

GEORGIA



# Family Violence Newsletter



Governor's Office for  
**Children and Families**

## >>> OUR MISSION

*The goal of PAC's Domestic Violence and Sexual Assault Program is to effectively assist and be a resource to prosecutors, law enforcement and victim advocates across Georgia, and to improve the effective adjudication of domestic and sexual violence cases and to reduce such crimes across our state.*

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Georgia's Family Violence Act at O.C.G.A. §§ 19-13-1 to 19-13-4, sets out the law in obtaining a Protective Order. A victim may ask for a protective order by filing a verified petition alleging facts that show probable cause that family violence occurred in the past and may occur in the future.

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A PUBLICATION OF THE PROSECUTING ATTORNEYS' COUNCIL OF GEORGIA  
DOMESTIC VIOLENCE AND SEXUAL ASSAULT PROGRAM

## Temporary Protective Orders Can Be Effective

By Vicky O. Kimbrell

Family Violence Temporary Protective Orders, (TPOs) can be an effective tool in ending family violence against women. One study showed that in 50% of TPO cases, violence did not re-occur in the 6 months following the award of a TPO. In 25% of the remaining cases, survivors reported substantial reduction in violence and improvement in quality of life.<sup>1</sup> Only the victim can decide if a TPO is the proper tool for her to use, but in many cases, TPOs can substantially reduce or end the violence.

Many victims also face community bias as a result of their abuse. Because of the barriers that victims face, it takes an average of seven (7) attempts for victims to escape the violence. Some victims decide to return to the batterers for reasons of fear, economic necessity, or family pressure. Yet, in the Kentucky study, only 4% of survivors dropped the TPO during the 6 month follow up. TPOs are also cost effective for society. Overall, for every dollar spent on the civil protective order intervention there is \$30.75 in avoided costs to society per petitioner (costs from partner violence that would have been expected had there been no protective order). TPOs can help communities keep victims safe.

### Georgia's Family Violence Act

Georgia's Family Violence Act at O.C.G.A. §§ 19-13-1 to 19-13-4, sets out the law in obtaining a Protective Order. A respondent must have a relationship to the petitioner as present or past spouses; parents of same child; persons living or formerly living in same household; parents and children; foster parents and children, or step parents and children. The violent acts covered by the statute are: felony battery or simple battery, assault or simple assault, stalking, criminal damage to property, unlawful restraint, or criminal trespass. Family violence does not

include reasonable discipline administered by a parent to a child.

Some actions can be family violence, but are not covered by the statute. Batterers often use emotional or psychological coercion that does not rise to the level of violence. Nor is verbal abuse covered by the act unless it includes threats of violence. Economic control and isolation from family or friends may be abuse, but may not be covered by the Family Violence Act.

### Jurisdiction

O.C.G.A. § 19-13-2 outlines the requirements for jurisdiction. When the abuser resides in the state, jurisdiction lies in the Superior Court in the county where abuser resides. When the abuser resides out of state, jurisdiction is in the Superior Court where the victim resides or where the abuse occurred.

### Procedures

A victim may ask for a protective order by filing a verified petition alleging facts that show probable cause that family violence occurred in the past and may occur in the future. Under O.C.G.A. § 19-13-3, a court can then award the relief it deems necessary to protect the victim or a minor in the household from violence. Within 30 days after the filing of the petition, a hearing must be held. The petitioner must prove the allegations in the petition by a preponderance of the evidence. If a hearing is not held within the 30 days, the petition stands dismissed unless the parties otherwise agree. A person who is not a minor can seek relief under the act, but minors must have someone file a petition on their behalf.

