Rules and Regulations of the State of Georgia

Department 144 RULES OF GEORGIA CRIMINAL JUSTICE COORDINATING COUNCIL

Current through Rules and Regulations filed through November 6, 2026

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ADMINISTRATIVE HISTORY

The **Administrative History** following each Rule gives the date on which the Rule was originally filed and its effective date, as well as the date on which any amendment or repeal was filed and its effective date. Principal abbreviations used in the Administrative History are as follows:

f. - filed

eff. - effective

R. - Rule (Abbreviated only at the beginning of the control number)

Ch. - Chapter (Abbreviated only at the beginning of the control number)

ER. - Emergency Rule

Rev. - Revised

Note: Emergency Rules are listed in each Rule's Administrative History by Emergency Rule number, date filed and effective date. The Emergency Rule will be in effect for 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule is adopted, as specified by the Agency.

Chapters 144-1 entitled "Administration", 144-2 entitled "Functions and Powers", 144-3 entitled "Definitions" and 144-4 entitled "Adoption of Rules" have been adopted. Filed November 4, 1981; effective November 24, 1981.

Emergency Rules 144-1-0.1-.01, 144-2-0.2-.01, and 144-3-0.3-.01 adopted. Filed May 4, 1983; effective April 29, 1983, the date of adoption, to be in effect for 120 days or until the effective date of permanent Rules covering the same subject matter superseding these Emergency Rules are adopted, as specified by the Agency. These Rules were adopted to implement Act 231 passed by the 1983 Session of the General Assembly, for the Statewide regulation of the Council membership of the Criminal Justice Coordinating Council. (These Emergency Rules will not be published; copies may be obtained from the Agency.)

Rules 144-1-.01, 144-2-.01, 144-3-.01 have been amended. Filed September 2, 1983; effective September 22, 1983.

Rule 144-1-.01 has been amended. Filed August 13, 1985; effective September 2, 1985.

Rule 144-1-.01 has been amended. Filed February 4, 1988; effective February 24, 1988.

Chapters 144-1 and 144-2 have been repealed and new Chapters adopted. Filed November 21, 1989; effective December 11, 1989.

Grant Chapter 144-5 entitled "Grant Programs" submitted May 16, 1994.

Chapter 144-6 entitled "Crime Victim Assistance Project Certification" has been adopted. Filed June 14, 1995; effective July 4, 1995.

Grant 144-5-.04 submitted December 8, 1995.

Grant 144-5-.05 submitted September 26, 1996.

Grants 144-5-.06, .07 submitted November 7, 1996.

Rules 144-1-.01, 144-6-.01, .02 have been amended. Rules 144-1-.05 and 144-6-.05 have been adopted. Filed September 24, 2001; effective October 14, 2001.

Rule 144-6-.01 has been amended. Filed January 16, 2002; effective February 5, 2002.

Grant 144-5-.04 submitted November 20, 2002.

Rules 144-1-.01, .03 to .05, and 144-2-.01 have been amended. Filed November 20, 2002; effective December 10, 2002.

Rule 144-1-.01 has been amended. Filed April 22, 2004; effective May 12, 2004.

Rules 144-5-.08 and .09 have been adopted. Filed December 16, 2005; effective January 5, 2006.

Rules 144-6-.01 and .02 have been amended. Rule 144-6-.03 has been repealed and a new Rule adopted. Rules 144-6-.04 and .05 have been repealed. Files January 9, 2008; effective January 29, 2008.

Grant Chapter 144-5 submitted January 8, 2010.

Rule Chapters 144-1 to 144-4 and 144-6 repealed and new Rule Chapters adopted. Filed January 8, 2010; effective January 28, 2010.

Rule 144-4-.06 amended. Rules 144-4-.08, .09 adopted. F. June 30, 2015; eff. July 20, 2015.

Rule 144-3-.01 amended. F. Oct. 6, 2016; eff. Oct. 26, 2016.

Rules 144-4-.05 through .09 amended. F. July 9, 2019; eff. July 1, 2019, as specified by the Agency.

Rules 144-4-.06 through .09 amended. F. April 1, 2022; eff. April 21, 2022.

Cite as Ga. Comp. R. & Regs. R. dept. 144, ADMINISTRATIVE HISTORY

Chapter 144-1. THE CRIMINAL JUSTICE COORDINATING COUNCIL.

Rule 144-1-.01. The Criminal Justice Coordinating Council.

The General Assembly created the Criminal Justice Coordinating Council to provide the necessary leadership to coordinate the major components of the criminal justice system by establishing a state-wide coordinating body which represents all components and all levels of the criminal justice system, to administer grants and aid to state and local criminal justice entities, and for other purposes.

Cite as Ga. Comp. R. & Regs. R. 144-1-.01
Authority: O.C.G.A. Secs. 35-6A-1, 35-6A-4.
History. Original Rule entitled "Organization" adopted. F. Nov. 4, 1981; eff. Nov. 24, 1981.

Amended: ER. 144-1-0.1-.01 adopted. F. May 4, 1983; eff. April 29, 1983, the date of adoption.
Amended: Permanent Rule adopted. Sept. 2, 1983; eff. Sept. 22, 1983.
Amended: F. Aug. 13, 1985; eff. Sept. 2, 1985.
Amended: F. Feb. 4, 1988; eff. Feb. 24, 1988.
Repealed: New Rule of same title adopted. F. Nov. 21, 1989; eff. Dec. 11, 1989.
Amended: F. Sept. 24, 2001; eff. Oct. 14, 2001.
Amended: F. Nov. 20, 2002; eff. Dec. 10, 2002.
Amended: F. Apr. 22, 2004; eff. May 12, 2004.
Repealed: New Rule entitled "The Criminal Justice Coordinating Council" adopted. F. Jan. 8, 2010; eff. Jan. 28, 2010.

Rule 144-1-.02. Administrative Assignment.

(1) The Criminal Justice Coordinating Council is assigned to the Georgia Bureau of Investigation for administrative purposes only. The Council has authority to:

(a) Exercise its quasi-judicial, rule-making or policy-making functions independently of the Georgia Bureau of Investigation;

(b) Prepare its budget and submit its budgetary requests through the Georgia Bureau of Investigation; and

(c) Employ its own personnel as authorized or funds are appropriated.

(2) The Council shall adopt bylaws and rules of order consistent with its authorizing legislation for the conduct of meetings and business.

Cite as Ga. Comp. R. & Regs. R. 144-1-.02
Authority: O.C.G.A. Sec. 35-6A-1.
History. Original Rule entitled "Membership Compensation" adopted. F. Nov. 4, 1981; eff. Nov. 24, 1981.
Repealed: New Rule of same title adopted. F. Nov. 21, 1989; eff. Dec. 11, 1989.
Repealed: New Rule entitled "Administrative Assignment" adopted. F. Jan. 8, 2010; eff. Jan. 28, 2010.

Rule 144-1-.03. Repealed.

Cite as Ga. Comp. R. & Regs. R. 144-1-.03
Authority: O.C.G.A. Secs. 35-6A-1, 35-6A-4.
History. Original Rule entitled "Administrative Assignment" adopted. F. Nov. 4, 1981; eff. Nov. 24, 1981.
Repealed: New Rule of same title adopted. F. Nov. 21, 1989; eff. Dec. 11, 1989.
Amended: F. Nov. 20, 2002; eff. Dec. 10, 2002.
Repealed: F. Jan. 8, 2010; eff. Jan. 28, 2010.

Rule 144-1-.04. Repealed.

Cite as Ga. Comp. R. & Regs. R. 144-1-.04
Authority: O.C.G.A. Secs. 35-6A-1, 35-6A-4.

History. Original Rule entitled "Funds. Property" adopted. F. Nov. 4, 1981; eff. Nov. 24, 1981.
Repealed: New Rule of same title adopted. F. Nov. 21, 1989; eff. Dec. 11, 1989.
Amended: F. Nov. 20, 2002; eff. Dec. 10, 2002.
Repealed: F. Jan. 8, 2010; eff. Jan. 28, 2010.

Rule 144-1-.05. Repealed.

Cite as Ga. Comp. R. & Regs. R. 144-1-.05
Authority: O.C.G.A. Secs. 35-6A-1, 35-6A-4.
History. Original Rule entitled "Grant Administration" adopted. F. Sept. 24, 2001; eff. Oct. 14, 2001.
Amended: F. Nov. 20, 2002; eff. Dec. 10, 2002.
Repealed: F. Jan. 8, 2010; eff. Jan. 28, 2010.

Chapter 144-2. DEFINITIONS.

Rule 144-2-.01. Definitions.

