

SCORECARD

REPORT CARD GEORGIA | 2020



Final Score

57

Final Grade

C-

10 7 6 4 2 3

19 10 10 7 4 6

SCORECARD TOPLINES

Marriage is permitted for minors at 16 years of age. Judicial approval is not required for a minor to marry. Does not account for a difference in age between individuals engaging in sexual contact for consent. Does not require consent to sexual contact to be freely given or given by affirmative consent. Does not criminalize interference with religious worship. Does not have a penalty enhancement or an independent crime for crimes motivated by gender identity. Does not have a penalty enhancement for crimes motivated by political affiliation or age. A rape kit tracking system has not been implemented. A survivor's right to notice does not exist. Has not provided funding for rape kit handling reform. An exemption for spousal rape does exist under laws criminalizing statutory rape and under laws criminalizing sexual contact between people with a supervisory relationship. The statute of limitations for the most serious felony sex crime is 11-20 years. The statute of limitations has not been eliminated for all felony sex crimes.

Child Marriage

The age of consent for marriage is generally 18 years of age. Marriage is permitted for minors at 16 years of age with parental consent. A lower age limit does not apply because a minor is pregnant. Judicial approval is not required for a minor to marry. Parental consent is required even if a minor was previously married or if the individuals are active members of the armed forces. No gender difference in the lowest age limit permitted exists.

Consent to Sexual Contact

The lowest age of consent for sexual contact is 16 years of age. The law does not account for a difference in age between the individuals engaging in sexual contact. The law does not require consent to be freely given or given by affirmative consent. The law accounts for the following impacting an individual's ability to consent to sexual contact: developmental disability or mental capacity; consciousness; intoxication; and relationship between a victim and perpetrator.

Discrimination & Hate Crimes

The state does have a hate crimes law and requires data collection on hate crimes. The state does not criminalize interference with religious worship. The state does have a penalty enhancement for crimes or an independent crime for crimes motivated by race, religion, or ethnicity. The state does have a penalty

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enhancement for crimes motivated by sexual orientation, gender, or disability. The state does not have a penalty enhancement or an independent crime for crimes motivated by gender identity. The state does not have a penalty enhancement for crimes motivated by political affiliation or age.

Rape Kit Processing



The state has conducted an inventory of untested rape kits and the inventory is recurring. Testing of the backlog of untested rape kits has occurred through legislative action. Mandatory testing of new rape kits is required to occur. A rape kit tracking system has not been implemented. A survivor's right to notice does not exist. The state has not provided funding for rape kit handling reform.

Spousal Rape



The state does not treat rape of a spouse differently than rape of an individual who is not a spouse of the perpetrator. The state does allow for conviction of a spouse for raping their partner if the partner is unconscious, drugged, or otherwise incapacitated. An exemption for spousal rape does exist under laws criminalizing statutory rape. An exemption for spousal rape or unwanted sexual contact does exist under laws criminalizing sexual contact between people with a supervisory relationship.

Statute of Limitations for Sexual Crimes



The state does not have a reduced statute of limitations for criminal prosecution if a victim chooses not to report or delays reporting the crime. The statute of limitations for the most serious felony sex crime is 11-20 years. The statute of limitations has not been eliminated for all felony sex crimes. Exceptions to the statute of limitations do exist to allow an exception for DNA evidence. For certain offenses, no statute of limitations exists if the perpetrator is identified. This DNA exception only applies if enough DNA evidence exists so that the defendant can conduct tests of their own on the DNA evidence.