

GENERAL STEPS IN PROSECUTION

Once an arrest has been made, the Judge sets a bond. This is an amount of money or property to allow the defendant to be released until he has to appear in court.

Once a case is bound over to State Court, the paperwork will come to the Solicitor's Office to determine how it will be prosecuted and what charges to bring, if any. If formal charges are filed, the State Court Judge's case manager will schedule a court date.

When the defendant comes to court for arraignment, he will be informed of the charges against him and may be given an attorney to give him legal advice, if he cannot afford one. If the defendant pleads guilty, the Judge will determine the sentence. If the defendant pleads not guilty, the case will be scheduled for trial. Any motions or other legal issues will be settled by the Judge assigned to the case.

Defendants may ask for a bench trial in which the Judge alone hears the case or a jury trial which is comprised of Fulton County citizens. When the trial starts, the solicitor presents evidence and testimony from victims and witnesses. Both sides may ask questions. The defendant may testify or call witnesses, but he/she is not required to do so. The burden is on the prosecution to prove that the defendant is guilty beyond a reasonable doubt. If the defendant is found guilty, the Judge decides what the proper sentence should be.

VICTIM ASSISTANCE IS HERE TO:

Provide information about your rights as a victim of crime

Accompany you to court hearings and provide emotional support during the court process

Provide referrals to social service agencies in the community

Assist you in applying for Crime Victims Compensation and Restitution

Assist you in filing Family Violence and Stalking Temporary Protective Orders

Document injuries by taking photographs

Assist you in developing a safety plan

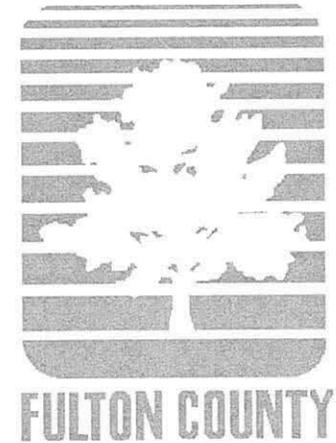
Loan 911 cellular phones

Provide a comfortable area for victims and their family during court appearances

Provide individual counseling sessions for victims of crime, especially crimes involving family violence and vehicular homicide

Provide community speakers on domestic violence, stalking, and victimization

CARMEN D. SMITH Fulton County Solicitor General



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Mainline:
(404) 612-4800
Victim Assistance:
(404) 612-6883

DOMESTIC VIOLENCE CRIMES

The Office of the Fulton County Solicitor General is dedicated to assisting victims through the criminal justice process and making sure that criminals are held accountable for their actions. We prosecute misdemeanor crimes such as simple battery, stalking, thefts, traffic offenses, possession of marijuana and criminal trespass. Unfortunately, a lot of our cases involve domestic violence.

The rights of the victim are just as important as the rights of the accused. Our office is accessible and ready to answer questions and provide information about misdemeanors. The Solicitor's Office will not tolerate injustice, ignorance of the law or any attacks against the citizens of Fulton County. Our job as prosecutors is to seek justice while faced with the challenges of injustice.

The Fulton County Solicitor General's Office has a Victim Assistance Program to ensure that your rights as a victim of crime are protected. Victim Advocates are available to answer your questions, offer support, and provide information about the court process.

If you need reasonable modifications due to a disability, including communications in an alternate format, in order to access any county-sponsored program or meeting, please contact the Solicitor General's Disability Compliance Liaison, Terri Allison at 404 612-4759, seven (7) days in advance to facilitate your request.

Respectfully,

Carmen D. Smith

Domestic Violence is a term used to describe the pattern of behaviors used by one person in an intimate or family relationship to gain or maintain control. Abuse can be physical, sexual, economic, emotional, and psychological. Using the abusive behavior is a choice. The abusive person alone is responsible for these behaviors.

ARE YOU IN AN ABUSIVE RELATIONSHIP?

Does your partner:

- Embarrass you with bad names and put downs?
- Look at you or act in ways that scare you?
- Control what you do, who you see or talk to, or where you go?
- Prevent you from getting or keeping a job?
- Tell you you're a bad parent or threaten to take away your children?
- Act like the abuse is no big deal, tell you it's your fault, or deny it happened?
- Destroy your property?
- Threaten to hurt or kill your pets?
- Intimidate you with guns, knives, or other weapons?
- Shove you, slap you or hit you?
- Force you to drop criminal charges?
- Threaten to hurt or kill your children?
- Threaten to commit suicide if you leave?
- Threaten to kill you?

If you checked even one, you may be in an abusive relationship. We are here to help.

SAFETY PLAN

When abuser is there: Think of a safe place to go. Don't try to argue or reason with your abuser. You can't control their behavior. When an argument occurs, stay out of rooms with no exit (bathroom, closet) and rooms that may have weapons (kitchen, garage). Select a code word that alerts friends and family to call police. Keep money with you at all times and leave suitcase and checklist items such as birth certificates and ID in safe place. Document abuse by making police reports and having pictures taken.

When abuser has moved out: Obtain an order of protection. Change locks. Insert a peephole in the door. Change telephone number, screen calls and block caller ID. Install/increase outside lighting. Inform landlord or neighbor of situation, and ask that police be called if abuser is seen around the house. Talk to an advocate or hotline volunteer to create a personalized safety plan.

IMPORTANT NUMBERS:

Safe Haven.....1-800-334-2836
PADV.....404-873-1766
Child & Elder
Abuse Hotline..... 404-699-4399
Rape Crisis Center.....404-616-4861
GA Crisis
and Access Line.....1-800-715-4225
United Way Helpline.....211

Fulton County Solicitor General
Victim Assistance404-612-6883
Office Hours Monday-Friday 8:30-5:00

For TDD/TY or Georgia Relay Service Access,
dial 711.