Unless the context requires otherwise, the following words and terms have the following meaning:

(a) The "Act" means the Criminal Justice Coordinating Council Act, Ga. L. 1981, pp. 1306-1311 (O.C.G.A. Section 35-6A, as amended).

(b) "Agency" means the Criminal Justice Coordinating Council and its staff as created by the Act.

(c) "Council" means the voting membership of the Criminal Justice Coordinating Council as created by the Act.

(d) "Component" means any of the four traditional functions or main constituent parts of the criminal justice system as follows:

1. "Law enforcement component" means that component whose primary duties involve the preservation of public order; the protection of life, health, safety and property; and the prevention, detection and investigation of crime.

2. "Courts component" means that component whose primary duties involve the application of the laws to controversies brought before the court, the disposition of legal actions, criminal prosecution and the general public administration of justice.

3. "Corrections component" means that component whose primary duties involve the maintenance in a secure environment of those offenders sentenced to confinement, and the discipline, treatment and rehabilitation of offenders through such confinement, parole, probation, counseling or other constitutional means.

4. "Juvenile justice component" means that component whose primary duties involve the application of the laws to controversies brought before the juvenile court and the maintenance of juvenile treatment and rehabilitation programs for those persons adjudicated under the provisions of juvenile laws.

(e) "Criminal justice system" means the network of governmental and non-governmental entities whose functions involve the preservation of public order; the protection of life and property; the prevention, detection, investigation and prosecution of crime; the interpretation, application and adjudication of the law in the administration of justice; the disposition of legal actions; and the discipline, treatment and rehabilitation of offenders through confinement, in both the adult and juvenile jurisdictions.

(f) "Director" means the Director of the Criminal Justice Coordinating Council.

(g) "Emergency" means a sudden or unexpected occasion for action of pressing necessity; an unforeseen combination of circumstances that calls for immediate action.

(h) "State administering agency" means a state office designated to administer federal assistance programs.

(i) "Sub-grantee" means the government or other legal entity to which a sub-grant is awarded and which is accountable to the grantee for the use of the funds provided.

Cite as Ga. Comp. R. & Regs. R. 144-2-.01
Authority: O.G.C.A. Secs. 35-6A-4, 35-6A-7.
History. Original Rule entitled "Functions and Powers" adopted. F. Nov. 4, 1981; eff. Nov. 24, 1981.
Amended: ER. 144-2-0.2-.01 adopted. F. May 4, 1983; eff. April 29, 1983, the date of adoption.
Amended: Permanent Rule adopted. F. Sept. 2, 1983; eff. Sept. 22, 1983.
Repealed: New Rule of same title adopted. F. Nov. 21, 1989; eff. Dec. 11, 1989.
Amended: F. Nov. 20, 2002; eff. Dec. 10, 2002.
Repealed: New Rule entitled "Definitions" adopted. F. Jan. 8, 2010; eff. Jan. 28, 2010.

Chapter 144-3. ADMINISTRATION.

Rule 144-3-.01. Organization.

The Director shall administer all rules and regulations of the Georgia Criminal Justice Coordinating Council, whose address is 104 Marietta Street, N.W., Suite 440, Atlanta, Georgia 30303-2743.

(1) **Council Membership.** The Council is composed of twenty-six voting members, sixteen of whom serve in an ex-officio capacity by virtue of the position held by each, and ten of whom are to be appointed by the Governor.

(2) **Council Officers.** The Council shall elect from its membership a Chairperson and a Vice Chairperson.

(a) Chairperson. The powers and duties of the Chairperson are as follows:

1. Preside at all meetings of the Council and conduct such meetings in an orderly and impartial manner so as to permit a free and full discussion;

2. Have the same voting rights as any regular member;

3. Establish and appoint committees, task forces or working groups as may be required in the bylaws or as deemed necessary by him, her, or the Council;

4. Designate special advisory members who are not voting members of the Council for the purpose of providing information for the use of the Council;

5. Serve as an ex-officio member of all committees, task forces and working groups;

6. Authenticate by his or her signature all official actions and/or resolutions adopted by the Council;

7. On behalf of the Council, advise the Governor and the General Assembly of the status of the Council's efforts and endeavors;

8. Convene public hearings upon at least ten business days' notice in order to establish a record of public comment. The presence of a majority of members will not be required to conduct public hearings; and

9. Perform such other duties as the Governor, the General Assembly, or the Council may delegate to him or her.

(b) Vice Chairperson. The powers and duties of the Vice Chairperson are as follows:

1. Perform all duties of the Chairperson in the absence of the Chairperson, or in the event of the inability of the Chairperson to act;

2. Have the same voting rights as any regular member; and

3. Perform such other duties as the Governor, the General Assembly, the Chairperson or the Council may delegate to him or her.

(3) **Executive Committee**. The Council shall have an Executive Committee.

(a) Executive Committee Membership. The Executive Committee shall be composed of the Chairperson, the Vice Chairperson, the Immediate Past Chairperson and committee chairpersons.

(b) Powers and Duties. In the event of an emergency which would preclude sufficient time or opportunity to call and conduct a full Council meeting, the Executive Committee is authorized to act on behalf of the full Council membership. Any such action by the Executive Committee will be subject to the review of the full membership of the Council at the Council's next regularly scheduled meeting.

Cite as Ga. Comp. R. & Regs. R. 144-3-.01
Authority: O.C.G.A. § 35-6A-4.
History. Original Rule entitled "Definitions" adopted. F. Nov. 4, 1981; eff. Nov. 24, 1981.
Amended: ER. 144-3-0.3-.01 adopted. F. May 4, 1983; eff. April 29, 1983, the date of adoption.
Amended: Permanent Rule adopted. F. Sept. 2, 1983; eff. Sept. 22, 1983.
Repealed: New Rule entitled "Organization" adopted. F. Jan. 8, 2010; eff. Jan. 28, 2010.
Amended: F. Oct. 6, 2016; eff. Oct. 26, 2016.

Chapter 144-4. FUNCTIONS AND POWERS.

Rule 144-4-.01. Functions and Powers.

The Council's functions and powers are as provided by law.

Cite as Ga. Comp. R. & Regs. R. 144-4-.01
Authority: O.C.G.A. Sec. 35-6A.
History. Original Rule entitled "Right of Petition Established" adopted. F. Nov. 4, 1981; eff. Nov. 24, 1981.
Repealed: New Rule entitled "Functions and Powers" adopted. F. Jan. 8, 2010; eff. Jan. 28, 2010.

Rule 144-4-.02. Grant Administration, Generally.

(1) **Fair and Open Grants Act.** The provisions of the Fair and Open Grants Act of 1993 (O.C.G.A. §§ 28-5-120 thru 127) govern the award of grants by the Council.

(2) **Code of Ethics and Conflict of Interest**.

(a) Members of the Council shall adhere to the code of ethics for board members established in O.C.G.A. § 45-10-3 which are enforced as provided in O.C.G.A. § 45-10-4.

(b) No member of the Council, who is associated with a grant applicant as an employee or member of the applicant's governing body, is eligible to vote in the recommendation process. Members should also disclose any other beneficial relationship with a grantee or program which could be affected by the vote. Such a relationship may give rise to a conflict of interest. A member of the Council associated with a grant applicant shall notify the chairperson of the committee or Chairperson of the Council of the potential conflict and the appropriate

chairperson shall determine whether or not the member should be excused from voting on the specific grantee's application.

(c) Failure of a member to disclose a conflict of interest under subparagraph (b) will result in the nullification of the vote on the particular grantee's application and may be considered a breach of the code of ethics.

(3) **Requests for Grant Assistance.** Any request for the Council to support a grant application or act in the capacity of State Administering Agency in submitting a grant application will require twenty business days' advance notice for Council review and recommendation to the Governor.

Cite as Ga. Comp. R. & Regs. R. 144-4-.02
Authority: O.C.G.A. Sec. 35-6A.
History. Original Rule entitled "Form of Petition" adopted. F. Nov. 4, 1981; eff. Nov. 24, 1981.
Repealed: New Rule entitled "Grant Administration; Generally" adopted. F. Jan. 8, 2010; eff. Jan. 28, 2010.

Rule 144-4-.03. Federal Grant Administration.

The Council is designated by Executive Order of the Governor as the State Administering Agency for federal grant programs. The Council, in its discretion, may delegate any portion of its review duties to a committee of the Council. The following procedures are implemented by the Council in administering federal grant programs under its purview.

(1) **Application**. The agency shall prepare and submit any application according to prescribed federal guidelines and with the approval and signature of the Director.

(2) **Preliminary Allocation Plan.** Upon award of federal grant funding, the agency shall recommend to the Council a preliminary allocation plan that incorporates appropriate circumstances and priorities. The Council shall consider the recommendation and approve an allocation plan which will determine the guidelines for a request for proposal (RFP).

