

## House Resolution 73 (AS PASSED HOUSE AND SENATE)

By: Representatives Hugley of the 136<sup>th</sup>, Buckner of the 137<sup>th</sup>, and Smyre of the 135<sup>th</sup>

## A RESOLUTION

1 Compensating Mr. Lathan Rydell Word; and for other purposes.

2 WHEREAS, on September 14, 1999, six days before he was scheduled to begin Marine  
3 Corps boot camp, Mr. Lathan Rydell Word was informed that the police were searching for  
4 him in connection with an armed robbery; and

5 WHEREAS, Mr. Word immediately contacted the Columbus Police Department in an  
6 attempt to clear his name, but he was arrested and, on September 7, 2000, was convicted of  
7 armed robbery and possession of a firearm and sentenced to 15 years in prison; and

8 WHEREAS, in March, 2011, his conviction was overturned by the Georgia Court of Appeals  
9 and a new trial was ordered, and when he was offered the opportunity to plead guilty for time  
10 served, he refused and demanded a new trial to prove his innocence; and

11 WHEREAS, at his new trial, the victim of the alleged crime testified that the victim had not  
12 been truthful and that Mr. Word was not the man who robbed him, and after 11 years, nine  
13 months, and six days in prison, Mr. Word was exonerated of the crime and released; and

14 WHEREAS, as a result of his wrongful arrest and conviction, Mr. Word was denied the  
15 honor of serving his country in the United States Marine Corps; and

16 WHEREAS, Mr. Word has suffered loss of liberty, personal injury, lost wages, injury to  
17 reputation, emotional distress, loss of consortium, loss of familial association, and other  
18 damages as a result of his more than 11 years of incarceration and expenses in trying to prove  
19 his innocence; and

20 WHEREAS, the conviction, incarceration, and subsequent loss of liberty and other damages  
21 occurred through no fault or negligence on the part of Mr. Word, and it is only fitting and  
22 proper that he be compensated for his loss.

23 NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE GENERAL  
24 ASSEMBLY OF GEORGIA that the Department of Administrative Services is authorized  
25 and directed to pay the sum of \$400,000.00 to Mr. Lathan Rydell Word as compensation as  
26 provided above. Said sum shall be paid from funds appropriated to or available to the  
27 Department of Administrative Services and shall be in full and complete satisfaction of all  
28 claims against the state arising out of said occurrence. Said sum shall not be subject to state  
29 income taxes and shall be paid in the form of an annuity over a 20 year period with an initial  
30 lump sum payment of \$100,000.00 and monthly payments thereafter. In the event Mr. Word  
31 is convicted of a felony offense, such payments shall cease and the remainder of the  
32 payments shall escheat to the general fund of the state treasury. None of the funds provided  
33 by this resolution shall be used to pay attorney's fees if such fees are calculated on a  
34 contingency fee basis.