*This newsletter is a publication of the Prosecuting Attorneys' Council of Georgia and was made possible by a Grant from the Governor's Office for Children and Families. PAC encourages readers to share varying viewpoints on current topics of interest. We invite law enforcement, prosecutors and victim advocates to write an article for publication. The views expressed in this publication are those of the authors and not necessarily of the State of Georgia, PAC or the Council staff. Please send comments, suggestions or articles to Sharla Jackson at sdjackson@pacga.org.*

## Mutual Protective Orders are Dangerous for Victims and Not Allowed Except in Limited Circumstances

A court does not have the authority to issue or approve mutual protective orders unless the respondent has filed a verified counter petition no later than three days, not including Saturdays, Sundays, and legal holidays, prior to the hearing. Mutual protective orders can be dangerous for victims. Law enforcement often will refuse to enforce mutual orders, victims have mutual orders used against them, and mutual orders do not protect the due process rights of victims.<sup>2</sup> O.C.G.A. § 19-13-4.

## Relief

Courts can award various types of relief for survivors, including:

1. Direct the respondent to refrain from abuse;
2. Grant exclusive possession of the residence;
3. Require a party to provide suitable alternate housing for the victim;
4. Award temporary custody of minor children and establish visitation;
5. Order the eviction of a party from the residence or order assistance to the victim in returning or retrieving personal property;
6. Order either party to make payments for the support of a minor child;
7. Order spousal support;
8. Provide for the personal property of the parties;
9. Order the respondent to refrain from harassing the victim;
10. Award costs and attorney's fees; and
11. Order the respondent to receive psychiatric services.

O.C.G.A. § 19-13-4(a)(1)–(11).

Protective orders under the Family Violence Act remain in effect for up to 12 months. On motion of a petitioner and notice to the respondent and after a hearing, the Court in its discretion can convert a temporary protective order into a permanent order.

## Custody and Visitation in Households Where a Parent has Committed Family Violence

The standard in awarding custody or visitation of a child when the court has made a finding of family violence is that “the court shall consider as primary the safety and well-

being of the child and the parent who is the victim of family violence.” O.C.G.A. § 19-9-3(a)(4). Similarly, in awarding visitation, the court must consider the batterer's history of family violence and can “award visitation to the parent who has committed family violence ONLY IF the court finds adequate provision for the safety of the child and parent victim.” The Court can also set out conditions prior to visitation with the batterer. A court can order exchange in a protected setting, order visitation to be supervised, order the perpetrator to attend and complete FVIP (Family Violence Intervention Programs), or order the perpetrator to abstain from alcohol or drugs. O.C.G.A. § 19-9-7.

## Stalking Protective Orders

Stalking occurs when the accused follows, places under surveillance, or contacts another person...without the consent of the other person for the purpose of harassing and intimidating the other person.” O.C.G.A. §§ 16-5-90 to 16-5-95. Stalking requires a pattern of harassing and intimidating - intentionally doing something that causes emotional distress or reasonable fear for safety of oneself or family member, for no legitimate purpose. A victim can use the procedures listed in O.C.G.A. §§ 19-13-1 through 19-13-4 to file for a Stalking Temporary Protective Order. However, to obtain a stalking act order, the victim need not prove a family relationship or the same type of violence that is set out in the Family Violence Act.

The same procedures apply in that a verified petition must be filed in the county of residence of the abuser, when the abuser is a Georgia resident. The petition must allege facts to show that an act of stalking occurred. The court can enter an ex parte order that lasts less than 30 days. A hearing must be held where the Respondent has notice and an opportunity to be heard prior to the expiration of the 30 days. The Court can then enter an order granting relief that requires the stalker to: refrain from stalking conduct; refrain from harassing or interfering with the other, award costs and attorney's fees; order psychiatric counseling for either or both parties.

## Resources for Survivors

- Forms for filing for Protective Orders under the Family Violence Act are available online at the Georgia Superior Court Clerk's Cooperative Authority website. <https://www.gscca.org/learn/projects-programs/family-violence-project>.
- Victims who need help with shelter, safety planning, and access to

local community resources should contact the Georgia 24-hour Domestic Violence Hotline at: 1 (800) – 33HAVEN or 1 (800) 334-2936.

