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School staffer's sexual assault case dismissed

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A case against a former in-school suspension clerk at Bowdon High School, who was accused of sexual misconduct with a student, has been dismissed.

The case was dropped following a Georgia Supreme Court ruling in another case.

Joseph Amos Young was indicted in February 2016 on two counts of sexual assault. The specific law he was indicted under "forbids sexual conduct between a student and any teacher, principal, assistant principal and other administrator at the same school," according to a statement by the district attorney's office.

Last November, in the Georgia Supreme Court case *State v. Morrow*, the court addressed that law, and explicitly defined which school authorities it covered. In its decision, the court said the statute "does not use 'teacher' in a generic or unusually broad sense." Therefore, if a school employee wasn't a teacher in the strictest sense, that employee could not be prosecuted under the statute. The law also stated the employee had to be a teacher at the same school as the victim.

"Mr. Young's alleged conduct with the young woman occurred between the time he was working as a 'clerk' at Bowdon High School and the time he was a certified teacher at Bowdon Middle School, a different school," the district attorney's office said in a statement.

Based on the court's decision, the DA's office dismissed the case against Young and said in its statement, "The State is forced to take this action solely on his employment status and not his behavior. Only the Legislature can change the law to prohibit other school employees from having sexual contact with students."

Carrollton attorney Jason Swindle, representing Young in the case, said, "Mr. (Pete) Skandalakis and the district attorney's office did the honorable thing by dismissing the case, based on the *Morrow* decision. I commend them for that. We are grateful that that decision was made."

As for the language of the law as it is currently written, Swindle said, "My understanding is that the Georgia Assembly is working on amending the law so that school employees can be prosecuted when accused of having sexual relations with students."

"The DA's office would like to see the statute change, and to see schools be a safer place for students," said Assistant District Attorney Anne Allen.