

House Resolution 130

By: Representative Crawford of the 89th

A RESOLUTION

- 1 Compensating Mr. Sedrick Moore; and for other purposes.
- 2 WHEREAS, on the night of February 15, 1993, three men broke into a Colquitt County,
3 Georgia, home where they robbed and sexually assaulted a woman at gunpoint; and
- 4 WHEREAS, the victim was only able to identify one of the three perpetrators, Mr. Tyrone
5 White; and
- 6 WHEREAS, during his interview with police, Mr. White implicated Mr. Sedrick Moore and
7 Mr. Kerry Robinson as the two other perpetrators; and
- 8 WHEREAS, over six years after the incident, Mr. Moore was arrested in connection with the
9 incident and charged, along with Mr. Robinson, with rape and other offenses related to
10 robbery and possession of a firearm; and
- 11 WHEREAS, Mr. White made a deal with the State for a more lenient sentence in exchange
12 for his testimony against Mr. Moore and Mr. Robinson; and
- 13 WHEREAS, both Mr. Moore and Mr. Robinson were tried at the same time; and

14 WHEREAS, at trial, despite giving several inconsistent statements to the police regarding
15 the incident, Mr. White's testimony was the primary evidence against Mr. Moore and Mr.
16 Robinson; and

17 WHEREAS, the only other evidence against Mr. Moore and Mr. Robinson was a statement
18 from Mr. Johnny Brown, III, a neighbor of the victim, placing Mr. Moore in the area that
19 night and testimony from a DNA expert that DNA from a sexual assault exam performed on
20 the victim on the night of the incident matched Mr. Moore's and Mr. Robinson's DNA; and

21 WHEREAS, on February 26, 2002, a jury convicted Mr. Moore of one count of rape, three
22 counts of possession of a firearm during the commission of a crime, one count of armed
23 robbery, and one count of burglary, and Mr. Moore was sentenced to 50 years' imprisonment;
24 and

25 WHEREAS, both Mr. Moore and Mr. Robinson maintained their innocence and pursued
26 appeals of their convictions; and

27 WHEREAS, in 2018, the Georgia Bureau of Investigation began using a new DNA testing
28 method and Mr. Robinson sought new DNA testing as further post-conviction relief; and

29 WHEREAS, the new DNA testing revealed that testimony by the State's DNA expert
30 regarding the DNA from the victim's sexual assault exam was incorrect and did not support
31 a valid DNA match to Mr. Robinson or Mr. Moore; and

32 WHEREAS, based on this new DNA evidence, Mr. Robinson filed an Extraordinary Motion
33 for New Trial (EMNT) and was ultimately exonerated on January 8, 2020, after the State
34 declined to further prosecute his case; and

35 WHEREAS, Mr. Moore subsequently filed an EMNT and, on May 12, 2023, a Colquitt
36 County Superior Court Judge granted Mr. Moore's EMNT, after finding, among other things,
37 that the testimony of Mr. White and the victim "barely resembled each other"; Mr. Brown
38 had picked Mr. Moore out of a photo lineup, but had indicated at that time that he was not
39 sure that Mr. Moore was the same person he had seen; and both the State and Mr. Moore had
40 agreed that the DNA expert's testimony and results produced at trial were wrong and should
41 not be considered; and

42 WHEREAS, on August 28, 2023, the State moved for entry of an order of nolle prosequi,
43 which a Colquitt County Superior Court Judge granted, thereby dismissing all charges and
44 officially exonerating Mr. Moore after more than 21 years of wrongful imprisonment by the
45 State of Georgia; and

46 WHEREAS, the conviction, incarceration, and subsequent loss of liberty and other damages
47 suffered by Mr. Moore occurred through no fault or negligence on his part, and it is only
48 fitting, just, and proper that he be compensated for his losses.

49 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF
50 GEORGIA that the Department of Administrative Services is authorized and directed to pay
51 the sum of \$1,691,280.00 to Mr. Sedrick Moore as compensation as provided above. Said
52 sum shall be paid from funds appropriated to or available to the Department of
53 Administrative Services and shall be paid subject to the provisions of this resolution. After
54 an initial payment of \$558,122.40, the remainder of said sum shall be paid immediately into
55 a commercial annuity account bearing interest at the prevailing market rate, payable in equal
56 monthly installments over ten years beginning in 2026 with interest payable to Mr. Sedrick
57 Moore. The State of Georgia shall be entitled to a credit equal to the amount it pays under
58 this resolution should Mr. Sedrick Moore recover damages as a result of a lawsuit against any

59 state official or employee acting in an official capacity whose tort liability for wrongful
60 conviction arises from the same circumstances as described herein, less any attorney's fees
61 or costs Mr. Sedrick Moore paid in obtaining those damages. Should Mr. Sedrick Moore
62 recover damages totaling less than the amount the State of Georgia pays under this
63 resolution, the State of Georgia shall be entitled to a partial credit no greater than the amount
64 of damages Mr. Sedrick Moore recovers, less any attorney's fees or costs Mr. Sedrick Moore
65 paid in obtaining those damages. Upon the death of Mr. Sedrick Moore, all payments and
66 all obligations of the State of Georgia regarding any and all future payments with respect to
67 the annuity shall continue to be made to his estate or heirs.

68 BE IT FURTHER RESOLVED that any amount received by Mr. Sedrick Moore pursuant
69 to this resolution shall be excluded from his taxable net income for state income tax
70 purposes.