home of his girlfriend in  
14 Cedartown, making several calls on his cell phone and passing the scene of Mr. Dawkins's  
15 crash on the way; and

16 WHEREAS, Mr. Watkins's cell phone records and testimonial evidence regarding a shot dog  
17 were introduced at trial; and

18 WHEREAS, the prosecution and defense presented cell phone experts who agreed that there  
19 was no possibility that Mr. Watkins's cellphone was located at or near the scene at the time  
20 the shooter's blue car would have been located at the scene; and

21 WHEREAS, on July 2, 2001, a Floyd County jury convicted Mr. Watkins for the murder of  
22 Mr. Dawkins; and

23 WHEREAS, Mr. Watkins's co-defendant, who was the alleged shooter, was acquitted by a  
24 different jury; and

25 WHEREAS, Mr. Watkins continued to maintain his innocence and pursued appeals and other  
26 post-conviction relief; and

27 WHEREAS, years later, the podcast *Undisclosed* and the Georgia Innocence Project learned  
28 that during jury deliberations at Mr. Watkins's trial, one of the jurors had improperly  
29 conducted her own "drive test" related to the cell phone records, causing her to erroneously  
30 determine that Mr. Watkins could have been present at the crime scene, a determination  
31 which she then shared with other jurors; and

32 WHEREAS, the Georgia Innocence Project discovered that although more than 15 years had  
33 passed, a former medical examiner for GBI had retained a personal autopsy log from the  
34 timeframe that he worked at the GBI, which included a previously unknown case number;  
35 and

36 WHEREAS, the new case number assisted GBI in providing documents that established that  
37 the bullet taken from the shot dog was of another caliber than the bullet used to shoot Mr.  
38 Dawkins; and

39 WHEREAS, after discovering the evidence of the unauthorized juror drive test and the bullet,  
40 Mr. Watkins filed a second petition for habeas corpus; and

41 WHEREAS, following a three-day evidentiary hearing in February and March, 2022, the  
42 state habeas court granted the habeas corpus petition, overturning Mr. Watkins's convictions,  
43 and granting him a new trial; and

44 WHEREAS, in a unanimous decision on December 20, 2022, the Supreme Court of Georgia  
45 affirmed the state habeas court's grant of relief to Mr. Watkins, holding that the habeas court  
46 did not err by concluding that Mr. Watkins showed that the juror's improper drive test during  
47 deliberations, conducted to see whether Mr. Watkins could have been physically present at  
48 the time and place Isaac Dawkins was shot, caused Mr. Watkins actual prejudice; and

49 WHEREAS, on January 3, 2023, Mr. Watkins was granted bond and released, but the  
50 charges against him remained pending and the State could have sought to retry him; and

51 WHEREAS, on September 21, 2023, based on a review of all of the available evidence,  
52 including the evidence presented at trial and new investigations, the State moved for entry  
53 of an order of nolle prosequi, which the Superior Court of Floyd County granted, thereby  
54 dismissing all the charges and officially exonerating Mr. Watkins; and

55 WHEREAS, the conviction, incarceration, and subsequent loss of liberty and other damages  
56 suffered by Mr. Watkins occurred through no fault or negligence on his part, and it is only

57 fitting and proper that he be compensated for his losses for each year of wrongful  
58 imprisonment; and

59 WHEREAS, Georgia is one of only eleven states that does not have a statutory regime for  
60 compensating innocent individuals who have been exonerated following wrongful conviction  
61 and incarceration; and

62 WHEREAS, this lack of a statutory regime for compensation requires introduction of a  
63 resolution to secure such compensation in Georgia.

64 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF  
65 GEORGIA that the Department of Administrative Services is authorized and directed to pay  
66 the sum of \$1,688,527.40 to Mr. Joseph Samuel Watkins as compensation as provided above.  
67 Said sum shall be paid from funds appropriated to or available to the Department of  
68 Administrative Services and shall be in full and complete satisfaction of all claims against  
69 the state arising out of or related to any and all facts in connection with Mr. Watkins's  
70 wrongful conviction and incarceration and shall be paid subject to the provisions of this  
71 resolution.

