



Prosecuting Attorneys' Council of Georgia

Policies & Procedures

Approved May 16, 2008

2.12

Council Personnel

Council Investigators

1. Authority.

This policy implements the provisions of O.C.G.A. §§15-18-47 and 45-3-1.

2. Appointment and Qualifications.

- (a) Staff investigators shall be appointed, in writing, by the Executive Director with the approval of the Council.
- (b) Each staff investigator shall meet the requirements of Chapter 8 of Title 35 and shall serve at the pleasure of the Council.
- (c) The Executive Director is authorized to pay membership dues of investigators in criminal justice organizations that the Executive Director determines are reasonably related to an investigator's official duties.

3. Oath of Office.

- (a) Each investigator shall take and subscribe to the following oath:

I do swear that I will faithfully and impartially and without fear, favor, or affection discharge my duties as investigator for the Prosecuting Attorneys' Council of the State of Georgia and will take only my lawful compensation. I further swear (or affirm) that I am not the holder of any unaccounted money due this State, or any political subdivision or authority thereof; that I am not the holder of any office of trust under the government of the United States, any other state or the State of Georgia,; and that I am otherwise qualified to hold said office; and that I will support the Constitutions of the United States and this state.

So help me God.



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- (b) The original of the subscribed oath shall be placed in the individual's personnel file. A duplicate original of the subscribed oath shall be filed with the Office of the Governor as required by O.C.G.A. § 45-3-4.

4. Duties and Authority of Investigators

- (a) Investigators shall perform such duties as may be assigned by the Executive Director. Investigators will not exercise any of the powers of a peace officer, except as provided herein.
- (b) Investigators who are required to be certified under the provisions of the POST Act are authorized to carry firearms as authorized by O.C.G.A. § 16-11-130(a)(5).
 - (1) Investigators may use deadly force in the performance of their duties only as provided in Council Policy 2.13.
 - (2) Any investigator who carries a firearm while in the performance of official duties shall at least once each calendar year satisfactorily complete the annual firearms training required of peace officers by the Rules of the Georgia Peace Officers Standards and Training Council. A copy of the records of such qualification shall be maintained in the investigator's personnel file.
- (c) When assisting a district attorney, solicitor-general, or the Attorney General, investigators shall have the same authority and power as an investigator employed by such district attorney, solicitor-general, or the Attorney General.
- (d) A Council investigator may perform the duties of a peace officer when:
 - (1) Appointed by a district attorney, solicitor-general, or the Attorney General as a special investigator with respect to a particular case or cases; and
 - (2) General or local law specifically authorizes investigators appointed by such district attorney, solicitor-general, or the Attorney General, to exercise the powers of a peace officer; and



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- (3) The order appointing the Council investigator specifically references such law and authorizes the investigator to exercise such powers.

5. Outside Employment.

- (a) Investigators shall not accept employment with any department, agency, business to other entity, or individual without the prior approval of the Executive Director and the Council.
- (b) Investigators are authorized and encouraged to participate in activities that will improve the administration of criminal justice and the law.