

House Resolution 426

By: Representatives Gordon of the 163rd, Mitchell of the 88th, Marin of the 96th, Scott of the 76th, Jones of the 62nd, and others

A RESOLUTION

1 Encouraging the superior courts to prefer the suspension of the service of a sentence or
2 probation in cases pertaining to the offense of abandonment; and for other purposes.

3 WHEREAS, this body has determined that children shall be provided for by their parents;
4 and

5 WHEREAS, pursuant to Code Section 19-10-1 of the Official Code of Georgia Annotated,
6 a child abandoned by his or her father or mother is considered to be in a dependent condition
7 when the father or mother does not furnish sufficient food, clothing, or shelter for the needs
8 of the child; and

9 WHEREAS, Code Section 19-10-1 of the Official Code of Georgia Annotated provides that
10 any father or mother who willfully and voluntarily abandons his or her child, leaving the
11 child in a dependent condition, shall be guilty of the offense of abandonment; and

12 WHEREAS, the prosecution for and conviction of the offense of abandonment results in the
13 guilt of a misdemeanor or felony; and

14 WHEREAS, a father or mother in confinement for the offense of abandonment in many
15 instances perpetuates the dependent condition of his or her child given that such father or
16 mother is unable to earn income during such period of confinement; and

17 WHEREAS, a father or mother in confinement for the offense of abandonment is in
18 confinement at cost to this state; and

19 WHEREAS, suspension of the service of a sentence or probation under such terms and
20 conditions as may be prescribed by the court in cases pertaining to the offense of
21 abandonment can save costs to this state, provide for accountability by the offending parent,

22 and enable such parent to earn income for the furnishing of food, clothing, and shelter for the
23 needs of the child.

24 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that
25 the members of this body join together to encourage the superior courts, whenever possible
26 and likely to be of benefit to the needs of a child, to prefer suspension of the service of a
27 sentence or probation under such terms and conditions as may be prescribed by the court,
28 including but not limited to restrictions on movement and ankle bracelet monitoring, in cases
29 pertaining to the offense of abandonment.

30 BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized
31 and directed to make appropriate copies of this resolution available for distribution to The
32 Council of Superior Court Judges of Georgia.