(3) **Request for Proposal.** A request for proposal consistent with the prescribed grant guidelines will detail the grant program, application deadline, eligibility, priorities, procedures for sub-grant application and review process. The agency shall, at a minimum, post notice of the availability of funds and the RFP on its website.

(4) **Agency Review and Recommendations.** Once the application deadline has passed, each application will be reviewed for completeness, verification of the proposed budget, assurance of project conformance with grant program guidelines and the preliminary allocation plan and confirmation of signatures of authorized officials. The agency shall provide the Council with funding recommendations and supporting documentation.

(5) **Council Review and Recommendations.** The agency recommendations will be furnished to the Council members at least five business days prior to a meeting at which a vote to award grant funds occurs. The Council may question and discuss any sub-grant application, program or agency recommendation. A vote will be taken on each application individually unless the Council determines that a vote on all recommendations at once or by group is appropriate. A majority of those present will determine the recommendation.

(6) **Appeals.** Any applicant denied an award may appeal the Council's recommendation by submitting further explanation of its proposal to the Director within ten business days of receipt of notice of the denial. The Council shall review appeals within thirty business days of the appeal deadline, considering any agency recommendation and exigent circumstances, and refer its determinations to the Director for further action.

(7) **Governor's Approval.** The Director will forward the sub-grant awards recommended by the Council to the Governor for review and approval.

(8) **Notice of Award.** Following the Governor's approval, the agency shall produce and forward to each sub-grantee an award package that includes required forms, instruction documents and other materials necessary to the grant process.

Cite as Ga. Comp. R. & Regs. R. 144-4-.03
Authority: O.C.G.A. Sec. 35-6A.
History. Original Rule entitled "Proceeding on Petition" adopted. F. Nov. 4, 1981; eff. Nov. 24, 1981.
Repealed: New Rule entitled "Federal Grant Administration" adopted. F. Jan. 8, 2010; eff. Jan. 28, 2010.

Rule 144-4-.04. Post-award Administration.

(1) **Grant Monitoring**. The agency shall monitor sub-grant programs through financial monitoring of initial and adjusted budgets and review of requests for expenditure; evaluation of compliance with administrative, financial and programmatic guidelines by utilizing desk reviews and on-site audits; and evaluation of program performance in achievement of benchmarks.

(2) **Reporting**. The agency is responsible for reporting data and information required as a condition of accepting a federal grant award. These reports may include quarterly financial reports of expenditures, cash match funds and program income; individual progress reports that compile sub-grantee program activities; programmatic reports detailing the use of funds during a particular time period and statistical and summary reports of program performance. A sub-grantee that does not meet reporting requirements may be subject to a reduction in funding.

Cite as Ga. Comp. R. & Regs. R. 144-4-.04
Authority: O.C.G.A. Sec. 35-6A.

History. Original Rule entitled "Post-award Administration" adopted. F. Jan. 8, 2010; eff. Jan. 28, 2010.

Rule 144-4-.05. Certification of Crime Victim Assistance Programs.

(1) Purpose. The Council promulgates these rules and certifies crime victim assistance programs under the authority granted by O.C.G.A. § 15-21-130, et seq. and O.C.G.A. § 35-6A-4.

(2) Definitions. For purposes of approving or certifying crime victim assistance programs, the following terms and phrases are defined as:

(a) "Certified crime victim assistance program" refers to any governmental or non-governmental program which has met the criteria established by the Council.

(b) "Certified human trafficking victim assistance organization" refers to a certified crime victim assistance program which also provides comprehensive trauma-informed services to child victims designed to alleviate the adverse effects of trafficking victimization and to aid in the child's healing, including, but not limited to, assistance with case management, placement, access to educational and legal services, and mental health services

(c) "Child" shall have the same meaning as provided for in O.C.G.A. § 15-11-2.

(d) "County" or "county governing body" refers to a county commission.

(e) "Court officer" refers to a person charged with the duty of collecting moneys arising from criminal fines ordered by a court and will generally be the clerk of the court.

(f) "Court" refers to a superior, state, probate, magistrate, municipal or other court that assesses or collects crime-based fines pursuant to Georgia law.

(g) "Crime" refers to any criminal offense defined by Title 16 of the Official Code of Georgia Annotated or any other applicable Code Section.

(h) "Eligible applicant" refers to any governmental entity or other organization that meets all applicable criteria set forth by the Council based on the eligibility requirements for subrecipient programs contained in the federal Victims of Crime Act of 1984 and the victim assistance rules promulgated by the Office for Victims of Crime, U.S. Department of Justice.

(i) "Fine" refers to any criminal fine or criminal bond forfeiture ordered by a court.

(j) "Trafficking" refers to the offenses of trafficking an individual for sexual servitude and trafficking a person for labor servitude as provided in O.C.G.A. § 16-5-46.

(k) "Victim" refers to any person against whom a crime has been perpetrated.

(l) "Victim assistance program" refers to any eligible governmental entity or other organization that coordinates and provides direct services to victims of crime. Victim assistance includes, but is not limited to, the following services: crisis intervention, emergency shelter, emergency transportation, counseling and criminal justice advocacy.

(3) Application for and Evaluation of Program Certification.

(a) The Council will conduct certification of programs on a biannual basis, in even-numbered years.

(b) Application guidelines and forms will be available from the Council upon request.

(c) Any victim assistance program seeking certification to receive funds authorized under O.C.G.A. § 15-21-131 must submit a completed application with supporting documentation to the Council for consideration.

(d) No program will be certified that does not show proof that it:

1. Assists victims with applying for compensation from the Crime Victims Emergency Fund;

2. Coordinates services with any governmental entity and other organizations providing fundamental victim services within the county it is located or serves;

3. Has on staff a graduate of the Georgia Victim Assistance Academy, the National Victim Assistance Academy (either by attendance or completion of Victim Assistance Training Online) or other program that certifies persons providing assistance to victims. Proof that a staff member is scheduled to attend a certifying program may allow provisional certification of the program. Having on staff a licensed professional in social work, psychology or related field may also satisfy this requirement; and

4. Provides or will provide services to victims of crime. These services are categorized by the federal government and by the Council as follows:

(i) Crisis counseling

(ii) Follow-up

(iii) Therapy

(iv) Group treatment/Support

(v) Shelter/Safehouse

(vi) Information/Referral (In-person)

(vii) Criminal justice support/Advocacy

(viii) Emergency financial assistance

(ix) Emergency legal advocacy

(x) Assistance in filing compensation claims

(xi) Personal advocacy

(xii) Telephone contact information/Referral

(xiii) Other

(e) Upon receipt of a completed application, the agency has twenty business days to review the application and forward to the applicant correspondence from the Director either certifying its program as meeting all criteria set forth by the Council or denying its certification request.

(f) If a program is denied approval it may, within ten business days of receipt of any rejection letter, appeal in writing to the Council which may review the appeal at its next regularly scheduled meeting, conduct a hearing to determine whether the appeal has any merit and either affirm, overturn or modify the initial decision.

(4) Decertification. A program may be decertified if found to:

(a) Be delinquent in meeting the reporting requirements;

(b) Have used funds for activities other than providing direct services to victims;

(c) No longer meet the minimum criteria as set forth in 144-4-.01(d);

(d) Have failed to comply with these administrative rules; or

(e) No longer provide services as outlined in the original application.

(5) Certified Human Trafficking Victim Assistance Organizations. Any victim assistance organization that accepts referrals from a law enforcement officer or agency or DFCS pursuant to O.C.G.A. § 15-11-130.1 must be certified by the Council as a certified human trafficking victim assistance organization.

(6) Distribution and Reporting.

(a) County administration.

1. If there is more than one certified victim assistance program within a county, the county must decide what percentage of the total funds will be given to each.

2. By law, a county may reserve up to five percent of the funds received in the previous year as a contingency fund to sustain crime victim assistance programs. This reserve fund is not cumulative and reserve funds do not roll over into subsequent years.

3. Each county must submit to the Council a financial report detailing the recipients of the funding and the amounts disbursed to each recipient. If the county does not have a certified program and the funds have been disbursed directly to the district attorney, then the county must so notify the agency. Such reports are due January 31 and July 31 for the reporting periods ending December 31 and June 30, respectively.

(b) Certified victim assistance program reporting.

1. All certified victim assistance programs that receive funding from this source must report annually to the Agency the amount of funds received, the number of victims served, the number of services provided to victims and such information as the agency deems necessary to include in an annual report. A report is due whether or not funds were received from the county in which the program is certified. Such reports will be for the reporting period of January 1 through December 31 and due no later than February 15 of the year following the reporting period. Failure to report may result in decertification of the program. The Council shall make available forms for reporting upon request and on its website.

