

Georgia insight

Sue Ella Deadwyler, 4168 Rue Antoinette, Stone Mountain, Georgia 30083

"She hath done what she could." Mark, 14:8a

March 24, 2006

It's Outrageous! Romeo & Juliet Clause, *Indeed!*

Wink & Nod for Teens 18 or Younger to Have Sex with Teens as Young as 13

Representative Jerry Keen's H.B. 1059 was advertised as a better plan for registering sex offenders. But it does much more than that. It encourages rampant teen sexual activity by allowing the penalty for older teens having sex with a 13-, 14-, 15- or 16-year-old to be reduced to a misdemeanor, instead of the current penalty of one to 20 years in prison. The only requirement for such permissiveness is that neither sexual partner is more than four years older than the other one.

A little calculation reveals that 13-year-olds may become and remain sexual partners with another 13-year-old until they're 18 without being charged with more than a misdemeanor because neither 13-year-old would ever be more than four years older than the other one. So, H.B. 1059 makes way for a slick teen to figure out which other teens are in the permitted age bracket and indulge in statutory rape, sodomy, aggravated sodomy, child molestation and enticing a child for indecent purposes with *no danger of going to jail for many years*.

This provision seems to continue the trend set in 1996 when statutory rape laws were adjusted to allow a "fooling around" period for teens 14 or 15 to engage in sexual intercourse if their sexual partners are no more than three years older. But H.B. 1059 meets that age and lowers it by one year to include 13- through 15-year-olds and raises the age difference to four years instead of three, thereby changing the statutory rape law again. Then, this bill *adds four more sex crimes* to the list of permissive sexual activities for teens – sodomy, child molestation, aggravated child molestation and enticing a child for indecent purposes.

They're Called "Romeo and Juliet Clauses"

Since this is too hard to believe without proof, these are actual quotes from the bill:

Code Section 16-6-2. Sodomy and Aggravated Sodomy. If the victim is at least 13 but less than 16 years of age and the person convicted of sodomy is 18 years of age or younger and is no more than four years older than the victim, such person shall be guilty of a misdemeanor.

Code Section 16-6-3. Statutory Rape. If the victim is at least 13 but less than 16 years of age and the person convicted of statutory rape is 18 years of age or younger and is no more than four years older than the victim, such person shall be guilty of a misdemeanor.

Code Section 16-6-4. Child Molestation. If the victim is at least 13 but less than 16 years of age and the person convicted of child molestation is 18 years of age or younger and is no more than four years older than the victim, such person shall be guilty of a misdemeanor.

Code Section 16-6-4. Aggravated Child Molestation. When the victim is at least 13 but less than 16 years of age, the person convicted of aggravated child molestation is 18 years of age or younger and is no more than four years older than the victim and the basis of the charge of aggravated child molestation involves an act of sodomy shall be guilty of a misdemeanor.

Code Section 16-6-5. Enticing a Child for Indecent Purposes. If the victim is at least 13 but less than 16 years of age and the person convicted of enticing a child for indecent purposes is 18 years of age or younger and is no more than four years older than the victim, such person shall be guilty of a misdemeanor.

Status of H.B. 1059

It passed the House on February 2nd, was assigned to the Senate Judiciary Committee February 3rd, passed out of Judiciary March 22nd and into Senate Rules Committee awaiting placement on the Senate calendar for a vote. Friday, March 24th was the 37th day of the session.

Monday, the 27th will be the 38th day with only two days left in the session. Action must be swift and immediate.

Pages took my hand-written note to all 56 senators Thursday, March 23rd asking them to hold this bill in Rules Committee. After pointing out the bill's various problems, I reminded them that this is no way to stop the teen sex problem and all the horrible stories we hear about it.

