

House Bill 1555

By: Representatives Gilliard of the 162nd, Wilensky of the 79th, Boddie of the 62nd, Scott of the 76th, Beverly of the 143rd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 8 of Title 50 of the Official Code of Georgia Annotated,
2 relating to general provisions regarding the Department of Community Affairs, so as to
3 establish the Georgia Cold Case Project to Address Historic Lynchings and Related Matters;
4 to provide for powers and duties of such; to provide for a short title; to provide for related
5 matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 This Act shall be known and may be cited as the "Original 33 Act to Establish the Georgia
9 Cold Case Project to Address Historic Lynchings and Related Matters."

10 **SECTION 2.**

11 Article 1 of Chapter 8 of Title 50 of the Official Code of Georgia Annotated, relating to
12 general provisions regarding the Department of Community Affairs, is amended by adding
13 a new Code section to read as follows:

H. B. 1555

14 "50-8-19.

15 (a) The department shall create a new office within the department, which shall develop
16 and house the Georgia Cold Case Project to Address Historic Lynchings and Related
17 Matters (the Project). The Project goal shall be to investigate and, if possible, redress, any
18 unresolved homicide case related to the Original 33, the first 33 African-American
19 members of the Georgia General Assembly who were elected in 1868, the Atlanta race riot
20 of 1906, the Camilla massacre of 1868, and other unresolved historical homicides or
21 lynchings.

22 (b) In developing the Georgia Cold Case Project, the department shall consider the
23 following:

24 (1) Using all available criminal investigation techniques and historical research
25 techniques to investigate, resolve, and, if possible, redress unresolved homicides relating
26 to the Original 33 and other historical lynchings;

27 (2) Creating a conviction integrity unit to investigate unresolved lynching cases for
28 which there was an official proceeding such as a court trial, conviction, sentencing, or
29 execution, and to develop and present applications of exoneration or pardon for the
30 victims of lynchings who were wrongly or unjustly accused or convicted of a crime, or
31 for which there did not exist sufficient evidence to prosecute or convict an individual for
32 an alleged crime, and to review applications seeking exoneration or pardon, including
33 posthumous exoneration or pardon, to be modeled, when appropriate, after the pardon of
34 Leo Frank following his lynching; and

35 (3) Creating a program modeled after the Shoah Foundation's History Archive to collect
36 and cross-check data in order to investigate and, if possible, redress unresolved lynching
37 cases for which there was no official proceeding.

38 (c) The department is authorized to draw upon any other resources in the state government,
39 including but not limited to the Georgia Bureau of Investigation, the State Law
40 Department, the State Board of Pardons and Paroles, and the Georgia Historic Preservation

41 Division, among others, in developing concepts for and in implementing and administering
42 the Georgia Cold Case Project. The department is authorized and encouraged to reach out
43 to the private, academic, and nonprofit sectors, including but not limited to the Georgia
44 Trust for Historic Preservation, Inc., the Shoah Foundation, the Equal Justice Initiative, the
45 State Bar of Georgia, Elliot Jaspin, author of *Buried in the Bitter Waters*, Professor Patrick
46 Phillips, author of *Blood at the Root*, and Emory University's Georgia Civil Rights Cold
47 Cases Project and WABE 90.1's Buried Truths Podcast, in finding ways to make the
48 Georgia Cold Case Project a collaborative effort with and among all these sectors."

49 **SECTION 3.**

50 All laws and parts of laws in conflict with this Act are repealed.