

GEORGIA DEPARTMENT OF JUVENILE JUSTICE	Transmittal # 12-10	Policy # 14.11
Applicability: { } All DJJ Staff { } Administration {x} Community Services {x} Secure Facilities (RYDCs and YDCs)	Related Standards & References: OCGA §15-11-51, §49-4A-8, §49-5-3	
Chapter 14: BALANCED AND RESTORATIVE JUSTICE	Effective Date: 4/15/12 Scheduled Review Date: 4/15/14	
Subject: VICTIM NOTIFICATION	APPROVED:	
Attachments: A – Victim Information Letter B – Violent Delinquent Acts	 <hr/> L. Gale Buckner, Commissioner	

I. POLICY:

When a youth has been accused of a violent delinquent act or adjudicated to have committed a violent delinquent act, the Department of Juvenile Justice shall provide notice to any person who was the victim of the youth’s delinquent acts that he/she is being released from a secure facility, either on pass or permanently. When a youth has been adjudicated delinquent for the commission of a designated felony act, the Department of Juvenile Justice shall provide notice to any person who was the victim of the youth’s delinquent acts that he/she is being released from a secure facility either on pass or permanently.

II. DEFINITIONS:

Juvenile Court Intake Officer: Department of Juvenile Justice probation staff designated by a court order to be on-duty or on-call for the purpose of determining whether any youth (under the juvenile court jurisdiction) taken into custody should be released or detained and, if detained, the appropriate place of detention. Each superior or juvenile court judge is responsible for designating one of the above persons to be on-duty or on-call as an intake officer during each 24-hour period. (For independent courts, the Juvenile Court Intake Officer is an employee of the county.)

Victim: (1) A person against whom a crime has been perpetrated. (2) A parent, guardian or custodian of a crime victim who is a minor or a legally incapacitated person, except where that person is in custody for an offense or is the defendant. (3) In the event of the death of the crime victim, the following relatives will qualify as the victim, except where the relative is either in custody for an offense or the defendant: spouse; adult child if there is no spouse; a parent if there is no spouse or adult child; a sibling if there is no spouse, adult child or parent; a grandparent if there is no spouse, adult child, parent or sibling.

Violent Delinquent Act: The commission, attempt to commit, conspiracy to commit, or solicitation of another to commit a delinquent act that if committed by an adult would constitute:

- A serious violent felony as defined by O.C.G.A. §17-10-6.1;
- A designated felony as defined by O.C.G.A. §15-11-63;
- Stalking or aggravated stalking;

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- Any attempt to commit, conspiracy to commit, or solicitation of another to commit an offense enumerated above.

III. PROCEDURES:

A. Collection of Victim Information:

1. The Juvenile Court Intake Officer will notify the victim of his/her right to victim notification and of the requirement for the victim to provide a telephone number and address to which notification can be made.
2. The Juvenile Court Intake Officer will collect the victim's name, address, and phone number at the time of intake. (This information may be obtained from the complaint or law enforcement.) The Juvenile Court Intake Officer will enter the collected information into the Juvenile Tracking System (JTS) in the Demographics Module.
3. If the Juvenile Court Intake Officer is unable to obtain the information at the time of intake, the Juvenile Court Intake Officer will contact law enforcement the next business day for the information.
4. When a community case manager is assigned, the community case manager will verify the presence of the victim's information in the Juvenile Tracking System (JTS). If no victim information is listed in JTS for a required offense, the community case manager will obtain the victim's information from law enforcement and mail the Victim Information Letter (Attachment A).
5. When a youth is being served in an Independent Juvenile Court or in any Superior Court in the state of Georgia, the case expeditor assigned to the youth's catchment area, will collect the victim's name, address and phone number and enter this information into the Juvenile Tracking System (JTS) in the Demographics Module.
6. The victim's information will be entered into JTS Demographics Module immediately after receipt. Efforts to locate the information will be documented in JTS.

B. Upon intake into a secure facility, the youth's offenses/crimes will be entered into JTS.

C. Pre-Adjudication Release from an RYDC or YDC:

1. When a youth accused of a violent delinquent act (see Attachment B) is released from a secure facility, the facility case manager will provide notification to the victim at least 24 hours before the youth's release.