72 BE IT FURTHER RESOLVED that, prior to the payment of the compensation, Mr. Watkins  
73 shall sign a release and waiver which shall release, satisfy, quitclaim, and forever discharge  
74 any and all claims, demands, actions, causes of action, and damages, of every kind and nature  
75 whatsoever, past, present, or future, whether known or unknown, specifically including, but  
76 not limited to, all claims asserted or which could have been asserted, on behalf of himself and  
77 his heirs, successors, and assigns, forever releasing the state and all offices, authorities,  
78 agencies, departments, units, divisions, subdivisions, instrumentalities, institutions,  
79 commissions, boards, branches, and entities of the State of Georgia or any political

80 subdivisions thereof, and any and all current and former members, officers, employees, and  
81 agents of the state, or any branch or political subdivisions thereof, from all past, present, or  
82 future claims that Mr. Watkins or his heirs, successors, and assigns may have against such  
83 individuals or entities in any capacity arising out of or related to any and all facts in  
84 connection with his wrongful conviction and incarceration.

85 BE IT FURTHER RESOLVED that Mr. Watkins shall not be authorized to receive  
86 compensation pursuant to this resolution if he has a lawsuit pending against the state or any  
87 offices, authorities, agencies, departments, units, divisions, subdivisions, instrumentalities,  
88 institutions, commissions, boards, branches, or entities of the State of Georgia or any  
89 political subdivisions thereof, or against any current and former members, officers,  
90 employees, or agents of the state or any branch or political subdivisions thereof in state or  
91 federal court requesting compensation arising out of or related to any and all facts in  
92 connection to his wrongful conviction and incarceration.

93 BE IT FURTHER RESOLVED that said sum shall be paid in the form of an annuity in equal  
94 monthly installments over a ten-year period of time beginning one year after an initial lump  
95 sum payment of \$535,000.00. The remainder of said sum shall be paid immediately into a  
96 commercial annuity account bearing interest at the prevailing market rate, payable in equal  
97 monthly installments over a ten-year period of time beginning in 2026 with interest payable  
98 to Mr. Watkins. Compensation paid pursuant to this resolution is intended to provide the  
99 sole, final, and exclusive compensation by the state and any and all offices, authorities,  
100 agencies, departments, units, divisions, subdivisions, instrumentalities, institutions,  
101 commissions, boards, branches, and entities of the state, and any political subdivisions  
102 thereof, and any and all current and former members, officers, employees, or agents of the  
103 State of Georgia or any branches or political subdivisions thereof, for any and all present and  
104 future claims arising out of or related to any and all facts in connection with Mr. Watkins's

105 wrongful conviction and incarceration. No estate of or personal representative for Mr.  
106 Watkins shall be entitled to requisition or otherwise seek compensation on behalf of Mr.  
107 Watkins. Upon the death of Mr. Watkins, all payments and all obligations of the State of  
108 Georgia with respect to any and all future payments with respect to the annuity shall continue  
109 to be made to his estate or heirs.

110 BE IT FURTHER RESOLVED that any amount received by Mr. Watkins pursuant to this  
111 resolution shall be excluded from his taxable net income for state income tax purposes.

## 112 **PART II**

### 113 *Compensating Mr. Daryl Lee Clark*

114 WHEREAS, on October 18, 1996, fifteen-year-old Mr. Brian Bowling tragically lost his life  
115 while playing "Russian Roulette" with his friend, seventeen-year-old Mr. Cain Joshua Storey,  
116 in the bedroom of Mr. Brian Bowling's home in Floyd County, Georgia; and

117 WHEREAS, several months later, seventeen-year-old Mr. Daryl Lee Clark, an acquaintance  
118 of Mr. Brian Bowling, was arrested, and both he and Mr. Storey were charged with the  
119 murder and conspiracy to commit the murder of Mr. Bowling; and

120 WHEREAS, one of the State's two key witnesses was Ms. Angela Bruce, who claimed that  
121 during a party at her home after Mr. Bowling's death, she heard Mr. Storey say he had shot  
122 and killed Mr. Bowling, and heard Mr. Clark say he was present at the time of the shooting;  
123 and

124 WHEREAS, the second of the State's two key witnesses was Mr. Charlie Childers, a  
125 functionally illiterate and severely hearing and speech impaired man with limited and unique