- Survivors who need civil legal assistance filing for a protective order can contact Georgia Legal Services if they live in the 154 counties outside of metro Atlanta at: 1 (800) 498-9469 or [www.glsp.org](http://www.glsp.org).
- Survivors inside the five metro Atlanta Counties should contact Atlanta Legal Aid Society at (404) 524-5811 or [www.atlantalegalaid.org](http://www.atlantalegalaid.org). 

## Endnotes

1. <http://www.carseyinstitute.unh.edu/publications/IB-Logan-Civil-Protective-Order.pdf>.
2. What's Wrong with Mutual Protective Orders, Joan Szorza, available at: <http://www.ncadv.org/conferences/2012handouts/Zorza,%20Joan-Dangers.of.Mutual.Orders.pdf>.

Vicky O. Kimbrell is the Family and Health Law Specialist Attorney for Georgia Legal Services. <http://www.glsp.org/>.



**>>> UPCOMING TRAINING EVENTS**

**NOVEMBER 13, 2014**  
**Family Violence - Camilla**  
Mitchell EMC Auditorium  
475 Cairo Road  
Camilla, Georgia 31730  
9:00 AM to 4:00 PM

**NOVEMBER 14, 2014**  
**Family Violence - Dawson**  
Terrell County Government Complex  
995 Forrester Drive  
Dawson, Georgia 39842  
9:00 AM - 4:00 PM

**DECEMBER 5, 2014**  
**Family Violence - Cordele**  
Crisp County Sheriff's Office Training Facility  
196 Georgia 300  
Cordele, Georgia 31015  
9:00 AM - 4:00 PM

continued >

# CaseLaw Update

By Sharla D. Jackson, Domestic Violence and Sexual Assault Resource Prosecutor,  
Prosecuting Attorneys' Council of Georgia

## *New v. State*

A13A2391 March 27, 2014

The defendant appealed his conviction on multiple counts of Child Exploitation, Child Molestation and Enticing a Child for Indecent Purposes. The court affirmed the convictions and remanded the case for resentencing.

Defendant challenged the sufficiency of the evidence, the admission of prejudicial character evidence, the denial of his motion to suppress and the sentencing as void.

The defendant encouraged his 14-year-old son B.N. and his 13-year-old girlfriend T.P. to engage in "strip wrestling" where he explained that the participants would wrestle until they were stripped down to their underwear. The defendant observed and photographed the wrestling. Afterwards, he encouraged his son to engage in sexual intercourse with T.P. in B.N.'s bedroom where he set up a video camera. Someone reported the incident to law enforcement and officers conducted an investigation. Officers seized the defendant's computer, looking for images of the strip-wrestling incident. Those images were located along with numerous images of child pornography. The defendant was indicted and convicted on all charges.

The defendant contended that there was insufficient evidence to show that he knowingly possessed images of child pornography because the GBI forensics expert could not determine whether the shadow copy images were the result of downloads or were merely viewed on a website and automatically saved to the computer. The court held that the "shadow copies" as located on the computer's system volume information by computer forensic experts were sufficient evidence to support the charge, since there was more than sufficient circumstantial evidence for the jury to conclude that the defendant knowingly possessed child pornography on his computer at a prior point. The state presented other circumstantial evidence, which included such expert testimony as to LimeWire logs that indicated searches for and downloads of child pornography, the number of child pornography images discovered, the user-installed deletion software and attendant settings, and the fact that New photographed B.N. and T.P. engaged in "strip wrestling." The court held this was sufficient circumstantial evidence by which to show that the defendant had purposeful and knowing access to child pornography in violation of O.C.G.A. § 16-12-100.

The trial court permitted the State on rebuttal to question defendant's ex-wife regarding her access to and discovery of pornography on Defendant's password-protected

system-user profile. The court affirmed the admission of this evidence regarding the defendant's interest in and possession of adult pornography. As it was appropriately admitted to rebut defense counsel's assertions that B.N. was responsible for the pornography on the defendant's computer.