ACTION – Oppose. Contact Senate Rules Committee Senators Balfour, Ch., 404 656-0095, SS9BALFOUR@AOL.COM; Hamrick, V-Ch., 656-0036, bill.hamrick@senate.ga.gov; Seabaugh, Sec., 656-6446, mail@mitchseabaugh.com; Adelman, 463-1376, david.adelman@senate.ga.gov; Butler, 656-0075, gloria.butler@senate.ga.gov; Hill, 656-5038, jack.hill@senate.ga.gov; Hooks, 656-0065; Johnson, 656-5109, ejohnson@legis.state.ga.us; Moody, 463-8055, dan.moody@senate.ga.gov; Stephens, 656-0048; D. Thomas, 656-6436, don.thomas@senate.ga.gov; and Unterman, 463-1368, renee.unterman@senate.ga.us

H.B. 1239 Would be Great . . . Unless H.B. 1059 Passes

If H.B. 1059 passes and laws are changed to accommodate sex urges of teenagers, it would be folly to teach them they can be sexually active with the person of their choice from the time they're 13 until their 19th birthday. However, I would like to see good, old-fashioned sex crime laws taught to all children. If you're afraid the course would be too suggestive or explicit for them, consider that they're already learning in sex education classes K – 12 how-to, with whom, with what and where to get whatever "protection" is needed.

But, if H.B. 1059 fails to pass, H.B. 1239 would have a great impact on teens.

H.B. 1239 introduced by Representative Setzler, was a wonderful idea. It required students in grades six, eight and ten to be taught criminal law, especially, sex crime laws as they apply to children, as well as laws for which children might be tried as adults. His bill was assigned to the House Education Committee that passed a substitute to restrict the class to eighth and ninth graders. Many students and their parents might be astonished to learn that superior courts, not juvenile courts, have exclusive jurisdiction over 13- to 17-year-olds that commit murder, voluntary manslaughter, rape, aggravated sodomy, aggravated child molestation, aggravated sexual battery and armed robbery.

The State Board of Education would set time requirements, prepare a manual in cooperation with the Attorney General and write rules and regulations to implement the course by July 2007. Students may be opted out if their parent provides written objections to the course.

This passed the House, is now in the Senate Education and Youth Committee and could, possibly, pass this session . . . if enough people press for it.

ACTION – Support. Contact Senate Education & Youth Committee Senators Moody, Ch., 404 463-8055, dmoody@legis.state.ga.us; Carter, 463-1363, joseph@josephcarter2004.com; Don Thomas, 656-6436, dthomas@legis.state.ga.us; Balfour, 656-0095, ss9balfour@aol.com; Douglas, 656-0503, jfdouglas@aol.com; Fort, 656-5091, vfort@legis.state.ga.us; Jack Hill, 656-5038, jhill@legis.state.ga.us; Starr, 656-7586; Regina Thomas, 463-7784, rthoas@legis.state.ga.us; and Weber, 463-2260, djweber@bellsouth.net

H.R. 1345 Faith-Based Initiative Would Shrink Religious Influence DIED March 13, 2006

The push to pass faith-based initiatives in Georgia started in 2004 after President Bush issued his Executive Order authorizing religious organizations to get grants to fund their social services. Governor Perdue wanted to do the same in Georgia. But the State Constitution stops any federal or state money from going directly to churches, sects, cults or religious denominations or sectarian institutions. Previous efforts to pass a state faith-based initiative had originated in the Senate and had failed. This year H.R. 1345 was introduced in the House. It, also, died.

Only one Republican broke party ranks to stand against the governor's bill. Representative Bobby Franklin took a great political risk by going before the entire House to explain why he could not in good conscience support the governor on this bill. This is part of what he said.

I believe our governor is well-intentioned and well-motivated. And it is with reluctance that I rise to speak in opposition. However, certain core principles, values and deep concerns compel me to vote "no." The infusion of tax dollars serves to secularize the Church. Such grants may only fund social programs such as child-care, foster care, adoption and other similar services, but cannot be used for activities that clearly proclaim the faith. Thus, the once "faith-based" program will have actually lost its basis in faith.

Religious organizations will be prohibited from evangelizing or teaching the Bible as a condition of receiving their social services. Christian charities that take state funds will be bound by what is considered federal law in the use of those funds. Church programs that receive funding from the state could be forced to hire employees and accept volunteers whose faith is diametrically opposed to the ministry's mission. Churches will be forced to hire those whose so-called lifestyle they believe the Bible describes as sinful.

The unintended consequences of this so-called faith-based initiative will be a profound reduction of Christian influence on society. Services that Christian groups provide will become non-religious, or secular, the instant that they receive state money. The numbers of people brought to Christ by these ministries will be greatly reduced when people can take advantage of religious charity stripped of any Christian influence.

Right now, everything Christian is being purged from the public sphere and relegated to the private areas of the heart, home and Church. This proposal will actually speed this trend. Christians will be forced to support, with our tax dollars, such organizations as the Ravenwood Church and Seminary of Wicca, which is a state recognized "faith-based" church.