2. In addition to the reports required above, all certified human trafficking victim assistance organizations must report quarterly the number of victims referred to the organization, the number of services provided to victims and such information as the agency deems necessary to include in the semiannual report. A report is due whether or not funds were received from the county in which the program is certified. Such reports are due April 30, July 31, October 31, and January 31 for the reporting periods ending March 30, June 30, September 30, and December 31, respectively.

Cite as Ga. Comp. R. & Regs. R. 144-4-.05
Authority: O.C.G.A. §§ 15-11-130.1, 15-21-130, et seq., 35-6A-4.
History. Original Rule entitled "Certification of Crime Victim Assistance Programs" adopted. F. Jan. 8, 2010; eff. Jan. 28, 2010.

Amended: F. July 9, 2019; eff. July 1, 2019, as specified by the Agency.

Rule 144-4-.06. Crime Victims Compensation Board.

(1) **Purpose.** In accordance with O.C.G.A. § 17-15-1 et. seq., the Council acts as the Crime Victims Compensation Board to administer the Crime Victims Emergency Fund. These Rules prescribe policies and procedures in addition to those set forth in O.C.G.A. § 17-15-1, et. seq.

(2) Definitions

(a) "Board" means the Georgia Crime Victims Compensation Board.

(b) "Crime" means an act of violence as defined by O.C.G.A. § 17-15-2(3) that results in physical injury, serious mental or emotional trauma, or death.

(c) "Crime scene sanitization" means the removal or attempted removal of blood, dirt, stains or debris which requires hauling and dumping from the crime scene and may include the reasonable out-of-pocket cost of cleaning supplies, paint, equipment rental, and labor purchased as a direct result of the crime or investigation of the crime scene.

(d) "Claimant" means a victim or other person as defined by O.C.G.A. § 17-15-7(a)(1) who was not actively engaged in criminal conduct at the time of their injury and who has incurred expenses that may be reimbursed by the Crime Victims Compensation Board.

(e) "Director" means the Director of the Criminal Justice Coordinating Council or their designee.

(f) "Health care" means the organized provision of medical care to individuals or a community.

(g) "Investigator" means an investigator of the Criminal Justice Coordinating Council.

(3) Members of the Board; Terms and Administration.

(a) The Director shall appoint at least five members of the Council to serve as the Crime Victims Compensation Board. The members must include a law enforcement officer, a member of the State Bar of Georgia and an individual who shall be, by virtue of training and experience, knowledgeable in the operations of the entire spectrum of crime victim assistance programs.

(b) Board members shall serve at the pleasure of the Director for terms of four years. However, the term of any Board member shall terminate in the event that Board

member is no longer serving as a member of the Criminal Justice Coordinating Council.

(c) The Director shall designate one member of the Board as Chairperson and one member as Vice Chairperson for terms of two years. The Chair and Vice-Chair shall serve at the pleasure of the Director.

(d) Upon appointment to the Board, new members shall not be viewed as a voting member until *after* attending their first Victims Compensation Board meeting. The Chair may make an exception if it is deemed necessary to establish a quorum.

(e) The Victims Compensation Board is located as follows:

104 Marietta Street, NW, Suite 440

Atlanta, Georgia 30303

The Board shall meet in Atlanta or elsewhere throughout the State as necessary, at the call of the Chairperson or Director.

The Board is empowered to contract for services from actuaries, investigators, and other specialized personnel as shall be necessary to enable the Board to carry out its functions.

(4) Applications and Decisions by the Director.

(a) Claimants shall submit a completed application to initiate a compensation claim. The Board shall make available the application and any additional forms necessary for the processing of claims.

(b) The submission of a completed application to the agency will be deemed proper filing with the Board. The agency shall assist claimants with incomplete applications as necessary to assure their completeness.

(c) The Director may overturn a 72-hour reporting denial for good cause shown.

(d) The Director may overturn the denial for lack of cooperation with the program where all requested documentation is submitted before the scheduled appeals hearing.

(5) Eligibility and Exhaustion of Resources.

(a) With the exception of those acts enumerated in O.C.G.A. § 17-15-2(3)(A), a crime must have been committed in Georgia to qualify for compensation.

(b) The agency shall review each claim for the required findings, shall render an agency decision as to eligibility, and shall award an amount based on the factors set forth in O.C.G.A. § 17-15-7 and O.C.G.A. § 17-15-8. No award will be made until the claimant has exhausted all other public and private resources available to him or her (such as health insurance, employee benefits, worker's compensation, other state government assistance, Medicaid/Medicare).

(6) Medical Expenses.

(a) As set forth in O.C.G.A. § 17-15-8, for all dates of service on or after July 1, 2022, payments made to a medical service provider for expenses related to the claimant's victimization shall be made in accordance with charges published by the State Board of Workers Compensation unless a reasonable health care justification to deviate from the listed charges is determined by the Board. Reasonable health care justifications may include but are not limited to the following:

1. Receipt of one or more medical bills that exceed the maximum amount available for medical expenses; or

2. The amount billed has been adjusted due to the application of health insurance, workers' compensation, or Medicaid/Medicare.

(b) Payment in Full. Payments accepted by a medical provider shall be considered payment in full for all dates of service on or after July 1, 2022. Payment shall be considered accepted if:

1. A physical check is either cashed, deposited, or otherwise negotiated by the medical service provider or its assignee; or

2. The medical service provider has entered into an agreement with CJCC to receive electronic payments and the provider has not:

(i) Provided notification of the intent to reject a payment within 45 days of the date of issuance; and

(ii) Returned the funds to CJCC within 45 days of the date of issuance.

(7) Lost Wages/Loss of support

(a) Lost Wages. With the submission of verified documentation and following current payment guidelines, the Board may consider covering all or part of the victim's income loss due to the victimization. The Board may authorize payment of lost wage benefits:

1. To the victim who has been physically injured and/or suffered serious mental and emotional trauma;

2. To the parent or legal guardian of a minor child or developmentally disabled adult who has been physically injured and/or suffered serious mental and emotional trauma;

3. To a claimant attending court proceedings and/or meetings with investigative agencies (e.g., law enforcement, DFCS, etc.) or Prosecutor's offices when not subpoenaed. In the case of deceased victims, this benefit will be limited to the parents, children, and spouse of the decedent; and

4. To bereaved parents, children, spouses, step-parents, step-children and siblings of a decedent.

(b) Loss of Support. With the submission of verified documentation and following current payment guidelines, the Board may authorize payment of loss of support benefits:

1. To the surviving spouse, parent, step-parent, child, or step-child who is dependent for his or her principal support upon a deceased victim.

(i) In computing loss of support in the case of a deceased victim, the Board shall only consider the victim's earnings and/or the amount of money or economic contributions the deceased victim was contributing to the claimant's household at the time of the injury; and

(ii) In computing loss of support in the case of a deceased victim with minor children, the Board shall consider proof of parentage and gainful employment of the deceased victim.

2. To a claimant who can establish financial dependency on the income of an incarcerated/absent offender at the time of the victimization.

(i) To establish financial dependency, a claimant must submit documentation showing that the claimant is:

I. a spouse, child, or a person covered under the offender's health care insurance coverage; or

II. a person that is listed as a dependent on the offender's Federal or State Tax Return.

(ii) The Board may also consider other evidence establishing financial dependency including proof of co-habitation along with joint financial documents that substantiates a claimant's dependency on the incarcerated/absent offender at the time of the victimization.

(iii) In computing loss of support in the case of an incarcerated/absent offender:

I. the victim or claimant must establish verifiable loss due to the assailant/offender's incarceration and/or absence from the home;

II. the Board may only consider the offender's earnings, and/or the amount of money or economic assistance contributed to the victim and victim's household at the time of the victimization; and

III. where the victim has received or is receiving a greater share of support contributed by sources other than the offender at the time of the incident, no compensation for loss of support may be awarded.

(8) Crime Scene Sanitization ("CSS").

(a) The Board may award compensation to the victim or claimant for the reasonable and necessary cost of crime scene sanitization which is the financial responsibility of the victim or claimant and for which reimbursement from other sources is not available.

(b) The CSS company must have specialized training or certification in crime scene or trauma sanitization.

(c) Awards of compensation by the Board shall not supplant existing state and federal funding sources for crime scene sanitization.

(9) **Counseling.**

(a) Compensable counseling services are those services rendered by professionals duly licensed or certified by the appropriate state authorities. After the fourth visit, compensation will not be provided for counseling services without the submission of a complete Psychological Service Report ("PSR")/ treatment plan or counseling verification form.

