

West's Code of Georgia Annotated
Title 17. Criminal Procedure (Refs & Annos)
Chapter 17. Crime Victims' Bill of Rights (Refs & Annos)

Ga. Code Ann., § 17-17-3

§ 17-17-3. Definitions

Effective: July 1, 2015

[Currentness](#)

As used in this chapter, the term:

- (1) “Accused” means a person suspected of and subject to arrest for, arrested for, or convicted of a crime against a victim.

- (1.1) “Arrest” means an actual custodial restraint of a person or the person's submission to custody and includes the taking of a child into custody.

- (2) “Arresting law enforcement agency” means any law enforcement agency, other than the investigating law enforcement agency, which arrests the accused.

- (3) “Compensation” means awards granted by the Georgia Crime Victims Compensation Board pursuant to Chapter 15 of this title.

- (4) “Crime” means an act committed in this state which constitutes any violation of Chapter 5 of Title 16; Chapter 6 of Title 16; Article 1, 3, or 4 of Chapter 7 of Title 16; Article 1 or 2 of Chapter 8 of Title 16; Chapter 9 of Title 16; Part 3 of Article 3 of Chapter 12 of Title 16; [Code Section 40-6-393](#); [Code Section 40-6-393.1](#); or [Code Section 40-6-394](#).

- (4.1) “Criminal justice agency” means an arresting law enforcement agency, custodial authority, investigating law enforcement agency, prosecuting attorney, or the State Board of Pardons and Paroles.

- (5) “Custodial authority” means a warden, sheriff, jailer, deputy sheriff, police officer, correctional officer, officer or employee of the Department of Corrections or the Department of Juvenile Justice, community supervision officer or employee of the Department of Community Supervision, or any other law enforcement officer having actual custody of the accused.

- (6) “Investigating law enforcement agency” means the law enforcement agency responsible for the investigation of the crime.

- (7) “Notice,” “notification,” or “notify” means a written notice when time permits or, failing such, a documented effort to reach the victim by telephonic or other means.

- (8) “Person” means an individual.

(9) “Prompt notice,” “prompt notification,” or “promptly notify” means notification given to the victim as soon as practically possible so as to provide the victim with a meaningful opportunity to exercise his or her rights pursuant to this chapter.

(10) “Prosecuting attorney” means the district attorney, the solicitor-general of a state court or the solicitor of any other court, the Attorney General, a county attorney opposing an accused in a habeas corpus proceeding, or the designee of any of these.

(11) “Victim” means:

(A) A person against whom a crime has been perpetrated or has allegedly been perpetrated; or

(B) In the event of the death of the crime victim, the following relations if the relation is not either in custody for an offense or the defendant:

(i) The spouse;

(ii) An adult child if division (i) does not apply;

(iii) A parent if divisions (i) and (ii) do not apply;

(iv) A sibling if divisions (i) through (iii) do not apply; or

(v) A grandparent if divisions (i) through (iv) do not apply; or

(C) A parent, guardian, or custodian of a crime victim who is a minor or a legally incapacitated person except if such parent, guardian, or custodian is in custody for an offense or is the defendant.

Credits

Laws 1995, p. 385, § 2; Laws 1996, p. 748, § 17; Laws 1997, p. 1453, § 1; [Laws 2010, Act 403, § 7, eff. July 1, 2010](#); [Laws 2013, Act 132, § 3-1, eff. July 1, 2013](#); [Laws 2015, Act 73, § 5-40, eff. July 1, 2015](#).

[Notes of Decisions \(3\)](#)

Ga. Code Ann., § 17-17-3, GA ST § 17-17-3

Current through the Regular Session of the 2015 Legislative Session. The statutes are subject to changes provided by the Georgia Code Commission.