Do you want to go home and tell your people that you approved a measure that provides funding to the Witches? What about the church of Satan? We can't discriminate and only fund faith-based programs that are Christian.

I'm certain that the Governor honestly believes that faith-based social programs should not be discriminated against and that it is only fair to allow them to compete on a level playing field. The problem is not intentions. The problem is negative consequences, however unintended, that will result.

Three Bills Poised to pass

Another State Symbol

Two bills introduced this session to add Georgia symbols will die, but one could pass. Georgia clay won't become the state dirt and the red drum won't be the official state salt-water fish, but Southern Appalachian brook trout might become the official state cold water game fish.

Representative Bobby Reese's H.B. 1211 passed the full House February 15th and is poised to pass the Senate. If you think the Southern Appalachian brook trout is worthy of being the state cold water game fish, give Senate Rules Committee members a nudge.

ACTION – Support. Contact Senate Rules Committee Senators Balfour, Ch., 404 656-0095, SS9BALFOUR@AOL.COM; Hamrick, V-Ch., 656-0036, bill.hamrick@senate.ga.gov; Seabaugh, Sec., 656-6446, mail@mitchseabaugh.com; Adelman, 463-1376, david.adelman@senate.ga.gov; Butler, 656-0075, gloria.butler@senate.ga.gov; Hill, 656-5038, jack.hill@senate.ga.gov; Hooks, 656-0065; Johnson, 656-5109, ejohnson@legis.state.ga.us; Moody, 463-8055, dan.moody@senate.ga.gov; Stephens, 656-0048; D. Thomas, 656-6436, don.thomas@senate.ga.gov; and Unterman, 463-1368, renee.unterman@senate.ga.us

Paper Trail Ballots

Georgia's new voting system cost \$54 million for 19,015 AccuVote-TS machines for use in 2,823 precincts across the state. They were first used in the November 5, 2002 general election. Voters now interface with touch-screen voting machines by using intelligent cards to record which candidates they select.

This session, Senator Bill Stephens responded to public demand and introduced S.B. 500 to provide a pilot program during the 2006 November general election and possible runoffs. The Secretary of State would implement the pilot program of elector verifiable, permanent paper records to accompany direct recording electronic voting equipment for use in three locations. One precinct would be selected in each of these counties: Cobb, Bibb and Camden.

As many as three times, voters could privately review and correct any error on the permanent paper record before casting the ballot, but the paper ballot would not become the property of the voter. At the end of election day, units of paper records containing the voter's unique I.D. along with the electronic vote with the same I.D., would be taken to the central tabulating center and secured for storage. Paper ballots would not be opened except for a recount or contested election. After the election, a manual audit would determine its success or failure.

ACTION – Support. Contact this short list of House Rules Representatives Ehrhart, Ch., 404 656-5141, eaeh@facilitygroup.com; Burneister, 656-5024, sue.burmeister@house.ga.gov; Mills, 656-5099; Burkhalter, 656-5072, mark.burkhalter@house.ga.gov; Graves, 657-8440, repdavidgraves@hotmail.com; Keen, 656-5052, jlkeen@bellsouth.net; Walker, 656-5139, lwalker@nfumc.org; and Willard, 656-5124, wendall.willard@house.ga.gov

Feticide

The crime of feticide originates when a pregnant woman is attacked and escalates when a person willfully and without legal justification causes the *death* of an unborn child or the death is caused during the commission of a felony. Current law against feticide cannot be applied unless the pregnancy is far enough along to be "quick", when the mother feels the unborn move. S.B. 77 covers unborn children from conception. The same provisions would apply when unborn children die as a result of traffic accidents and water vessel accidents.

ACTION – Support. Contact House Rules Representatives Ehrhart, Ch., 404 656-5141, eaeh@facilitygroup.com; Burneister, 656-5024, sue.burmeister@house.ga.gov; Mills, 656-5099; Burkhalter, 656-5072, mark.burkhalter@house.ga.gov; Graves, 657-8440, repdavidgraves@hotmail.com; Keen, 656-5052, jlkeen@bellsouth.net; Walker, 656-5139, lwalker@nfumc.org; and Willard, 656-5124, wendall.willard@house.ga.gov

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