(b) Members of an adult victim's immediate family may receive compensation for counseling services provided that the adult victim authorizes such use of their benefits for family members.

(c) Where a minor victim is involved, counseling benefits are reserved solely for the minor victim. Benefits may be approved for the parent, guardian, and/or step-

parents of the minor victim if deemed necessary by the licensed professional and approved by the Director or Board.

(10) Disposition and Review.

(a) Approval or Denial. The Criminal Justice Coordinating Council must provide the claimant with an electronic or mailed copy of the agency's approval or denial of their claim, as well as any associated payment requests.

1. When the Director has initially denied a claim and, thereafter, the claimant makes a written application for review of the Director's decision, the Director has the discretion, for good cause shown and prior to review by the Board, to withdraw their decision denying the claim and to refer it back to the initial investigator for additional investigation.

2. The Board, Director, or an investigator may request additional information from the claimant. Any claimant who does not submit the documentation requested by the Board, Director, or an investigator within the time specified in written correspondence requesting the information is subject to having their claim denied.

(b) Review by Board. A claimant may submit a written request to the Board to request review of the disposition of a claim. On its own motion, the Board may request that the Director or their designee review a claim and make a written recommendation to the Board prior to a hearing.

1. A hearing will be set on the Board calendar and the claimant must be notified of the date and time.

2. Hearings before the Board may be conducted by a quorum of the Board.

3. Although hearings will be conducted in an informal manner so as to encourage claimants to plead their own claims, if a claimant chooses to be represented by an attorney, that claimant shall be responsible for the payment of their attorney's fees. Compensation funds shall not be awarded to pay attorney's fees.

4. The Board shall render its decision within ten (10) business days after the conclusion of the hearing. The Board may uphold, overturn or remand the agency decision for additional findings or investigation.

5. When victims or claimants seek compensation for more than two claims within one year, any subsequent claims may be submitted to the Georgia Crime Victims Compensation Board for consideration.

Cite as Ga. Comp. R. & Regs. R. 144-4-.06
Authority: O.C.G.A. §§ 17-15-1*et seq.*, 35-6A-4.
History. Original Rule entitled "Crime Victims Compensation Board" adopted. F. Jan. 8, 2010; eff. Jan. 28, 2010.
Amended: New title "Crime Victims Compensation Board. Amended." F. June 30, 2015; eff. July 20, 2015.
Amended: F. July 9, 2019; eff. July 1, 2019, as specified by the Agency.
Amended: F. Apr. 1, 2022; eff. Apr. 21, 2022.

Rule 144-4-.07. Unclaimed Restitution.

(1) Court-ordered restitution that has not been claimed from the collecting authority within two years of the first restitution payment is transferred to the Criminal Justice Coordinating Council for deposit into the Georgia Crime Victims Emergency Fund.

(2) Entities that collect restitution must submit a victims' report on a periodic basis, including any restitution amount submitted to the agency for transfer to the Crime Victims Emergency Fund. For each restitution amount, this report must contain, at a minimum: the victim's name, last known address, the date(s) that funds were first available and the case docket number. When there is no restitution amount reported, the report should indicate that there are no restitution transactions for the period.

Cite as Ga. Comp. R. & Regs. R. 144-4-.07
Authority: O.C.G.A. §§ 17-15-1*et seq.*, 35-6A-4.
History. Original Rule entitled "Unclaimed Victim Restitution" adopted. F. Jan. 8, 2010; eff. Jan. 28, 2010.
Amended: New title "Unclaimed Restitution." F. July 9, 2019; eff. July 1, 2019, as specified by the Agency.
Amended: F. Apr. 1, 2022; eff. Apr. 21, 2022.

Rule 144-4-.08. Forensic Medical Exams ("FMEs").

(1) FME Eligibility.

(a) The Georgia Crime Victims Compensation Program (CVCP) will reimburse licensed providers for forensic medical exams (FMEs) conducted with the purpose of collecting evidence related to an alleged sexual offense as defined in O.C.G.A. § 16-6-1(c) or O.C.G.A. § 16-6-2(c) that occurred in Georgia on or after July 1, 2011. At minimum, an FME must include:

1. An examination for physical trauma related to the sexual offense

2. A determination as to the nature and extent of the physical trauma

3. A patient interview

4. Collection and evaluation of the evidence collected; and

5. Any additional testing deemed necessary by the examiner in order to collect evidence and provide treatment.

(b) Eligible applications for payment must include the following:

1. Written acknowledgement by an authorized agency representative that the FME was conducted by a licensed physician, physician assistant, registered nurse, SANE-A (adult adolescent) or SANE-P (pediatric).

2. In cases where the victim is a minor or a developmentally-disabled adult, an FME application must also include a Law Enforcement or Division of Family and Children Services Verification Form or an investigative document indicating an allegation or disclosure of a sexual offense.

(c) CVCP will pay for FMEs performed in another state as long as the crime occurred in Georgia and the provider performing the exam and the facility meets the criteria set forth by the Program.

(d) FMEs conducted for minors in custody of the Department of Juvenile Justice at the time of the sexual assault are ineligible for reimbursement by the CVCP.

(e) FMEs conducted for crimes other than sexual offenses as defined in O.C.G.A. § 16-6-1(c) or O.C.G.A. § 16-6-2(c)(e.g., physical abuse) are ineligible for reimbursement by the CVCP.

(2) FME Billing/Payment Guidelines.

(a) The CVCP's Fee Schedule complies with the Georgia Worker's Compensation medical fee guidelines, as such the Current Procedural Terminology (CPT) Codes, are considered "reasonable expenses."

(b) The provider and/or facility must bill the CVCP usual and customary charges for the FME and the actual amount paid will be determined by the description in the itemized statement in conjunction with the associated CPT Code, and/or the Revenue Code, as applicable.

(c) A Registered Nurse, SANE-A (adult adolescent) or SANE-P (pediatric) must bill their usual and customary charge for the FME, and the bill for service must include a descriptive itemized statement of the service(s) provided. As a convenience, the CVCP provides a CPT Code/Description of Services Reference Sheet to select the applicable description for the medical service(s) provided.

(d) Payment made by the CVCP for an FME must be considered as payment in full. CVCP is not bound by any billing or contractual agreements made between agencies and/or service providers.

(e) If the grand total for all bills (per application) exceeds $1,000, then a formula will be utilized to distribute equitable payments to each service provider up to $1,000 per victimization.

(f) For each victimization, CVCP will cover the cost of one FME per victim. If more than two FMEs are submitted in the same year for the same victim, any subsequent claims may be submitted to the CVCP Board for consideration.

(g) CVCP may conduct audits and/or site visits annually and, as needed, to ensure compliance with the preceding guidance and accuracy of reporting. Audits and/or site visits may include a review of forensic medical exam-related documentation and interviews with staff, including but not limited to the SANEs responsible for conducting the exams, victims' advocates and financial staff. A law enforcement verification document and any supplemental investigative documents may be obtained as part of the auditing process.

(h) Payments for FME's are funded by federal and/or state funds. Potential fraud, waste, abuse, or misconduct involving or relating to payments for FME's will be referred by CVCP to an appropriate investigative agency.

Cite as Ga. Comp. R. & Regs. R. 144-4-.08
Authority: O.C.G.A. §§ 17-15-1*et seq.*, 35-6A-4.
History. Original Rule entitled "Forensic Medical Exams ("FMEs")" adopted. F. June 30, 2015; eff. July 20, 2015.
Amended: F. July 9, 2019; eff. July 1, 2019, as specified by the Agency.
Amended: F. Apr. 1, 2022; eff. Apr. 21, 2022.

Rule 144-4-.09. Forensic Interviews ("FIs").

(1) FI Eligibility.

(a) The crime must have occurred in Georgia on or after July 1, 2014.

(b) The Georgia Crime Victims Compensation Program ("CVCP") will pay for interviews performed in another state as long as the crime occurred in Georgia and the provider performing the interview and the facility meet the criteria set forth by the Program.

(c) For each victimization, CVCP will cover the cost of one Forensic Interview per victim. If more than two FIs are submitted in the same year for the same victim, any subsequent claims may be submitted to the CVCP Board for consideration.

(2) CVCP Billing/Payment Guidelines.

(a) The provider and/or facility must bill the CVCP usual and customary charges with verifiable documentation related to the FI that details the specific referring agencies and the contact information to include:

1. the name of the service provider,
2. the location,
3. the date of referrals, and
4. the specific services recommended.

(b) A maximum amount of up to $200 will be paid when funds are available.

