

O.C.G.A. § 17-17-7

Current through Acts 2023, No. 23-353 of the 2023 Session, but not including corrections and changes made to the 2023 session laws by the Code Commissioner.

Official Code of Georgia Annotated > TITLE 17 Criminal Procedure (Chs. 1 — 21) > CHAPTER 17 Crime Victims' Bill of Rights (§§ 17-17-1 — 17-17-16)

17-17-7. Notification to victim of accused's arrest and proceedings where accused's release is considered; victim's right to express opinion in pending proceedings and to file written complaint in event of release.

- (a) Whenever possible, the investigating law enforcement agency shall give to a victim prompt notification as defined in paragraph (9) of [Code Section 17-17-3](#) of the arrest of an accused.
- (b) The arresting law enforcement agency shall promptly notify the investigating law enforcement agency of the accused's arrest.
- (c) Whenever possible, the prosecuting attorney shall notify the victim prior to any proceeding in which the release of the accused will be considered.
- (d) Whenever possible, the prosecuting attorney shall offer the victim the opportunity to express the victim's opinion on the release of the accused pending judicial proceedings.
- (e)
 - (1) Whenever possible, the custodial authority shall give prompt notification to a victim of the release of the accused.
 - (2) Prompt notification of release from a county or municipal jail is effected by placing a telephone call to the telephone number provided by the victim and giving notice to the victim or any person answering the telephone who appears to be sui juris or by leaving an appropriate message on a telephone answering machine.
 - (3) Notification of release from the custody of the state or any county correctional facility shall be in the manner provided by law.
- (f) If the court has granted a pretrial release or supersedeas bond, the victim shall have the right to file a written complaint with the prosecuting attorney asserting acts or threats of physical violence or intimidation by the accused or at the accused's direction against the victim or the victim's immediate family. Based on the victim's written complaint or other evidence, the prosecuting attorney may move the court that the bond or personal recognizance of an accused be revoked.

History

Code 1981, § 17-17-7, enacted by Ga. L. 1995, p. 385, § 2; [Ga. L. 2014, p. 866, § 17/SB 340](#).

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