126 sign language skills, who testified that he had seen a person named "Daryl" flee from Mr.  
127 Bowling's yard immediately after the shooting and identified Mr. Clark in a police photo  
128 lineup; and

129 WHEREAS, on January 19, 1998, Mr. Clark and Mr. Storey were both convicted of murder  
130 and conspiracy to commit murder and sentenced to life imprisonment; and

131 WHEREAS, in late 2021, Ms. Bruce admitted for the first time to reporters and the Georgia  
132 Innocence Project that her incriminating testimony concerning Mr. Clark's and Mr. Storey's  
133 admissions was false; and

134 WHEREAS, the independent investigation further established for the first time that Mr.  
135 Childers's translator at Mr. Clark's trial later questioned the accuracy of her own translation  
136 of Mr. Childers's testimony, and regretted providing the translation at trial, because Mr.  
137 Childers's manner of communication was not standard American Sign Language ("ASL"),  
138 but instead a communication method unique to Mr. Childers and his former teacher (an ASL  
139 expert who knew and understood Mr. Childers's unique communication method, having  
140 worked with him from the time he has been a child); and

141 WHEREAS, through interpretation by a new translator (his former teacher) in 2021, Mr.  
142 Childers indicated that testimony given by him over 20 years earlier had not been accurately  
143 interpreted to the jury; and

144 WHEREAS, on September 16, 2022, Georgia Innocence Project lawyers filed an  
145 Extraordinary Motion for New Trial (EMNT) and a petition for a writ of habeas corpus; and

146 WHEREAS, on December 8, 2022, Mr. Clark's convictions were overturned and vacated by  
147 the Superior Court of Floyd County; and

148 WHEREAS, on that same date, the District Attorney's Office for the Rome Judicial Circuit  
149 sought, and a Floyd County Superior Court Judge granted, dismissal of all charges against  
150 Mr. Clark based upon evidentiary considerations; and

151 WHEREAS, after more than twenty-five years of wrongful imprisonment by the State of  
152 Georgia, Mr. Clark was finally exonerated and freed from his incarceration on December 8,  
153 2022; and

154 WHEREAS, the conviction, incarceration, and subsequent loss of liberty and other damages  
155 suffered by Mr. Clark occurred through no fault or negligence on his part, and it is only  
156 fitting, just, and proper that he be compensated for his losses for each year of wrongful  
157 imprisonment; and

158 WHEREAS, Georgia is one of only eleven states that does not have a statutory regime for  
159 compensating innocent individuals who have been exonerated following wrongful conviction  
160 and incarceration; and

161 WHEREAS, this lack of a statutory regime for compensation requires introduction of a  
162 resolution to secure such compensation in Georgia.

163 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF  
164 GEORGIA that the Department of Administrative Services is authorized and directed to pay  
165 the sum of \$1,917,128.00 to Mr. Daryl Lee Clark as compensation as provided above. Said  
166 sum shall be paid from funds appropriated to or available to the Department of



167 Administrative Services and shall be in full and complete satisfaction of all claims against  
168 the state arising out of or related to any and all facts in connection with Mr. Clark's wrongful  
169 conviction and incarceration and shall be paid subject to the provisions of this resolution.

170 BE IT FURTHER RESOLVED that, prior to the payment of the compensation, Mr. Clark  
171 shall sign a release and waiver which shall release, satisfy, quitclaim, and forever discharge  
172 any and all claims, demands, actions, causes of action, and damages, of every kind and nature  
173 whatsoever, past, present, or future, whether known or unknown, specifically including, but  
174 not limited to, all claims asserted or which could have been asserted, on behalf of himself and  
175 his heirs, successors, and assigns, forever releasing the state and all offices, authorities,  
176 agencies, departments, units, divisions, subdivisions, instrumentalities, institutions,  
177 commissions, boards, branches, and entities of the State of Georgia or any political  
178 subdivisions thereof, and any and all current and former members, officers, employees, and  
179 agents of the state, or any branch or political subdivisions thereof, from all past, present, or  
180 future claims that Mr. Clark or his heirs, successors, and assigns may have against such  
181 individuals or entities in any capacity arising out of or related to any and all facts in  
182 connection with his wrongful conviction and incarceration.