1. The results of the interview must be used for the identification of needs such as social services, personal advocacy, case management, substance abuse treatment, and mental health services, and must be documented by submitting the Forensic Interview Referral Document (FIRD) or similar form with the Application for Payment;
2. The interview must be conducted in the context of a multidisciplinary investigation and diagnostic team, or in a specialized setting such as a child advocacy center;
3. The interviewer must have 40 hours of specialized training and be certified to conduct forensic interviews appropriate to the developmental age and abilities of children or the developmental cognitive, and physical or communication disabilities presented by adults;
4. Each interviewer must submit documentation of their training with the initial application before payment will be disbursed; and
5. No award will be made until the provider and/or facility certifies that it has exhausted all other public and private resources available and annually submits the Forensic Interviewer Funding Certification Document (FIFCD).
6. CVCP may conduct audits and/or site visits annually and, as needed, to ensure compliance with the proceeding guidance and accuracy of reporting. Audits and/or site visits may include a review of forensic interview related documentation including videos. In cases where the forensic interview results in a forensic medical examination all forensic medical exam-related documentation and interviews with the SANEs responsible for conducting the exams may be reviewed and audited. A law enforcement verification document and any supplemental investigative documents may be obtained as part of the auditing process.

7. Payments for FI's are funded by federal and/or state funds. Potential fraud, waste, abuse, or misconduct involving or relating to payments for FI's will be referred by CVCP to an appropriate investigative agency.

Cite as Ga. Comp. R. & Regs. R. 144-4-.09
Authority: O.C.G.A. §§ 17-15-1*et seq.*, 35-6A-4.
History. Original Rule entitled "Forensic Interviews ("FIs")" adopted. F. June 30, 2015; eff. July 20, 2015.
Amended: F. July 9, 2019; eff. July 1, 2019, as specified by the Agency.
Amended: F. Apr. 1, 2022; eff. Apr. 21, 2022.

Chapter 144-5. NOTICE OF GRANTS ADMINISTERED BY COUNCIL.

Rule 144-5-.01. Anti-Gang Initiative.

CFDA # 16.744.

This information is submitted by the Criminal Justice Coordinating Council, to further establish program policy and administrative guidance consistent with federal guidelines in order to implement Project Safe Neighborhoods, including the Anti-Gang Initiative authorized by Federal Public Law 110-5, embedded secs. 101-104; Pub. L. 109-108, 119 Stat. 2290, 2302.

The Anti-Gang Initiative of Project Safe Neighborhoods is intended to enhance Project Safe Neighborhoods task force efforts to combat gangs. In accordance with federal law, awards may be granted to state agencies, units of local government and nonprofit organizations for the purposes of:

1.Enforcing state and local laws which establish offenses similar to crimes enumerated in the Federal Controlled Substances Act (21 U.S.C. 801*et seq.*);

2.Improving the functioning of the criminal justice system; and

3.Emphasizing violent crime and serious offenders.

These three purposes are by no means mutually exclusive. They are in fact mutually supportive and integral to the State of Georgia's ability to address effectively and comprehensively its drug and violent crime problem in any realistic way.

This information should be used in conjunction with the following which are hereby incorporated by reference:

1.Title I of the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3711*et seq.*, as amended;

2.Office of Justice Programs Financial and Administrative Guide, M7100.1;

3.Any other policy guidance which may be issued by the Bureau of Justice Assistance in the future;

4.Council Program Announcement and Request for Proposals; and

5. Any other policy guidance which has been or may be issued by the Council.

These documents and further information regarding making application for these funds may be obtained by contacting the Criminal Justice Coordinating Council, 104 Marietta Street, N.W., Suite 440, Atlanta, Georgia 30303-2743, (404) 657-1956, Fax (404) 657-1957, email: grants.info@cjcc.ga.gov.

Cite as Ga. Comp. R. & Regs. R. 144-5-.01
Authority: Title I of the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3711, *et seq.*, as amended, O.C.G.A. Sec. 28-5-122.
History. Original grant description entitled "Edward Byrne Memorial Formula Grant Program" submitted May 16, 1994.
Submitted: Grant description entitled "Anti-Gang Initiative" received Jan. 8, 2010.

Rule 144-5-.02. Community Prosecution and Project Safe Neighborhoods.

CFDA # 16.609.

This information is submitted by the Criminal Justice Coordinating Council, to further establish program policy and administrative guidance consistent with federal guidelines in order to implement Project Safe Neighborhoods, including the Anti-Gang Initiative authorized by Federal Public Law 110-5, embedded secs. 101-104; Pub. L. 109-108, 119 Stat. 2290, 2302.

Project Safe Neighborhoods (PSN) is a nationwide commitment to reduce gun and gang crime in America by networking existing local programs that target gun and gun crime and providing these programs with additional tools necessary to be successful. In accordance with federal law, awards may be granted to state agencies and units of local government for the purposes of:

1.Enforcing state and local laws which establish offenses similar to crimes enumerated in the Federal Controlled Substances Act (21 U.S.C. 801*et seq.*);

2.Improving the functioning of the criminal justice system; and

3.Emphasizing violent crime and serious offenders.

These three purposes are by no means mutually exclusive. They are in fact mutually supportive and integral to the State of Georgia's ability to address effectively and comprehensively its drug and violent crime problem in any realistic way.

This information should be used in conjunction with the following which are hereby incorporated by reference:

1.Title I of the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3711*et seq.*, as amended;

2.Office of Justice Programs Financial and Administrative Guide, M7100.1;

3.Any other policy guidance which may be issued by the Bureau of Justice Assistance in the future;

4.Council Program Announcement and Request for Proposals; and

5.Any other policy guidance which has been or may be issued by the Council.

These documents and further information regarding making application for these funds may be obtained by contacting the Criminal Justice Coordinating Council, 104 Marietta Street, N.W., Suite 440, Atlanta, Georgia 30303-2743, (404) 657-1956, Fax (404) 657-1957, Email: grants.info@cjcc.ga.gov.

Cite as Ga. Comp. R. & Regs. R. 144-5-.02
Authority: The Victim of Crime Act of 1984 as amended by the Children's Justice Act of 1968 and the Anti-Drug Abuse Act of 1988 28-5-122.
History. Original grant description entitled "Victim of Crime Act Victim Assistance Grant Program" submitted May 16, 1994.
Submitted: Grant description entitled "Community Prosecution and Project Safe Neighborhoods" received Jan. 8, 2010.

Rule 144-5-.03. Crime Victim Assistance.

CFDA # 16.575. Recovery Act CFDA # 16.801.

This information is submitted by the Criminal Justice Coordinating Council, to further establish program policy and administrative guidance consistent with federal guidelines in order to implement the Victims of Crime Act (VOCA) Victim Assistance Grant Program. In 1984, VOCA established the Crime Victims Fund in the U.S. Treasury and authorized the Fund to receive deposits from fines and penalties levied on criminals convicted of federal offenses. The Fund is the source of funding for carrying out all the activities mandated by VOCA.

The purpose of this grant program is to assist states in providing high quality services that directly improve the health and well being of innocent crime victims, and to improve and enhance the delivery of these services specifically to victims of domestic violence, child abuse,

sexual assault, and previously underserved victims of crimes. Applicants eligible for consideration under this program are public agencies and private non-profit organizations, or a combination thereof.

This information should be used in conjunction with the following which are hereby incorporated by reference:

1.The Victims of Crime Act of 1984 as amended by the Children's Justice Act of 1986 and the Anti-Drug Abuse Act of 1988;

2.U.S. Department of Justice, Office of Justice Programs, Office for Victims of Crime Application Kit and Instructions;

3.Office of Justice Programs Financial and Administrative Guide, M7100.1;

4.Any other policy guidance which may be issued by the Office for Victims of Crime;

5.Council Program Announcement and Request for Proposals; and

6.Any other policy guidance which has been or may be issued by the Council.

These documents and further information regarding making application for these funds may be obtained by contacting the Criminal Justice Coordinating Council,104 Marietta Street, N.W., Suite 440, Atlanta, Georgia 30303-2743, (404) 657-1956, Fax (404) 657-1957, Email: grants.info@cjcc.ga.gov.

Cite as Ga. Comp. R. & Regs. R. 144-5-.03
Authority: Title I of the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3793, 28 - 5 - 122.
History. Original grant description entitled "Grant Program for Closed-Circuit Televising of Testimony of Children Who Are Victims of Abuse" submitted May 16, 1994.
Submitted: Grant description entitled "Crime Victim Assistance" received Jan. 8, 2010.

Rule 144-5-.04. Crime Victim Compensation.

CFDA # 16.576. Recovery Act CFDA # 16.802.

This information is submitted by the Criminal Justice Coordinating Council, to further establish program policy and administrative guidance consistent with federal guidelines in order to implement the Victims of Crime Act (VOCA) Victim Compensation Grant Program. In 1984, VOCA established the Crime Victims Fund in the U.S. Treasury and authorized the Fund to receive deposits from fines and penalties levied on criminals convicted of federal offenses. This Fund provides the source of funding for carrying out all the activities mandated by VOCA.

