

The House Committee on Appropriations offers the following substitute to HR 1041:

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

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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 Administrative Services is authorized
34 and directed to pay the sum of \$1,000,000.00 to Mark Jason Jones as compensation as
35 provided above. Said sum shall be paid from funds appropriated to or available to the
36 Department of Administrative Services and shall be in full and complete satisfaction of all
37 claims against the state arising out of said occurrence and shall be paid subject to the
38 provisions of this resolution. Said sum shall be paid in the form of an annuity in equal
39 monthly installments over a 20 year period of time beginning one year after an initial lump
40 sum payment of \$50,000.00. Upon the death of Mark Jason Jones, all payments and all
41 obligations of the state with respect to any and all future payments with respect to the annuity
42 shall continue to be made to his estate or heirs. None of the annuities shall be assignable
43 under any circumstances.