183 BE IT FURTHER RESOLVED that Mr. Clark shall not be authorized to receive  
184 compensation pursuant to this resolution if he has a lawsuit pending against the state or any  
185 offices, authorities, agencies, departments, units, divisions, subdivisions, instrumentalities,  
186 institutions, commissions, boards, branches, or entities of the State of Georgia or any  
187 political subdivisions thereof, or against any current and former members, officers,  
188 employees, or agents of the state or any branch or political subdivisions thereof in state or  
189 federal court requesting compensation arising out of or related to any and all facts in  
190 connection to his wrongful conviction and incarceration.

191 BE IT FURTHER RESOLVED that said sum shall be paid in the form of an annuity in equal  
192 monthly installments over a ten-year period of time beginning one year after an initial lump  
193 sum payment of \$632,652.00. The remainder of said sum shall be paid immediately into a  
194 commercial annuity account bearing interest at the prevailing market rate, payable in equal  
195 monthly installments over a ten-year period of time beginning in 2026 with interest payable  
196 to Mr. Clark. Compensation paid pursuant to this resolution is intended to provide the sole,  
197 final, and exclusive compensation by the state and any and all offices, authorities, agencies,  
198 departments, units, divisions, subdivisions, instrumentalities, institutions, commissions,  
199 boards, branches, and entities of the state, and any political subdivisions thereof, and any and  
200 all current and former members, officers, employees, or agents of the State of Georgia or any  
201 branches or political subdivisions thereof, for any and all present and future claims arising  
202 out of or related to any and all facts in connection with Mr. Clark's wrongful conviction and  
203 incarceration. No estate of or personal representative for Mr. Clark shall be entitled to  
204 requisition or otherwise seek compensation on behalf of Mr. Clark. Upon the death of Mr.  
205 Clark, all payments and all obligations of the State of Georgia with respect to any and all  
206 future payments with respect to the annuity shall continue to be made to his estate or heirs.

207 BE IT FURTHER RESOLVED that any amount received by Mr. Clark pursuant to this  
208 resolution shall be excluded from his taxable net income for state income tax purposes.

### 209 **PART III**

#### 210 *Compensating Mr. Michael Woolfolk*

211 WHEREAS, on April 16, 2004, a jury convicted Mr. Michael Woolfolk and Mr. Mario  
212 Stinchcomb of murder and aggravated assault in the death of Ms. Jaketha Young; and

213 WHEREAS, Mr. Woolfolk consistently maintained a claim of self-defense; and

214 WHEREAS, a witness present at the scene, Mr. Jamario Ford, was presumed dead and could  
215 not be located for trial; and

216 WHEREAS, in August of 2018, Mr. Stinchcomb filed an Extraordinary Motion for New  
217 Trial, based on newly discovered evidence, as the witness, Mr. Ford, was located; and

218 WHEREAS, on June 25, 2019, the Fulton County Superior Court entered an order denying  
219 Mr. Stinchcomb's motion; and

220 WHEREAS, in July of 2019, a motion for permission to file a discretionary appeal was filed  
221 in the Georgia Supreme Court; and

222 WHEREAS, on June 1, 2020, the Georgia Supreme Court ordered that an evidentiary hearing  
223 be held to allow the witness, Mr. Jamario Ford, to testify; and

224 WHEREAS, the Fulton County District Attorney's Office of Conviction Integrity Unit  
225 reinvestigated the case and concluded that the witness, Mr. Ford, was clear in his testimony  
226 that Ms. Young fired at Mr. Woolfolk and Mr. Stinchcomb, who both returned fire in  
227 self-defense; and

228 WHEREAS, on April 12, 2021, Superior Court Judge Shukura Millender ordered the case  
229 against Mr. Stinchcomb dismissed; and

230 WHEREAS, May 17, 2021, Mr. Woolfolk's conviction was likewise vacated and dismissed;  
231 and

232 WHEREAS, the conviction, incarceration, and subsequent loss of liberty and other damages  
233 suffered by Mr. Woolfolk occurred through no fault or negligence on his part, and it is only  
234 fitting and proper that he be compensated for his losses for each year of wrongful  
235 imprisonment; and

236 WHEREAS, Georgia is one of only 11 states that do not have a statutory regime for  
237 compensating innocent individuals who have been exonerated following a wrongful  
238 conviction and incarceration; and

239 WHEREAS, this lack of a statutory regime for compensation requires introduction of a  
240 resolution to secure such compensation in Georgia.

