

Senate Resolution 35

By: Senators Thomas of the 10th, Adelman of the 42nd, Harbison of the 15th, Kemp of the 3rd, Starr of the 44th and others

AS PASSED

A RESOLUTION

1 Creating the Blue Ribbon Commission on Response, Investigation, and Prosecution of
2 Sexual Offenses; to provide for the commission's membership, powers, duties, mission,
3 compensation, and expenses; to provide for related matters; and for other purposes.

4 WHEREAS, it is the expressed will of the General Assembly to address the serious problems
5 faced by victims, law enforcement, and prosecutors on the occurrence of sexual assault; and

6 WHEREAS, occurrences of sexual assault continue to escalate against women and men with
7 long lasting detrimental effects on the victim, his or her family, and the community; and

8 WHEREAS, the Criminal Justice Coordinating Council has found that victims of sexual
9 assault may often receive incomplete or no information regarding their rights as victims; and

10 WHEREAS, the local investigating law enforcement agencies bear the cost of investigation,
11 often challenged by limited funding, resource options, and training; and

12 WHEREAS, the absence of physical evidence often hampers prosecution efforts; and

13 WHEREAS, nonprofit organizations currently play an essential and active role in the support
14 of criminal investigations and prosecution of sexual assault offenses and provide educational
15 resources to medical professions and law enforcement on issues related to sexual offenses
16 throughout Georgia; and

17 WHEREAS, the current economic circumstances demand coordination of funding,
18 investigation, and education efforts on state and local levels to maximize resources available
19 to respond to sexual assault offenses; and

20 WHEREAS, an opportunity should be provided for public debate and consideration of
21 options for improving the response to sexual assault offenses in Georgia; to make specific

1 recommendations for improving education, training, victim care, investigation, and
2 prosecution; to develop benchmarks for assessing progress toward such goals; to consider
3 whether a state sponsored program of Sexual Assault Nurse Examiners can be implemented;
4 and to consider what measures can be taken to ensure a better response to sexual assault
5 offenses in Georgia in the future.

6 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF
7 GEORGIA that there is created the Blue Ribbon Commission on Response, Investigation,
8 and Prosecution of Sexual Offenses to be composed of 15 members, as follows: two
9 members appointed by the Governor, three members of the Senate to be appointed by the
10 Lieutenant Governor, three members of the House of Representatives to be appointed by the
11 Speaker of the House of Representatives, the director of the Georgia Bureau of Investigation
12 or his or her designee, the director of the Georgia Public Safety Training Center or his or her
13 designee, the director of the Prosecuting Attorney's Council of Georgia or his or her
14 designee, the commissioner of the Department of Community Health or his or her designee,
15 the director of the Criminal Justice Coordinating Council or his or her designee, the President
16 of the Georgia Board of Nursing or his or her designee, and the director of the Georgia
17 Network to End Sexual Assault or his or her designee. If an elected or appointed public
18 officer leaves office, a vacancy shall be created in such position on the commission. Such a
19 vacancy and any other vacancy shall be filled in the same manner as the initial designation
20 or appointment. The Lieutenant Governor and the Speaker of the House of Representatives
21 shall each designate a member of the commission to serve as cochairpersons of the
22 commission. The commission shall meet at the call of the cochairpersons.

23 BE IT FURTHER RESOLVED that in addition to normal legislative support services, the
24 commission shall make use of staff support services provided by the Department of
25 Community Health.

26 BE IT FURTHER RESOLVED that the commission shall undertake a study of the
27 conditions, needs, issues, and problems mentioned above or related thereto and recommend
28 any actions or legislation which the commission deems necessary or appropriate. The
29 commission may conduct such meetings at such places and at such times as it may deem
30 necessary or convenient to enable it to exercise fully and effectively its powers, perform its
31 duties, and accomplish the objectives and purposes of this resolution. The legislative
32 members of the commission shall receive the allowances provided for in Code Section
33 28-1-8, but shall receive the same for not more than five days unless additional days are
34 authorized. The members of the commission who are not legislative members and who are

1 not public employees shall receive no compensation for their services on the commission,
2 but they shall receive a daily expense allowance in the amount specified in subsection (b) of
3 Code Section 45-7-21. The members of the commission who are public employees shall
4 receive no compensation for their services on the commission but may be reimbursed for
5 expenses by their respective employers. The funds necessary to carry out the provisions of
6 this resolution shall come from the funds appropriated to or otherwise available to the Senate
7 and House of Representatives. The commission shall publish a written report on its progress
8 on or before December 1, 2003, for the 2004 session of the General Assembly and shall
9 include any recommendations of any actions or legislation which the commission deems
10 necessary or appropriate. This commission shall stand abolished on July 1, 2004.