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- a. Notification will be done when a youth is released from a DJJ secure facility to the community or to a non-secure placement (e.g., group home, hospital, treatment centers, etc.)
 - b. Notification will not be done when a youth transfers from a DJJ secure facility to another DJJ secure facility, or to a secure facility operated by the Georgia Department of Corrections.
2. When the youth is released from court unexpectedly or without 24 hours notice, the facility case manager will provide notification to the victim as soon as possible, but no later than 48 hours from the release. If the youth is being released from an RYDC by an Independent Juvenile Court or a Superior Court unexpectedly or without 24 hours notice, the Case Expeditor will provide notification to the victim as soon as possible, but no later than 48 hours from the release. All efforts to notify the victim will be documented in the JTS.
 3. Notification will be made to the telephone number provided by the victim. The Victim Notification Letter will be generated from JTS and sent to the victim the same business day as the verbal notification.
 4. If the letter is returned as undeliverable, the facility case manager will document the return in the JTS Demographics' Victim Notification section. The returned letter will be filed in the youth's case record. All attempts to locate victims will be documented in JTS by the staff making the attempt.
- D. Post-Adjudication Release from an RYDC:
1. When a youth adjudicated to have committed a violent delinquent act (see Attachment B) is released from an RYDC, the facility case manager will provide notification to the victim at least 48 hours before the youth's release.
 - a. Notification will be done when a youth is released from a DJJ secure facility to the community or to a non-secure placement (e.g., group home, hospital, treatment centers, etc.)
 - b. Notification will not be done when a youth transfers from a DJJ secure facility to another DJJ secure facility, or to a secure facility operated by the Georgia Department of Corrections.
 2. When the youth is released without 48 hours notice, the facility case manager will provide notification to the victim as soon as possible.
 3. Notification will be made to the telephone number provided by the victim. The Victim Notification Letter will be generated from JTS and sent to the victim the same business day as the verbal notification.

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4. If the Victim Notification Letter is returned as undeliverable, the facility case manager will document the return in the JTS Demographics' Victim Notification section. The returned letter will be filed in the youth's case record. All attempts to locate victims will be documented in JTS by the staff making the attempt.

E. Post-Adjudication Release from a YDC:

1. When a youth is scheduled for release, the release information will be entered into JTS by the facility case manager.
2. The facility case manager will inform victims of youth committed as designated felons of the release of such youth, a minimum of one month prior to the expected release date.
 - a. Notification will be done when a youth is released from a DJJ secure facility to the community or to a non-secure placement (e.g., group home, hospital, treatment centers, etc.)
 - b. Notification will not be done when a youth transfers from a DJJ secure facility to another DJJ secure facility, or to a secure facility operated by the Georgia Department of Corrections.
3. The Victim Notification Letter will be generated from JTS and sent to the victim a minimum of one month prior to the expected release date.
4. If the Victim Notification Letter is returned as undeliverable, the facility case manager will document the return in the JTS Demographics Victim Notification section. The returned letter will be filed in the youth's case record. All attempts to locate victims will be documented in JTS by the staff making the attempt.

F. Passes from a Secure Facility:

1. When a youth accused of a violent delinquent act is authorized for a pass from a secure facility, the victim must be notified. The process outlined in Section C. of this policy will be used to provide this notice.
2. When a youth adjudicated to have committed a violent delinquent act is authorized for a pass from a secure facility, the victim must be notified. The process outlined in Section D. of this policy will be used to provide this notice.
3. When a youth who has been adjudicated delinquent for the commission of a designated felony act is authorized a pass, the victim must be notified. The process outlined in Section D. of this policy will be used to provide this notice.

G. If a youth escapes from a DJJ secure facility and the escapee has been adjudicated to have committed a violent delinquent act or is a designated felon, every attempt will be made to contact the victim(s) of that youth as soon as possible but within 24 hours of

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the escape. The facility Director or designee will make the victim notification. All contacts and attempts to notify the victim(s) will be documented in JTS. Additionally, the DJJ Victim Advocate will be notified within 24 hours of the escape.

IV. LOCAL OPERATING PROCEDURES REQUIRED: NO