241 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF  
242 GEORGIA that the Department of Administrative Services is authorized and directed to pay  
243 the sum of \$1,350,000.00 to Mr. Michael Woolfolk as compensation as provided above.  
244 Said sum shall be paid from funds appropriated to or available to the Department of  
245 Administrative Services and shall be in full and complete satisfaction of all claims against  
246 the state arising out of or related to any and all facts in connection with Mr. Woolfolk's  
247 wrongful conviction and incarceration and shall be paid subject to the provisions of this  
248 resolution.

249 BE IT FUTHER RESOLVED that, prior to the payment of the compensation, Mr. Woolfolk  
250 shall sign a release and waiver which shall release, satisfy, quitclaim, and forever discharge  
251 any and all claims, demands, actions, causes of action, and damages, of every kind and nature  
252 whatsoever, past, present, or future, whether known or unknown, specifically including, but  
253 not limited to, all claims asserted or which could have been asserted, on behalf of himself and  
254 his heirs, successors, and assigns, forever releasing the state and all offices, authorities,

255 agencies, departments, units, divisions, subdivisions, instrumentalities, institutions,  
256 commissions, boards, branches, and entities of the State of Georgia or any political  
257 subdivisions thereof, and any and all current and former members, officers, employees, and  
258 agents of the state, or any branch or political subdivisions thereof, from all past, present, or  
259 future claims that Mr. Woolfolk or his heirs, successors, and assigns may have against such  
260 individuals or entities in any capacity arising out of or related to any and all facts in  
261 connection with his wrongful conviction and incarceration.

262 BE IT FURTHER RESOLVED that Mr. Woolfolk shall not be authorized to receive  
263 compensation pursuant to this resolution if he has a lawsuit pending against the state or any  
264 offices, authorities, agencies, departments, units, divisions, subdivisions, instrumentalities,  
265 institutions, commissions, boards, branches, or entities of the State of Georgia or any  
266 political subdivisions thereof, or against any current and former members, officers,  
267 employees, or agents of the state or any branch or political subdivisions thereof in state or  
268 federal court requesting compensation arising out of or related to any and all facts in  
269 connection to his wrongful conviction and incarceration.

270 BE IT FURTHER RESOLVED that said sum shall be paid in the form of an annuity in equal  
271 monthly installments over a ten-year period of time beginning one year after an initial lump  
272 sum payment of \$445,500.00. The remainder of said sum shall be paid immediately into a  
273 commercial annuity account bearing interest at the prevailing market rate, payable in equal  
274 monthly installments over a ten-year period of time beginning in 2026 with interest payable  
275 to Mr. Woolfolk. Compensation paid pursuant to this resolution is intended to provide the  
276 sole, final, and exclusive compensation by the state and any and all offices, authorities,  
277 agencies, departments, units, divisions, subdivisions, instrumentalities, institutions,  
278 commissions, boards, branches, and entities of the state, and any political subdivisions  
279 thereof, and any and all current and former members, officers, employees, or agents of the

280 State of Georgia or any branches or political subdivisions thereof, for any and all present and  
281 future claims arising out of or related to any and all facts in connection with Mr. Woolfolk's  
282 wrongful conviction and incarceration. No estate of or personal representative for Mr.  
283 Woolfolk shall be entitled to requisition or otherwise seek compensation on behalf of the Mr.  
284 Woolfolk. Upon the death of Mr. Woolfolk, all payments and all obligations of the State of  
285 Georgia with respect to any and all future payments with respect to the annuity shall continue  
286 to be made to his estate or heirs.

287 BE IT FURTHER RESOLVED that any amount received by Mr. Woolfolk pursuant to this  
288 resolution shall be excluded from his taxable net income for state income tax purposes.