The purpose of this grant program is to provide federal financial assistance to states for the purposes of compensating and assisting crime victims, funding training and technical assistance, and serving victims of federal crimes.

This information should be used in conjunction with the following which are hereby incorporated by reference:

1.The Victims of Crime Act of 1984 as amended by the Children's Justice Act of 1986 and the Anti-Drug Abuse Act of 1988;

2.U.S. Department of Justice, Office of Justice Programs, Office for Victims of Crime Application Kit and Instructions;

3.Office of Justice Programs Financial and Administrative Guide, M7100.1;

4.Any other policy guidance which may be issued by the Office for Victims of Crime; and

5.Any other policy guidance which has been or may be issued by the Council.

These documents and further information regarding making application for these funds may be obtained by contacting the Criminal Justice Coordinating Council, 104 Marietta Street, N.W., Suite 440, Atlanta, Georgia 30303-2743, (404) 657-1956, Fax (404) 657-1957, Email: grants.info@cjcc.ga.gov.

Cite as Ga. Comp. R. & Regs. R. 144-5-.04
Authority: Title IV of the Violent Crime Control and Law Enforcement Act of 1994, Pub. L. No. 103-322, 108 Stat. 1796, O.C.G.A. Secs. 28-5-122, 35-6A-4.
History. Original grant description entitled "STOP Violence Against Women Grant Program" submitted December 8, 1995.
Submitted: Nov. 20, 2002.
Submitted: Grant description entitled "Crime Victim Compensation" received Jan. 8, 2010.

Rule 144-5-.05. Edward Byrne Memorial Justice Assistance Grant Program.

CFDA # 16.738. Recovery Act CFDA # 16.803.

This information is submitted by the Criminal Justice Coordinating Council, to further establish program policy and administrative guidance consistent with federal guidelines in order to implement the Edward Byrne Memorial JAG Program authorized by Title I of the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3711, *et seq.*, as amended.

The purpose of this grant program is to assist states and units of local government in carrying out specific programs which offer a high probability of improving the functioning of the criminal justice system. Special emphasis is placed on nationwide and multijurisdictional projects and projects that advance national drug control priorities. In accordance with federal law, states may award formula grant funds to state agencies and units of local government for the purposes of:

1.Enforcing state and local laws which establish offenses similar to crimes enumerated in the Federal Controlled Substances Act (21 U.S.C. 801*et seq.*);

2.Improving the functioning of the criminal justice system; and

3.Emphasizing violent crime and serious offenders.

These three purposes are by no means mutually exclusive. They are in fact mutually supportive and integral to the State of Georgia's ability to address effectively and comprehensively its drug and violent crime problem in any realistic way.

This information should be used in conjunction with the following which are hereby incorporated by reference:

1.Title I of the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3711*et seq.*, as amended;

2.Violence Against Women and Department of Justice Reauthorization Act of 2005, Public Law 109-162, January 5, 2006;

3.U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance Edward Byrne Memorial State and Local Law Enforcement Assistance Program Guidance and Application Kit;

4.Office of Justice Programs Financial and Administrative Guide, M7100.1;

5.Any other policy guidance which may be issued by the Bureau of Justice Assistance in the future;

6.Council Program Announcement and Request for Proposals; and

7.Any other policy guidance which has been or may be issued by the Council.

These documents and further information regarding making application for these funds may be obtained by contacting the Criminal Justice Coordinating Council, 104 Marietta Street, N.W., Suite 440, Atlanta, Georgia 30303-2743, (404) 657-1956, Fax (404) 657-1957, Email: grants.info@cjcc.ga.gov.

Cite as Ga. Comp. R. & Regs. R. 144-5-.05
Authority: Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 13701, *et seq.* O.C.G.A. Sec. 28-5-122.
History. Original grant description entitled "Residential Substance Abuse Treatment for State Prisoners Grant Program" submitted September 26, 1996.
Submitted: Grant description entitled "Edward Byrne Memorial Justice Assistance Grant Program" received Jan. 8, 2010.

Rule 144-5-.06. Paul Coverdell Forensic Sciences Improvement Grant Program.

CFDA # 16.742.

This information is submitted by the Criminal Justice Coordinating Council, to further establish program policy and administrative guidance consistent with federal guidelines in order to implement the Paul Coverdell Forensic Sciences Improvement Grant Program authorized by Public Law Number 106-561 (12/21/2000), as amended.

The Paul Coverdell Forensic Sciences Improvement Grant Program (the Coverdell program) awards grants to states and units of local government to help improve the quality and timeliness of forensic science and medical examiner services. In accordance with federal law, states may award formula grant funds to state agencies and units of local government:

1.To carry out all or a substantial part of a program intended to improve the quality and timeliness of forensic science or medical examiner services in the state, including those services provided by laboratories operated by the state and those operated by units of local government within the state.

2.To eliminate a backlog in the analysis of forensic science evidence, including, among other things, a backlog with respect to firearms examination, latent prints, toxicology, controlled substances, forensic pathology, questioned documents and trace evidence.

3.To train, assist and employ forensic laboratory personnel as needed to eliminate such a backlog.

This information should be used in conjunction with the following which are hereby incorporated by reference:

1.Title I of the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3711*et seq.*, as amended;

2.Office of Justice Programs Financial and Administrative Guide, M7100.1;

3.Any other policy guidance which may be issued by the National Institute of Justice in the future;

4.Council Program Announcement and Request for Proposals; and

5.Any other policy guidance which has been or may be issued by the Council.

These documents and further information regarding making application for these funds may be obtained by contacting the Criminal Justice Coordinating Council, 104 Marietta Street, N.W., Suite 440, Atlanta, Georgia 30303-2743, (404) 657-1956, Fax (404) 657-1957, Email: grants.info@cjcc.ga.gov.

Cite as Ga. Comp. R. & Regs. R. 144-5-.06
Authority: Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 13701, *et seq.* O.C.G.A. Sec. 28-5-122.

History. Original grant description entitled "Violent Offender Incarceration and Truth in Sentencing Grant Program" submitted November 7, 1996.
Submitted: Grant description entitled "Paul Coverdell Forensic Sciences Improvement Grant Program" received Jan. 8, 2010.

Rule 144-5-.07. Residential Substance Abuse Treatment for State Prisoners.

CFDA # 16.593.

This information is submitted by the Criminal Justice Coordinating Council, to further establish program policy and administrative guidance consistent with federal guidelines in order to implement the Residential Substance Abuse Treatment for State Prisoners Grant Program authorized by the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 13701, *et seq*.

The purpose of this program is to assist states and units of local government develop and implement residential substance abuse treatment programs within state and local correctional and detention facilities in which prisoners are incarcerated for a period of time sufficient to permit substance abuse treatment. Applicants are required to incorporate model program guidelines issued by the Office of Justice Programs, Corrections Program Office, in their applications.

This information should be used in conjunction with the following which are hereby incorporated by reference:

1.The Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 13701, *et seq.*;

2.U.S. Department Of Justice, Corrections Program Office Residential Substance Abuse Treatment for State Prisoners Program Guidance and Application Kit;

3.Office of Justice Programs Financial Guide, April 1996 Edition, and subsequent amendments;

4.Any future applicable policy guidance issued by the U.S. Department of Justice, Office of Justice Programs, Corrections Program Office;

5.Council Program Announcement and Request for Proposals;

6.Council Administrative and Financial Compliance Guidelines; and

7.Any other policy guidance which has been or may be issued by the Council.

These documents and further information regarding applications for these funds may be obtained by contacting the Criminal Justice Coordinating Council, 104 Marietta Street, N.W., Suite 440, Atlanta, Georgia 30303-2743, (404) 657-1956, Fax (404) 657-1957, Email: grants.info@cjcc.ga.gov.

Cite as Ga. Comp. R. & Regs. R. 144-5-.07
Authority: Omnibus Fiscal Year 1996 Appropriation Act, Public Law 104-134*et seq.* O.C.G.A. Sec. 28-5-122.
History. Original grant description entitled "Local Law Enforcement Block Grant Program" submitted November 7, 1996.
Submitted: Grant description entitled "Residential Substance Abuse Treatment for State Prisoners" received Jan. 8, 2010.

Rule 144-5-.08. Sexual Assault Services Program.

CFDA # 16.017.

The Sexual Assault Services Program was created by the Violence Against Women and Department of Justice Reauthorization Act of 2005 (VAWA 2005), 42 U.S.C. § 14043 g, and is solely dedicated to the provision of direct intervention and related assistance for victims of sexual assault.

