

## House Resolution 1893

By: Representatives Fincher of the 23<sup>rd</sup>, Smith of the 18<sup>th</sup>, Leverett of the 123<sup>rd</sup>, Crowe of the 118<sup>th</sup>, Silcox of the 53<sup>rd</sup>, and others

## A RESOLUTION

1 Creating the House Study Committee on Modernizing the Discovery Process through the Use  
2 of New Technologies; and for other purposes.

3 WHEREAS, the criminal justice ecosystem is large and complex, especially when it comes  
4 to digital evidence; and

5 WHEREAS, requesting and receiving digital evidence for a single case can generate multiple  
6 hard drives' worth of data, which must be shared between partnering organizations and  
7 attorneys' offices, all of which may use incompatible storage systems; and

8 WHEREAS, digital evidence has experienced exponential growth in recent years; and

9 WHEREAS, in addition to police reports and crime scene photos that used to make up the  
10 majority of the discovery process, today's discovery includes digital photos, body-worn  
11 camera footage, closed-circuit television footage, cell phone data, interview recordings,  
12 drone footage, in-car fleet videos, and other sources of evidence; and

13 WHEREAS, once prosecutors receive all of the digital evidence from law enforcement  
14 agencies, the public, relevant businesses, and others, they have to organize and store it; and

15 WHEREAS, prosecutors, defense attorneys, and other attorneys generally store their data by  
16 burning it onto DVDs, using USB sticks, or uploading information to a digital cloud or  
17 on-premises digital evidence solution; and

18 WHEREAS, with such a variety of storage methods, prosecutors must often comb through  
19 evidence from different sources and formats, much of which may have no bearing on a case;  
20 and

21 WHEREAS, transferring significant amounts of information across compatible systems is  
22 challenging and requires agencies to perform time-consuming inefficiencies; and

23 WHEREAS, it would be beneficial to undertake a study to evaluate whether there are  
24 evidence receipt, storage, and release systems that could be provided to prosecutors that  
25 would reduce inefficiencies and alleviate the problems described herein; and

26 WHEREAS, it would be advantageous for such study to accomplish on a state-wide basis the  
27 following:

- 28 (1) Examine the most common methods that prosecutors use to receive, store, and release  
29 information during discovery;
- 30 (2) Identify and evaluate different systems that the state could purchase for use in  
31 prosecutors' offices which would reduce inefficiencies in the discovery process; and
- 32 (3) Develop ideas for legislation which would address the concerns described herein.

33 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:

- 34 (1) **Creation of House study committee.** There is created the House Study Committee  
35 on Modernizing the Discovery Process through the Use of New Technologies.

36 (2) **Members and officers.** The committee shall be composed of 15 members appointed  
37 by the Speaker of the House of Representatives as follows:

38 (A) The chairperson and a second member of the House Committee on Judiciary;

39 (B) The chairperson and vice chairperson of the House Committee on Judiciary  
40 Non-Civil;

41 (C) Two additional members of the House of Representatives;

42 (D) Two county district attorneys or their designees;

43 (E) Two state court solicitors or their designees;

44 (F) A designee of the Supreme Court of Georgia;

45 (G) A designee of the Georgia Court of Appeals;

46 (H) A designee of the Georgia Association of Criminal Defense Lawyers;

47 (I) A designee of the Prosecuting Attorneys' Council of Georgia; and

48 (J) A designee of the State Bar of Georgia.

49 (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs,  
50 issues, and problems mentioned above or related thereto and recommend any action or  
51 legislation which the committee deems necessary or appropriate.

52 (4) **Meetings.** The chairperson shall call all meetings of the committee. The committee  
53 shall hold no more than four such meetings and at such places and at such times as it may  
54 deem necessary or convenient to enable it to exercise fully and effectively its powers,  
55 perform its duties, and accomplish the objectives and purposes of this resolution.

56 (5) **Allowances, expenses, and funding.**

57 (A) The legislative members of the committee shall receive the allowances provided for  
58 in Code Section 28-1-8 of the Official Code of Georgia Annotated.

59 (B) Members of the committee who are state officials, other than legislative members,  
60 or who are state employees shall receive no compensation for their services on the  
61 committee, but they may be reimbursed for expenses incurred by them in the performance

62 of their duties as members of the committee in the same manner as they are reimbursed  
63 for expenses in their capacities as state officials or employees.

64 (C) Members of the committee who are not legislators, state officials, or state employees  
65 shall receive a daily expense allowance in an amount the same as that specified in  
66 subsection (b) of Code Section 45-7-21 of the Official Code of Georgia Annotated, as  
67 well as the mileage or transportation allowance authorized for state employees.

68 (D) The allowances authorized by this resolution shall not be received by any member  
69 of the committee for more than four days unless additional days are authorized. Funds  
70 necessary to carry out the provisions of this resolution shall come from funds  
71 appropriated to the House of Representatives; except that funds for the reimbursement  
72 of the expenses of state officials, other than legislative members, and for the  
73 reimbursement of the expenses of state employees shall come from funds appropriated  
74 to or otherwise available to their respective agencies.

75 **(6) Report.**

76 (A) In the event the committee adopts any specific findings or recommendations that  
77 include suggestions for proposed legislation, the chairperson shall file a report of the  
78 same prior to the date of abolishment specified in this resolution, subject to  
79 subparagraph (C) of this paragraph.

80 (B) In the event the committee adopts a report that does not include suggestions for  
81 proposed legislation, the chairperson shall file the report, subject to subparagraph (C) of  
82 this paragraph.

83 (C) No report shall be filed unless the same has been approved prior to the date of  
84 abolishment specified in this resolution by majority vote of a quorum of the committee.  
85 A report so approved shall be signed by the chairperson of the committee and filed with  
86 the Clerk of the House of Representatives.

87 (D) In the absence of an approved report, the chairperson may file with the Clerk of the  
88 House of Representatives a copy of the minutes of the meetings of the committee in lieu  
89 thereof.

90 (7) **Abolishment.** The committee shall stand abolished on December 1, 2026.

91 BE IT FURTHER RESOLVED that the final report from the House Study Committee on  
92 Modernizing the Discovery Process through the Use of New Technologies shall be made  
93 publicly available to promote transparency and inform future legislative and regulatory  
94 action.