

GEORGIA DEPARTMENT OF CORRECTIONS Standard Operating Procedures		
Functional Area: Facilities Operations	Reference Number: IIB02-0002 (209.02)	Revises Previous Effective Date:
Subject: Prosecution In Local Court		3/01/05
Authority: Bryson/Jacobs	Effective Date: 4/30/15	Page 1 of 2

I. POLICY:

A warrant for prosecution shall be sought by the Warden or Superintendent from the local magistrate if a significant violation of State law has occurred and there is available evidence to support such an action. If a Federal law has been violated, the governing agency will be contacted for appropriate investigation.

- A. To identify significant violations that should be prosecuted.
- B. Promote consistent and cooperative relations with local prosecutorial officers in preserving law and order within GDC facilities.
- C. Achieve uniformity within GDC facilities with this procedure.

II. APPLICABILITY:

All incarcerate facilities/transitional centers housing GDC inmates or probationers.

III. RELATED DIRECTIVES:

- A. GDC Rules: 125-3-1-.07(e)2, 125-3-2-.04(a), and 125-3-2-.05(2). GDC SOP: IK01-0005, IK01-0001, IK01-0006, IK01-0007
- B. GDC SOP IK01-0005, IK01-0001, IK01-0006, IK01-0007
- C. ACA Standards: 3-4219

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IV. DEFINITIONS:

None

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V. ATTACHMENTS:

None

VI. PROCEDURE:

Prosecution shall be sought against all persons who violate the law, including inmates/probationers, staff and civilians.

A. Examples of SIGNIFICANT violations will include and are not limited to:

1. Causing the death of another
2. Homosexual activity by force
3. Attacking another with weapon
4. Taking and/or holding a hostage
5. Participation in riot or other group disturbance
6. Escape
7. Arson
8. Possession of narcotic drugs
9. Damaging or destroying State or County Property
10. Counterfeiting
11. Violation of U.S. Postal Laws
12. Forgery
13. Rape/Sodomy
14. Burglary
15. Exposure/Exhibition

B. A high priority should be assigned in prosecuting any serious violations against person, particularly against officers or other staff.

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C. This procedure underscores the importance of precise documentation (i.e. videos & still photographs), sound investigative practices, evidence preservation, and potential protection of inmate/probationer witnesses. The requirements underscore the fact that pursuing justice in prisons is no less important than doing so in the community. (Refer to SOP IK01-0005)