The defendant also contested the trial court's failure to grant his motion to suppress where he asserted that law enforcement's search of his home exceeded the scope of his consent to search. During the initial investigation of the incident, the defendant signed a consent to search form giving law enforcement permission to, "take from my premises and property, any letters, papers, materials, or any other property or things which they desire as evidence." Accordingly, based on the allegations, officers seized any item that possibly contained electronic media, including the defendant's computer. The defendant also told the officers, "that he was aware of the obligations and would cooperate fully as he had nothing to hide." As the defendant was aware of the charges against him and fully understood the scope of the search that he consented to, the court held that the search was lawful.

The Court also held that the trial court failed to comply with the sentencing scheme under O.C.G.A. § 17-10-6.2. Specifically, when it failed to impose a split when sentencing the defendant for his convictions for sexual offenses as required by the statute. The Court vacated the sentencing and remanded the case to the trial court for resentencing.

## *State v. Cosmo*

S13G1070 April 22, 2014

The Supreme Court interpreted O.C.G.A. § 16-12-100, Computer Pornography, holding that direct communications with a child is not required for a conviction.

Defendant communicated by text message, internet and phone with an undercover law enforcement agent posing as a woman named "Amber," who he believed was arranging a sexual encounter with defendant involving herself and at least one of three under-aged children that she claimed were her daughters. Stating explicitly the sexual acts that he was attempting to solicit with the girl that he believed was 14 years-old, the defendant agreed to the encounter. The defendant never communicated directly with a person he believed to be a child. He communicated only with a person he believed to be Amber, the child's parent.

The defendant argued that the evidence was insufficient to support his conviction because it failed to show any interaction be-

tween himself and a child or person he believed to be a child.

The Court analyzed the language of the statute holding that the words "attempt to seduce," applies to those instances where there is no direct communication with a child when two elements are satisfied; (1) the intent to commit a crime, and (2) the taking of a substantial step toward the commission of that. As it was shown that Cosmo's intent was to solicit a sexual act with a child and he took a substantial step towards committing that crime by communicating with a person that he believed to be the child's mother the court held that his conviction was proper under this statute.

## *Cobb v. Hart*

S14A0224 April 22, 2014

Defendant was convicted of the molestation of his three daughters. He appealed the trial court's denial of his request for relief under habeas corpus, alleging that his defense counsel was deficient in failing to appeal the admission of a forensic interview of his 14-year-old daughter. At the time of the interview, she was over the age of 14 and her statement was therefore inadmissible under the child hearsay statute. The Court affirmed the trial court's ruling, holding that the daughter's statements were properly admitted as prior consistent statements. The statements were admitted after the daughter's veracity was placed in issue, they predated any allegations of recent fabrication by the witness and she was subject to cross-examination. Since this would not have changed the outcome of the case, the Court held that defense counsel was not deficient and the request for habeas relief was properly denied.

## *State v. Leatherwood*

A14A0566 April 1, 2014

The defendant was charged with multiple counts of battery, family violence battery and criminal trespass. The state alleged in Count 1 of the indictment, the offense of battery, as follows: "did intentionally cause visible bodily harm, to wit: bruised bloody lip, to the person of Loretta Walker, said person and the accused were at the time of the battery living in the same household, by striking her." Count 2 set forth a second count of battery alleging, "did intentionally cause visible bodily harm, to wit: a bruised bloody lip, to Loretta Walker by striking her." Count 5 alleged that the defendant, "did intentionally damage a closet door, the property of Loretta Walker, without her consent, by punching a

hole in the door, said damage being less than \$500.00.”

The defendant filed a special demurrer to counts one, two and five of the accusation charging him with family violence battery, battery and criminal trespass. The defendant argued that the accusation was insufficient because it failed to put the defendant “on notice of any weapon, tool, instrument, or part of his body he allegedly employed in causing the victim’s injury.” The trial court granted the demurrer on all three of the counts.

