

## House Resolution 1041

By: Representatives Gordon of the 163<sup>rd</sup>, Gilliard of the 162<sup>nd</sup>, Stephens of the 164<sup>th</sup>, Williams of the 168<sup>th</sup>, Petrea of the 166<sup>th</sup>, and others

## A RESOLUTION

- 1 Compensating Mark Jason Jones; and for other purposes.
- 2 WHEREAS, in the late evening hours of January 31, 1992, a man was gunned down on a  
3 street corner in Savannah, Georgia; and
- 4 WHEREAS, despite his continued proclamations of innocence, Mark Jason Jones was  
5 arrested and charged with this crime; and
- 6 WHEREAS, on November 19, 1992, Mark Jason Jones was convicted of malice murder and  
7 possession of a firearm during the commission of a crime and was sentenced to life plus five  
8 years in prison; and
- 9 WHEREAS, this conviction was primarily based upon the testimony of a reluctant partial  
10 eyewitness who was unduly pressured to provide false testimony and identify Mark Jason  
11 Jones as one of the perpetrators and who subsequently recanted his trial testimony in full; and
- 12 WHEREAS, prior to trial, the criminal defense attorneys for Mr. Jones were never furnished  
13 with exculpatory evidence that established his innocence; and
- 14 WHEREAS, on November 2, 2017, the Georgia Supreme Court, in a unanimous decision,  
15 overturned the conviction of Mark Jason Jones after determining that the outcome of his trial  
16 would likely have been different if the exculpatory evidence had not been withheld from his  
17 defense team; and
- 18 WHEREAS, following the Supreme Court's decision, Mark Jason Jones was released on  
19 bond in December, 2017, after spending over 25 years in prison; and
- 20 WHEREAS, in July, 2018, a nolle prosequi was entered with respect to the indictment  
21 against Mark Jason Jones; and

22 WHEREAS, as a result of his wrongful arrest and conviction, Mark Jason Jones received an  
23 other than honorable discharge from the United States Army, was denied the honor of  
24 serving his country in the military, and was deprived of many benefits to which he would  
25 otherwise be entitled from the Department of Veterans Affairs; and

26 WHEREAS, Mark Jason Jones has suffered loss of liberty, personal injury, lost wages, injury  
27 to reputation, emotional distress, and other damages as a result of his more than 25 years of  
28 incarceration; and

29 WHEREAS, the conviction, incarceration, and subsequent loss of liberty and other damages  
30 suffered by Mark Jason Jones occurred through no fault or negligence on his part, and it is  
31 only fitting and proper that he be compensated for his losses.

32 NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE GENERAL  
33 ASSEMBLY OF GEORGIA that the Department of Corrections is authorized and directed  
34 to pay the sum of \$3,250,000.00 to Mark Jason Jones as compensation as provided above.  
35 Said sum shall be paid from funds appropriated to or available to the Department of  
36 Corrections and shall be in full and complete satisfaction of all claims against the state  
37 arising out of said occurrence and shall be paid subject to the provisions of this resolution.  
38 Said sum shall be paid in the form of an annuity in equal monthly installments over a 20 year  
39 period of time beginning one year after an initial lump sum payment of \$250,000.00. Upon  
40 the death of Mark Jason Jones, all payments and all obligations of the state with respect to  
41 any and all future payments with respect to the annuity shall continue to be made to his estate  
42 or heirs. None of the annuities shall be assignable under any circumstances.