#### 289 **PART IV**

##### 290 *Compensating Mr. Mario Stinchcomb*

291 WHEREAS, on April 16, 2004, a jury convicted Mr. Michael Woolfolk and Mr. Mario  
292 Stinchcomb of murder and aggravated assault in the death of Ms. Jaketha Young; and

293 WHEREAS, Mr. Stinchcomb consistently maintained a claim of self-defense; and

294 WHEREAS, a witness present to the scene, Mr. Jamarion Ford, was presumed dead and could  
295 not be located for trial; and

296 WHEREAS, in August of 2018, Mr. Stinchcomb filed an Extraordinary Motion for New  
297 Trial, based upon newly discovered evidence, as the witness, Mr. Ford, was located; and

298 WHEREAS, on June 25, 2019, the Fulton County Superior Court entered an order denying  
299 Mr. Stinchcomb's motion; and

300 WHEREAS, in July of 2019, a motion for permission to file a discretionary appeal was filed  
301 in the Georgia Supreme Court; and

302 WHEREAS, on June 1, 2020, the Georgia Supreme Court ordered that an evidentiary hearing  
303 be held to allow the witness, Mr. Jamario Ford, to testify; and

304 WHEREAS, the Fulton County District Attorney's Office of Conviction Integrity Unit  
305 reinvestigated the case and concluded that the witness, Mr. Jamario Ford, was clear in his  
306 testimony that Ms. Young fired at Mr. Woolfolk and Mr. Stinchcomb, who both returned fire  
307 in self-defense; and

308 WHEREAS, on April 12, 2021, Superior Court Judge Shukura Miller ordered the case  
309 against Mr. Stinchcomb dismissed; and

310 WHEREAS, on May 17, 2021, Mr. Woolfolk's conviction was likewise vacated and  
311 dismissed; and

312 WHEREAS, the conviction, incarceration, and subsequent loss of liberty and other damages  
313 suffered by Mr. Stinchcomb occurred through no fault or negligence on his part, and it is  
314 only fitting and proper that he be compensated for his losses for each year of wrongful  
315 imprisonment; and

316 WHEREAS, Georgia is one of only 11 states that do not have a statutory regime for  
317 compensating innocent individuals who have been exonerated following a wrongful  
318 conviction and incarceration; and

319 WHEREAS, this lack of a statutory regime for compensation requires introduction of a  
320 resolution to secure such compensation in Georgia.

321 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF  
322 GEORGIA that the Department of Administrative Services is authorized and directed to pay  
323 the sum of \$975,000.00 to Mr. Mario Stinchcomb as compensation as provided above. Said  
324 sum shall be paid from funds appropriated to or available to the Department of  
325 Administrative Services and shall be in full and complete satisfaction of all claims against  
326 the state arising out of or related to any and all facts in connection with Mr. Stinchcomb's  
327 wrongful conviction and incarceration and shall be paid subject to the provisions of this  
328 resolution.

329 BE IT FURTHER RESOLVED that, prior to the payment of the compensation, Mr.  
330 Stinchcomb shall sign a release and waiver which shall release, satisfy, quitclaim, and  
331 forever discharge any and all claims, demands, actions, causes of action, and damages, of  
332 every kind and nature whatsoever, past, present, or future, whether known or unknown,  
333 specifically including, but not limited to, all claims asserted or which could have been  
334 asserted, on behalf of himself and his heirs, successors, and assigns, forever releasing the  
335 state and all offices, authorities, agencies, departments, units, divisions, subdivisions,  
336 instrumentalities, institutions, commissions, boards, branches, and entities of the State of  
337 Georgia or any political subdivisions thereof, and any and all current and former members,  
338 officers, employees, and agents of the state, or any branch or political subdivisions thereof,  
339 from all past, present, or future claims that Mr. Stinchcomb or his heirs, successors, and  
340 assigns may have against such individuals or entities in any capacity arising out of or related  
341 to any and all facts in connection with his wrongful conviction and incarceration.



342 BE IT FURTHER RESOLVED that Mr. Stinchcomb shall not be authorized to receive  
343 compensation pursuant to this resolution if he has a lawsuit pending against the state or any  
344 offices, authorities, agencies, departments, units, divisions, subdivisions, instrumentalities,  
345 institutions, commissions, boards, branches, or entities of the State of Georgia or any  
346 political subdivisions thereof, or against any current and former members, officers,  
347 employees, or agents of the state or any branch or political subdivisions thereof in state or  
348 federal court requesting compensation arising out of or related to any and all facts in  
349 connection to his wrongful conviction and incarceration.