The Court applied the standard set in *State v. Barnett*, 268 Ga.App. 900 (2004). Stating, “...the true test of the sufficiency of an indictment [or accusation] to withstand a special demurrer is not whether it could have been made more definite and certain, but whether it ... sufficiently apprises the defendant of what he must be prepared to meet, and, in case any other proceedings are taken against him for a similar offense, whether the record shows with accuracy to what extent he may plead a former acquittal or conviction.” Since the accusation in this case included specific acts arising from a specific event and adequately defined the offenses of battery, family violence battery, and criminal trespass to property, the Court held that the accusation was sufficient and reversed the trial court’s ruling.

### *State v. Oliver*

A13A2394 March 13, 2014

At trial, defendant was convicted of the kidnapping with bodily injury, rape, and aggravated assault of his former girlfriend.

The evidence showed that the victim in this case had a previous relationship with the defendant in which he was violent with her. However, she never reported this violence to the police because she was afraid of him. On the date of the crime, she agreed to go with the defendant to his house, where he held her for several days, beating, stabbing, hitting her with a fireplace poker, ripping out some of her hair, and threatening to kill her. She had sexual intercourse with him hoping that this would allow her to escape. Four days later, she was able to flee.

While the victim was being cross-examined, defense counsel attempted to test her credibility by questioning her failure to contact the police after previous incidents of violence by the defendant. On redirect, the state elicited testimony about the victim’s knowledge of the defendant’s similar violent acts against other women for which he was acquitted, to explain the victim’s reluctance to go to the police the first time that the defendant was violent with her. The Court held that evidence of the victim’s knowledge of the defendant’s similar acts against other women was relevant even though it placed the defendant’s character in issue because it was admissible to explain the victim’s reluctance to report the defendant’s previous act of violence against her to police.

The court held that the state was not estopped from presenting this evidence of the defendant’s prior acquittals because the state was seeking to prove through the victim’s testimony not defendant’s guilt of the prior crimes, but the victim’s knowledge and beliefs regarding his guilt. Because the previous trial and acquittal did not address the facts of the victim’s belief, the court held that the lower court properly allowed the admission of this evidence and affirmed the conviction.

### *State v. Wyatt*

S14A0317 June 2, 2014

The defendant was charged with multiple counts of felony murder, aggravated assault, aggravated battery and cruelty to children for the beating death of his girlfriend’s two-year-old girl, the daughter of his girlfriend.

The trial court granted demurrers to the counts of the indictment charging the defendant with felony murder, aggravated battery, aggravated assault and cruelty to children. The trial court found that the counts were insufficient because they failed to allege the weapon or manner in which the injuries occurred. The state filed an interlocutory appeal.

The defendant was babysitting the victim along with her 4 and 6-year old brothers. When her mother got home, she found the victim unresponsive and took her to a hospital. After medical treatment including surgery, she died three days later. The mother told defendant that the police were looking for him and he turned himself into the police. The defendant gave several statements to the police as to how the child was injured. After being read his *Miranda* rights, the defendant admitted that he struck the child. He was placed under arrest.

The counts of the indictment referring to felony murder based on aggravated battery alleged that the defendant “rendered useless the brain of Andrea, a child, by causing bleeding to and damage to her brain. The count referring to aggravated assault alleged: “Wyatt assaulted Andrea, a child, with an object the exact nature of which is unknown to the Grand Jury, which when used offensively against another person is likely to result in serious bodily injury.”

The Court held that the indictment was not subject to a general demurrer as it tracked the statutory language in laying out the felony murder, aggravated battery and aggravated assault counts.

The state argued that the medical intervention to save the child’s life rendered the medical examiner unable to determine the exact point of impact of the blows to the child’s head. Nor did the evidence allow the state to determine the exact object used to assault the victim.

The court held that where the facts of the case do not allow for such specificity, the

indictment is not required to identify the exact weapon or object used. Because the state alleged the facts with sufficient specificity to apprise the defendant of the charges against him and to protect him against another prosecution for the same offense, the indictment was not subject to a special demurrer.

