

House Resolution 161 (AS PASSED HOUSE AND SENATE)

By: Representatives Hugley of the 133rd, Epps of the 128th, Benfield of the 85th, Brooks of the 63rd, Millar of the 79th, and others

A RESOLUTION

- 1 Compensating Mr. John Jerome White; and for other purposes.
- 2 WHEREAS, in 1979, a man forcibly entered the home of a 74 year-old woman in
3 Meriwether County and robbed, beat, and raped her; and
- 4 WHEREAS, a young man named Mr. John Jerome White was convicted of the crimes,
5 largely on eyewitness testimony, and sentenced to life in prison; and
- 6 WHEREAS, he was paroled in 1990, but subsequent convictions caused him to be returned
7 to prison to serve out the life sentence; and
- 8 WHEREAS, DNA tests conducted at the urging of the Georgia Innocence Project led
9 authorities to identify the actual perpetrator of the crimes, a man with whom law enforcement
10 was familiar and who was in the lineup at the time the witness mistakenly identified Mr.
11 White as the perpetrator; and
- 12 WHEREAS, on December 10, 2007, Mr. White was released after his 1979 indictment was
13 nol-prossed; and
- 14 WHEREAS, Mr. White, now 48 years old, lost almost three decades of his life and is now
15 the longest serving of the nation's exonerees due to post-conviction DNA testing; and
- 16 WHEREAS, Mr. White has suffered loss of liberty, personal injury, lost wages, injury to
17 reputation, emotional distress, and other damages as a result of his 28 years of incarceration
18 and expenses in trying to prove his innocence totaling \$3 million; and
- 19 WHEREAS, the conviction, incarceration, and subsequent loss of liberty and other damages
20 occurred through no fault or negligence on the part of Mr. White, and it is only fitting and
21 proper that he be compensated for his loss.

22 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF
23 GEORGIA that the Department of Administrative Services is authorized and directed to pay
24 the sum of \$500,000.00, to be paid out over a period of 20 years to Mr. John Jerome White
25 as compensation as provided above. The payments provided for in this resolution may be
26 accomplished through the purchase of one or more annuities. Said sum shall be paid from
27 funds appropriated to or available to the Department of Administrative Services and shall be
28 in full and complete satisfaction of all claims against the state arising out of said occurrence.

29 BE IT FURTHER RESOLVED that all payments and all obligations of the state for any and
30 all future payments shall cease upon the date of death of the beneficiary, Mr. John Jerome
31 White, and no such payments shall be assignable under any circumstances. All payments
32 shall cease upon any further felony conviction. Mr. White shall be subject to periodic,
33 unannounced drug testing, and all payments shall cease if any such test indicates the presence
34 of any illegal drugs. No payment shall be made during any period during which Mr. White
35 is not employed, self-employed, performing voluntary work for a charitable organization, or
36 seeking employment. Prior to the commencement of payments, Mr. White and the
37 Department of Administrative Services shall enter into a written agreement containing the
38 terms and conditions specified in this resolution; and the execution of such agreement shall
39 be a condition precedent to any payment by the department.