350 BE IT FURTHER RESOLVED that said sum shall be paid in the form of an annuity in equal  
351 monthly installments over a ten-year year period of time beginning one year after an initial  
352 lump sum payment of \$321,750.00. The remainder of said sum shall be paid immediately  
353 into a commercial annuity account bearing interest at the prevailing market rate, payable in  
354 equal monthly installments over a ten-year period of time beginning in 2026 with interest  
355 payable to Mr. Stinchcomb. Compensation paid pursuant to this resolution is intended to  
356 provide the sole, final, and exclusive compensation by the state and any and all offices,  
357 authorities, agencies, departments, units, divisions, subdivisions, instrumentalities,  
358 institutions, commissions, boards, branches, and entities of the state, and any political  
359 subdivisions thereof, and any and all current and former members, officers, employees, or  
360 agents of the State of Georgia or any branches or political subdivisions thereof, for any and  
361 all present and future claims arising out of or related to any and all facts in connection with  
362 Mr. Stinchcomb's wrongful conviction and incarceration. No estate of or personal  
363 representative for Mr. Stinchcomb shall be entitled to requisition or otherwise seek  
364 compensation on behalf of Mr. Stinchcomb. Upon the death of Mr. Stinchcomb, all  
365 payments and all obligations of the State of Georgia with respect to any and all future  
366 payments with respect to the annuity shall continue to be made to his estate or heirs.

367 BE IT FURTHER RESOLVED that any amount received by Mr. Stinchcomb pursuant to this  
368 resolution shall be excluded from his taxable net income for state income tax purposes.

369 **PART V**

370 *Compensating Mr. Sedrick Moore*

371 WHEREAS, on the night of February 15, 1993, three men broke into a Colquitt County,  
372 Georgia, home where they robbed and sexually assaulted a woman at gunpoint; and

373 WHEREAS, the victim was only able to identify one of the three perpetrators, Mr. Tyrone  
374 White; and

375 WHEREAS, during his interview with police, Mr. White implicated Mr. Sedrick Moore and  
376 Mr. Kerry Robinson as the two other perpetrators; and

377 WHEREAS, over six years after the incident, Mr. Moore was arrested in connection with the  
378 incident and charged, along with Mr. Robinson, with rape and other offenses related to  
379 robbery and possession of a firearm; and

380 WHEREAS, Mr. White made a deal with the State for a more lenient sentence in exchange  
381 for his testimony against Mr. Moore and Mr. Robinson; and

382 WHEREAS, both Mr. Moore and Mr. Robinson were tried at the same time; and

383 WHEREAS, other evidence against Mr. Moore and Mr. Robinson was a statement from Mr.  
384 Johnny Brown, III, a neighbor of the victim, placing Mr. Moore in the area that night and

385 testimony from a DNA expert that DNA from a sexual assault exam performed on the victim  
386 on the night of the incident matched Mr. Moore's and Mr. Robinson's DNA; and

387 WHEREAS, on February 26, 2002, a jury convicted Mr. Moore of one count of rape, three  
388 counts of possession of a firearm during the commission of a crime, one count of armed  
389 robbery, and one count of burglary, and Mr. Moore was sentenced to 50 years' imprisonment;  
390 and

391 WHEREAS, both Mr. Moore and Mr. Robinson maintained their innocence and pursued  
392 appeals of their convictions; and

393 WHEREAS, in 2018, the Georgia Bureau of Investigation began using a new DNA testing  
394 method and Mr. Robinson sought new DNA testing as further post-conviction relief; and

395 WHEREAS, the new DNA testing did not support a valid DNA match to Mr. Robinson or  
396 Mr. Moore; and

397 WHEREAS, based on this new DNA evidence, Mr. Robinson filed an Extraordinary Motion  
398 for New Trial (EMNT) and was ultimately exonerated on January 8, 2020, after the State  
399 declined to further prosecute his case; and

400 WHEREAS, Mr. Moore subsequently filed an EMNT and, on May 12, 2023, a Colquitt  
401 County Superior Court Judge granted Mr. Moore's EMNT; and

402 WHEREAS, on August 28, 2023, the State moved for entry of an order of nolle prosequi,  
403 which a Colquitt County Superior Court Judge granted, thereby dismissing all charges and

404 officially exonerating Mr. Moore after more than 21 years of wrongful imprisonment by the  
405 State of Georgia; and

406 WHEREAS, the conviction, incarceration, and subsequent loss of liberty and other damages  
407 suffered by Mr. Moore occurred through no fault or negligence on his part, and it is only  
408 fitting, just, and proper that he be compensated for his losses for each year of wrongful  
409 imprisonment.