Regarding the counts alleging aggravated battery, the Court held that the state was not required to allege the exact manner and means of the battery where the indictment described the resulting injury, the bleeding and damage to the victim’s brain, which rendered it useless.

Finally, the Court refused to interpret the law to require a pretrial evidentiary hearing in assault cases where the weapon or object used is unknown as is required when a crime is committed during a range of dates.

### *Wheeler v. State*

A14A0125 May 16, 2016

The defendant appealed his conviction on one count of enticing a child for indecent purposes.

The defendant engaged in a sexual relationship with the victim, a 15-year-old friend of his son’s. A friend of the victim learned about the relationship, and reported it to his mother, who then reported it to her parents.

Defense counsel questioned jurors as to whether the nature of the allegations would make it impossible for them to be fair. A potential juror expressed that she generally was prejudiced in favor of children in such cases but had not formed a fixed or definite opinion regarding defendant’s guilt or innocence. Subsequently, the state questioned the prospective juror about her earlier response, asking why the allegations in the case would make it hard for her to be fair. The juror stated that while she had a soft spot for children, she believed that she could listen to the evidence and be fair and had not formed a fixed or definite opinion regarding defendant’s guilt or innocence. The defense used one of its peremptory strikes to remove the juror. The Court affirmed the defendant’s conviction and the trial court’s denial of Wheeler’s challenge for cause as to this prospective juror holding that it is “not an abuse of discretion to seat a juror who questions her ability to set aside biases so long as the juror indicates she has no unalterable fixed prejudices.” 



Don’t forget to visit our Training Web page to register for our domestic violence-related conferences and training courses.

# Domestic Violence and Sexual Assault Resources for Prosecutors

## 24/7 Domestic Violence Hotline:

1.800.33.HAVEN (1.800.334.2836) V/TTY

## Websites:

### Governor's Office of Children and Families:

<https://children.georgia.gov/crisis-assistance>

### Georgia Care Connection:

<http://www.gacares.org>

### Georgia Network to End Sexual Assault:

<http://gnesa.org>

### Battered Women's Justice Project:

<http://www.bwjip.org>

### Georgia Commission on Family Violence:

<http://www.gcfv.org>

*Provides Georgia domestic violence statistics, domestic violence protocols.*

### Georgia Coalition Against Domestic Violence:

<http://gcadv.org>

### Forensic Healthcare Online:

<http://www.forensichealth.com>

*Provides links to studies on intimate partner violence and sexual assault.*

### AEquitas:

<http://www.forensichealth.com>

*AEquitas publishes the STRATEGIES newsletter and monographs on complex topic areas, emerging issues, and promising practices related to the prosecution of violence against women cases.*

### Prosecutor's Resource on Violence Against Women

[www.Aequitasresource.org](http://www.Aequitasresource.org)

### The Women's legal defense and Education fund

[www.Legalmomentum.org](http://www.Legalmomentum.org)

### End Violence Against Women International

[www.evawintl.org](http://www.evawintl.org)

### National Sexual Violence Resource Center

[www.nsvrc.org](http://www.nsvrc.org)



Prosecutors and Law Enforcement working together at a recent Family Violence Training Session. The Domestic Violence and Sexual Assault Resource Prosecutor is available to provide technical assistance or training for your office. Please feel free to contact DVSARP Sharla D. Jackson at (404) 969-4001, or by email at [sdjackson@pacga.org](mailto:sdjackson@pacga.org).

