

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act for the relief of Bobbie James Morman, Jr., relating to claims; compensation for wrongful*  
3 *incarceration.*

4 [H 385]

5 Approved

6 Whereas, Bobbie James Morman, Jr., was convicted in the Circuit Court of the City of Norfolk on  
7 November 30, 1993, of three counts of attempted malicious wounding and four counts of firearm-related  
8 charges for a crime where four men drove past three individuals standing outside of a residence and one  
9 of them fired shots from the backseat of the car; and

10 Whereas, no one was injured during the incident; and

11 Whereas, all four men inside the vehicle on the night of the offense testified at Mr. Morman's trial  
12 and swore that Mr. Morman was not in the vehicle when the shooting occurred; and

13 Whereas, the actual perpetrator testified at trial and confessed on repeated public occasions thereafter  
14 that he was in fact the shooter, not Mr. Morman; and

15 Whereas, Mr. Morman presented evidence that he was at a nearby 7-Eleven convenience store  
16 playing video games during the time of the offense; and

17 Whereas, Mr. Morman was convicted of being the shooter based on the extremely brief and  
18 conflicting testimony of three eyewitnesses; the entirety of the Commonwealth's case-in-chief is  
19 contained within only 50 pages of court transcript; and

20 Whereas, Mr. Morman was sentenced to 48 years in prison; and

21 Whereas, the man who confessed to the crime for which Mr. Morman was convicted was never  
22 interviewed by police or prosecutors in the case; and

23 Whereas, Mr. Morman served 22 years in prison within the Virginia Department of Corrections  
24 before being paroled in 2016; and

25 Whereas, since his release on parole, Mr. Morman has had no new arrests and has maintained steady  
26 employment; and

27 Whereas, Mr. Morman submitted a petition for clemency seeking an absolute pardon based on the  
28 compelling evidence of his innocence; and

29 Whereas, in support of Mr. Morman's absolute pardon request, the four men in the car on the night  
30 of the offense reiterated their 1993 testimony and signed sworn affidavits attesting to Mr. Morman's  
31 innocence; and

32 Whereas, seven years after Mr. Morman's initial pardon request was filed, Governor Ralph Northam  
33 granted Mr. Morman an absolute pardon on July 14, 2021, finding that "it is just and appropriate to  
34 grant this absolute pardon that reflects Mr. Morman's innocence of . . . [all counts] for which he was  
35 convicted on November 30, 1993"; and

36 Whereas, Mr. Morman, as a result of his wrongful incarceration, lost 22 years of his freedom and  
37 countless life experiences and opportunities, including family relations, the opportunity to further his  
38 education, and the opportunity to earn potential income from gainful employment during his years of  
39 incarceration; and

40 Whereas, Mr. Morman has no other means to obtain adequate relief except by action of this body;  
41 now, therefore,

42 **Be it enacted by the General Assembly of Virginia:**

43 1. § 1. That there is hereby appropriated from the general fund of the state treasury the sum of  
44 \$1,247,973 for the relief of Bobbie James Morman, Jr., to be paid by check issued by the State  
45 Treasurer on warrant of the Comptroller upon execution of a release of all claims Mr. Morman may  
46 have against the Commonwealth or any agency, instrumentality, office, employee, or political subdivision  
47 in connection with the aforesaid occurrence.

48 The compensation, subject to the execution of the release described herein, shall be paid in (i) an  
49 initial lump sum of \$311,993 by check issued by the State Treasurer on warrant of the Comptroller  
50 within 60 days immediately following the execution of such release and (ii) the sum of \$935,979 to  
51 purchase an annuity no later than one year after the effective date of the appropriation for  
52 compensation, for the primary benefit of Mr. Morman, the terms of such annuity structured in Mr.  
53 Morman's best interests based on consultation among Mr. Morman or his representatives, the State  
54 Treasurer, and other necessary parties.

55 The State Treasurer shall purchase the annuity at the lowest cost available from any A+ rated  
56 company authorized to sell annuities in the Commonwealth, including any A+ rated company from

57 which the State Lottery Department may purchase an annuity. The annuity shall provide that it shall not  
58 be sold, discounted, or used as securitization for loans and mortgages. The annuity shall, however,  
59 contain beneficiary provisions providing for the annuity's continued disbursement in the event of Mr.  
60 Morman's death.

61 § 2. That Mr. Morman shall be entitled to receive reimbursement up to \$10,000 for tuition for career  
62 and technical training within the Virginia Community College System contingent upon successful  
63 completion of the training. Reimbursement for tuition shall be provided by the comprehensive community  
64 college at which the career or technical training was completed. The tuition benefit provided by this  
65 section shall expire on January 1, 2026.

66 § 3. That any amount already paid to Mr. Morman as a transition assistance grant pursuant to  
67 subsection C of § 8.01-195.11 of the Code of Virginia shall be deducted from any award received  
68 pursuant to § 1 of this act.

69 **2. That the provisions of § 8.01-195.12 of the Code of Virginia shall apply to any compensation**  
70 **awarded under this act.**