

The Supreme Court of Ohio

Module 3: Criminal & Civil Procedures

Lesson 3: Criminal Offense Levels

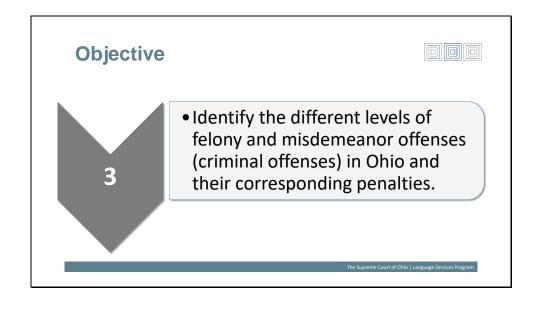




- All the information provided in these short lessons is publicly available and provides a simplified view of Criminal and Civil Procedures in the State of Ohio for participants to gain a basic understanding.
- Remember: Procedures vary across jurisdictions so it is important to always check the steps in the process in the jurisdiction you are working.
- This information is NOT intended to be construed as legal advice.

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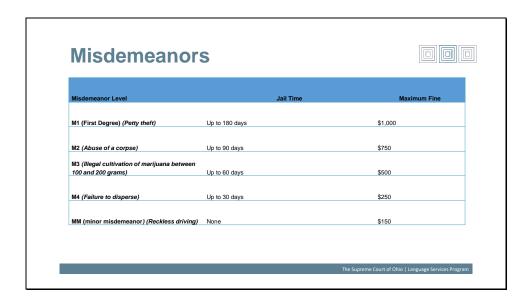
Lesson 3 Criminal Offense Levels





Special Felonies	Prison Term	Maximum Fine
Agg. Murder w/death specification	Death, Life w/o parole, Life w/parole after 20, 25 or 30 years	\$25,000
Agg. Murder w/o death spec	Life w/parole after 20 years	\$25,000
Murder	Fifteen to Life. Life w/o parole if sexual motivation spec and sexually violent predator spec	\$15.000

5 Felony Degrees Degree of Felony First Degree (Rape, Involuntary Manslaughter) Second Degree (Illegal manufacturing of explosives) \$20,000 Three, four, five, six, seven, eight, nine, ten or eleven years Two, three, four, five, six, seven, or eight years \$15,000 Third Degree (Reckless homicide) \$10,000 One, two, three, four, or five years. Fourth Degree (Grand theft Six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, of a motor vehicle) sixteen, seventeen, or eighteen months. \$5,000 Fifth Degree (Breaking and entering) Six, seven, eight, nine, ten, eleven, or twelve months. \$2,500



Criminal Defendant's Responses to Charges: • Plea • In a criminal case, the defendant's statement of "guilty," "not guilty," or "no contest" in answer to a charge

Types of Pleas Plea Options (ORC 2943.03) In other words: Guilty Defendant is stating an admission of guilt and veracity of the facts as presented in the charge/s. Not Guilty Defendant is stating a denial of guilt and veracity of the facts as presented in the charge/s. No contest – Nolo Contendere Defendant is not admitting guilt but does admit the *Alford plea veracity of the facts as presented in the charge/s and indicates acceptance of consequences. *Not guilty by reason of insanity The defendant, at the time of commission of the offense, was suffering from a mental disorder and lacked understanding of right and wrong. *A former judgment of conviction or acquittal of the See OCR 2943.05 for complete definition offense *Once in jeopardy See ORC 2943.06 for complete definition

Statute of Limitations - Code Section 2901.13



- No statute of limitations for murder
- Different year limitations for felony and misdemeanor offenses.



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Lesson Three Review





Key Points to Remember

- Rules of Criminal Procedure provide the guidelines for how the criminal process works
- There are several levels of criminal offenses
- The severity of the offense is indicated by its classification
- Sentencing guidelines determine the duration of the punishment and the monetary fines
- There are several types of pleas
- The Statutes of Limitations affect legal proceedings

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• Complete the exercise: Identify the criminal offenses (if possible include the recommended prison and jail times, and the maximum fines) and the pleas allowed in the State of Ohio.