## Other sites:

<http://www.nij.gov/journals/264/SANE.htm>

<http://www.aequitasresource.org/library.cfm>

[http://www.aequitasresource.org/Prosecutor\\_Reference\\_Medical\\_Evidence.pdf](http://www.aequitasresource.org/Prosecutor_Reference_Medical_Evidence.pdf)

[http://www.aequitasresource.org/Benefits\\_of\\_Specialized\\_Prosecution\\_Units\\_in\\_Domestic\\_and\\_Sexual\\_Violence\\_Cases\\_Issue\\_8.pdf](http://www.aequitasresource.org/Benefits_of_Specialized_Prosecution_Units_in_Domestic_and_Sexual_Violence_Cases_Issue_8.pdf)

[http://www.aequitasresource.org/Benefits\\_of\\_a\\_Coordinated\\_Community\\_Response\\_to\\_Sexual\\_Violence\\_Issue\\_7.pdf](http://www.aequitasresource.org/Benefits_of_a_Coordinated_Community_Response_to_Sexual_Violence_Issue_7.pdf)

[http://www.aequitasresource.org/Absence\\_of\\_Anogenital\\_Injury\\_in\\_the\\_Adolescent\\_Adult\\_Female\\_Sexual\\_Assault\\_Patient\\_Issue\\_13.pdf](http://www.aequitasresource.org/Absence_of_Anogenital_Injury_in_the_Adolescent_Adult_Female_Sexual_Assault_Patient_Issue_13.pdf)

[http://www.aequitasresource.org/Prosecuting\\_Cases\\_of\\_Sexual\\_Abuse\\_in\\_Confinement.pdf](http://www.aequitasresource.org/Prosecuting_Cases_of_Sexual_Abuse_in_Confinement.pdf)

[http://www.wcasa.org/file\\_open.php?id=3](http://www.wcasa.org/file_open.php?id=3)

<http://law.lclark.edu/live/files/6470-a-criminal-justice-guide-legal-remedies-for-adult>

[http://www.aequitasresource.org/Rape\\_and\\_Sexual\\_Assault\\_Analyses\\_and\\_Laws.pdf](http://www.aequitasresource.org/Rape_and_Sexual_Assault_Analyses_and_Laws.pdf)

<http://www.legalmomentum.org/our-work/njep/mat-for-jd-edu/the-challenges-of-adult-victim-sexual-assault-cases-materials-for-new-judges/title-page-and-main-menu/newjudgesmainmenu.html>

<http://legalmomentum.org/search/node/sexual%20assault%20cases> [GFV](#)

*Recognizing the magnitude and impact of Domestic Violence in the State, the Governor's Office for Children and Families awarded a grant to the Prosecuting Attorneys' Council of Georgia. The grant provides much needed funding to train law enforcement officers, prosecutors, and victim advocates to more effectively respond to and prosecute crimes of domestic and sexual violence. The training is designed to improve the effective adjudication of domestic and sexual violence cases and effectuate the reduction of such crimes across our state.*



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**GEORGIA**

# Family Violence Newsletter

Prosecuting Attorneys' Council of Georgia  
Domestic Violence and Sexual Assault Resource Program  
104 Marietta Street, NW  
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Atlanta, Georgia 30303



Governor's Office for  
**Children and Families**

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## GEORGIA DOMESTIC VIOLENCE AND SEXUAL ASSAULT RESOURCE PROGRAM



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Domestic Violence and Sexual  
Assault Resource Prosecutor  
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sdjackson@pacga.org

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### DID YOU KNOW?

In Georgia, "Family Violence" also known as Domestic Violence is defined as: "the occurrence of one or more of the following acts between past or present spouses, persons who are parents of the same child, parents and children, stepparents and stepchildren, foster parents and foster children, or other persons living or formerly living in the same household: (1) Any felony; or (2) Commission of offenses of battery, simple battery, simple assault, assault, stalking, criminal damage to property, unlawful restraint, or criminal trespass. The term "family violence" shall not be deemed to include reasonable discipline administered by a parent to a child in the form of corporal punishment, restraint, or detention."

*-Statistics from 2012 Georgia Domestic Violence Fatality Review Annual Report  
courtesy Georgia Coalition Against Domestic Violence ([www.gcadv.org](http://www.gcadv.org)) and Georgia  
Commission on Family Violence ([www.gcfv.org](http://www.gcfv.org))*