410 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF  
411 GEORGIA that the Department of Administrative Services is authorized and directed to pay  
412 the sum of \$1,691,280.00 to Mr. Sedrick Moore as compensation as provided above. Said  
413 sum shall be paid from funds appropriated to or available to the Department of  
414 Administrative Services and shall be in full and complete satisfaction of all claims against  
415 the state arising out of or related to any and all facts in connection with Mr. Moore's  
416 wrongful conviction and incarceration and shall be paid subject to the provisions of this  
417 resolution.

418 BE IT FURTHER RESOLVED that, prior to the payment of the compensation, Mr. Moore  
419 shall sign a release and waiver which shall release, satisfy, quitclaim, and forever discharge  
420 any and all claims, demands, actions, causes of action, and damages, of every kind and nature  
421 whatsoever, past, present, or future, whether known or unknown, specifically including, but  
422 not limited to, all claims asserted or which could have been asserted, on behalf of himself and  
423 his heirs, successors, and assigns, forever releasing the state and all offices, authorities,  
424 agencies, departments, units, divisions, subdivisions, instrumentalities, institutions,  
425 commissions, boards, branches, and entities of the State of Georgia or any political  
426 subdivisions thereof, and any and all current and former members, officers, employees, and  
427 agents of the state, or any branch or political subdivisions thereof, from all past, present, or

428 future claims that Mr. Moore or his heirs, successors, and assigns may have against such  
429 individuals or entities in any capacity arising out of or related to any and all facts in  
430 connection with his wrongful conviction and incarceration.

431 BE IT FURTHER RESOLVED that Mr. Moore shall not be authorized to receive  
432 compensation pursuant to this resolution if he has a lawsuit pending against the state or any  
433 offices, authorities, agencies, departments, units, divisions, subdivisions, instrumentalities,  
434 institutions, commissions, boards, branches, or entities of the State of Georgia or any  
435 political subdivisions thereof, or against any current and former members, officers,  
436 employees, or agents of the state or any branch or political subdivisions thereof in state or  
437 federal court requesting compensation arising out of or related to any and all facts in  
438 connection to his wrongful conviction and incarceration.

439 BE IT FURTHER RESOLVED that said sum shall be paid in the form of an annuity in equal  
440 monthly installments over a ten-year period of time beginning one year after an initial lump  
441 sum payment of \$558,122.40. The remainder of said sum shall be paid immediately into a  
442 commercial annuity account bearing interest at the prevailing market rate, payable in equal  
443 monthly installments over a ten-year period of time beginning in 2026 with interest payable  
444 to Mr. Moore. Compensation paid pursuant to this resolution is intended to provide the sole,  
445 final, and exclusive compensation by the state and any and all offices, authorities, agencies,  
446 departments, units, divisions, subdivisions, instrumentalities, institutions, commissions,  
447 boards, branches, and entities of the state, and any political subdivisions thereof, and any and  
448 all current and former members, officers, employees, or agents of the State of Georgia or any  
449 branches or political subdivisions thereof, for any and all present and future claims arising  
450 out of or related to any and all facts in connection with Mr. Moore's wrongful conviction and  
451 incarceration. No estate of or personal representative for Mr. Moore shall be entitled to  
452 requisition or otherwise seek compensation on behalf of Mr. Moore. Upon the death of Mr.

453 Moore, all payments and all obligations of the State of Georgia with respect to any and all  
454 future payments with respect to the annuity shall continue to be made to his estate or heirs.

455 BE IT FURTHER RESOLVED that any amount received by Mr. Moore pursuant to this  
456 resolution shall be excluded from his taxable net income for state income tax purposes.