The purpose of the program is to provide intervention, advocacy, accompaniment (e.g., accompanying victims to court, medical facilities, police departments, etc.), support services, and related assistance for adult, youth, and child victims of sexual assault, family and household members of victims, and those collaterally affected by the sexual assault.

This information should be used in conjunction with the following which are hereby incorporated by reference:

1.Violence Against Women and Department of Justice Reauthorization Act of 2005 (VAWA 2005), 42 U.S.C. § 14043 g and § 14045a;

2.Office of Justice Programs Financial and Administrative Guide, M7100.1;

3.Any other policy guidance which may be issued by the Office of Violence Against Women;

4.Council Program Announcement and Request For Proposals; and

5.Any other policy guidance which has been or may be issued by the Council.

These documents and further information regarding making application for these funds may be obtained by contacting the Criminal Justice Coordinating Council, 104 Marietta Street, N.W., Suite 440, Atlanta, Georgia 30303-2743, (404) 657-1956, Fax (404) 657-1957, Email: grants.info@cjcc.ga.gov.

Cite as Ga. Comp. R. & Regs. R. 144-5-.08
Authority: O.C.G.A. Secs. 28-5-122, 35-6A-4.
History. Original Rule entitled "Definition" adopted. F. Dec. 16, 2005; eff. Jan. 5, 2006. [Agency adopted Rule 144-5-.08 as part of Chapter 144-5, which had previously been a grant only chapter.]
Submitted: Grant description entitled "Sexual Assault Services Program" received Jan. 8, 2010. [Agency has reverted back to a grant only Chapter 144-5.]

Rule 144-5-.09. Violence Against Women Formula Grants.

CFDA # 16.588.

This information is submitted by the Criminal Justice Coordinating Council, to further establish program policy and administrative guidance consistent with federal guidelines in order to implement the Violence Against Women Grants program authorized by Title IV of the Violent Crime Control and Law Enforcement Act of 1994, Pub. L. No 103-322, 108 Stat. 1796 (Sept. 12, 1994) (as amended by the Victims of Trafficking and Violence Prevention Act of 2000 and the Violence Against Women and Department of Justice Reauthorization Act of 2005, Public Law 109-162, January 5, 2006).

The purpose of this program is to make grants for use by states, Indian tribal governments, units of local governments and nonprofit, nongovernmental victim services programs for the purpose of developing and strengthening effective law enforcement and prosecution strategies to combat violent crimes against women, and to develop and strengthen victim services in cases involving violent crimes against women.

This information should be used in conjunction with the following which are hereby incorporated by reference:

1.Title IV of the Violent Crime Control and Law Enforcement Act of 1994, Pub. L. No. 103-322, 108 Stat. 1796 (Sept. 12, 1994) (as amended by the Victims of Trafficking and Violence Prevention Act of 2000), as amended;

2.U.S. Department of Justice, Office of Justice Programs, Violence Against Women Program Office Guidelines;

3.Office of Justice Programs Financial and Administrative Guide, M7100.1;

4.Any other applicable policy guidance which may be issued by the U.S. Department of Justice, Office of Justice Programs in the future;

5.Council Program Announcement and Request for Proposals;

6.Council Administrative and Financial Compliance Guidelines; and

7.Any other policy guidance which has been or may be issued by the Council.

These documents and further information regarding making application for these funds may be obtained by contacting the Criminal Justice Coordinating Council, 104 Marietta Street, N.W., Suite 440, Atlanta, Georgia 30303-2743, (404) 657-1956, Fax (404) 657-1957, Email: grants.info@cjcc.ga.gov.

Cite as Ga. Comp. R. & Regs. R. 144-5-.09
Authority: O.C.G.A. Secs. 28-5-122, 35-6A-4.
History. Original Rule entitled "Procedures" adopted. F. Dec. 16, 2005; eff. Jan. 5, 2006. [Agency adopted Rule

144-5-.08 as part of Chapter 144-5, which had previously been a grant only chapter.]
Submitted: Grant description entitled "Violence Against Women Formula Grants" received Jan. 8, 2010. [Agency has reverted back to a grant only Chapter 144-5.]

Rule 144-5-.10. State Grant Programs.

This rule supports the implementation of State Grant Programs as may be authorized and appropriated by the Georgia General Assembly.

The specific criteria for eligibility and distribution of funds shall be detailed in the grant solicitation or request for proposals issued by the Criminal Justice Coordinating Council. The solicitation or request for proposals may be obtained by contacting the Criminal Justice Coordinating Council, 104 Marietta Street, NW, Suite 440, Atlanta, Georgia 30303; (404)657-1956; FAX (404)657-1957; or by visiting the Council's website at http://cjcc.ga.gov.

Cite as Ga. Comp. R. & Regs. R. 144-5-.10
Authority: O.C.G.A. Sec. 28-5-122.
History. Original grant description entitled "State Grant Programs" submitted January 8, 2010.

Chapter 144-6. ADOPTION OF RULES.

Rule 144-6-.01. Adoption of Rules.

(1) **Right of Petition Established.** Any interested person may petition the Council requesting the promulgation of a rule or the amendment or repeal of a rule already in force, as contemplated in the Georgia Administrative Procedure Act. (O.C.G.A. § 50-13-1.)

(2) **Form of Petition.** Each such petition should be filed with the Council in writing and state:

(a) The name and address of the petitioner;

(b) The full text of the rule requested to be amended or repealed, or the full text of the rule desired to be promulgated;

(c) A paragraphed statement of the reasons such rule should be amended, repealed or promulgated, including a statement of all pertinent and existing facts as to the petitioner's interest in the matter;

(d) Citations of legal authorities, if any, which authorize, support or require the action requested by the petitioner. The petition must be verified under oath, by or in proper behalf of the petitioner.

(3) **Proceeding on Petition**. Upon receipt of the petition, the Chairperson or Director of the Council shall give the petition due consideration and present it to the Council for determination. Within sixty days after receipt of a petition, the Council shall inform the petitioner by mail of the decision reached, and may either decline to take the action requested, stating its reasons for so declining, or initiate rulemaking in accordance with the Georgia Administrative Procedure Act (O.C.G.A. § 50-13-1).

Cite as Ga. Comp. R. & Regs. R. 144-6-.01
Authority: O.C.G.A. Secs. 15-21-132, 35-6A-4, 35-6A-7.
History. Original Rule entitled "Definitions" adopted. F. June 14, 1995; eff. July 4, 1995.
Amended: F. Sept. 24, 2001; eff. Oct. 14, 2001.
Amended: F. Jan. 16, 2002; eff. Feb. 5, 2002.
Amended: F. Jan. 9, 2008; eff. Jan. 29, 2008.
Repealed: New Rule entitled "Adoption of Rules" adopted. F. Jan. 8, 2010; eff. Jan. 28, 2010.

Rule 144-6-.02. Repealed.

Cite as Ga. Comp. R. & Regs. R. 144-6-.02
Authority: O.C.G.A. Secs. 15-21-132, 35-6A-4, 35-6A-7.
History. Original Rule entitled "Procedures" adopted. F. June 14, 1995; eff. July 4, 1995.
Amended: F. Sept. 24, 2001; eff. Oct. 14, 2001.
Amended: F. Jan. 9, 2008; eff. Jan. 29, 2008.
Repealed: F. Jan. 8, 2010; eff. Jan. 28, 2010.

Rule 144-6-.03. Repealed.

Cite as Ga. Comp. R. & Regs. R. 144-6-.03
Authority: O.C.G.A. Secs. 15-21-132, 35-6A-7.
History. Original Rule entitled "Application" adopted. F. June 14, 1995; eff. July 4, 1995.
Repealed: New Rule entitled "List of Services Pre-Approved by CJCC" adopted. F. Jan. 9, 2008; eff. Jan. 29, 2008.
Repealed: F. Jan. 8, 2010; eff. Jan. 28, 2010.

Rule 144-6-.04. Repealed.

Cite as Ga. Comp. R. & Regs. R. 144-6-.04
Authority: O.C.G.A. Secs. 15-21-132, 35-6A-7.
History. Original Rule entitled "List of Fundamental Services" adopted. F. June 14, 1995; eff. July 4, 1995.
Repealed: F. Jan. 9, 2008; eff. Jan. 29, 2008.

Rule 144-6-.05. Repealed.

Cite as Ga. Comp. R. & Regs. R. 144-6-.05
Authority: O.C.G.A. Sec. 35-6A-4.
History. Original Rule entitled "Court Clerk Reporting Requirements" adopted. F. Sept. 24, 2001; eff. Oct. 14, 2001.

Repealed: F. Jan. 9, 2008; eff. Jan. 29, 2008.