

THE FRANKLIN COUNTY AND CITY OF COLUMBUS COURT GUIDE: Information on Sexual Assault, Domestic Violence and Stalking



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INTRODUCTION

Sexual assault, domestic violence and stalking are acts intended to intimidate, hurt, humiliate, degrade, dominate and control another person. If something like this has happened to you, it was not your fault. The person that did this to you is to blame; you did not deserve it or ask for it.

If you have been a victim of crime, you have rights.

The following information is intended as a basic guide for victims of violent crime in Franklin County. Sexual assault, domestic violence and stalking are violent crimes addressed in this booklet.

Crime victims are often afraid to talk about what has happened to them. They may be unsure how the court system works, or they may be afraid of what will happen to them, their family, or the perpetrator. While these are common feelings, **there are places that you can go for assistance if you have been the victim of sexual assault, domestic violence or stalking.**

The agencies listed in this booklet have experience working with diverse populations. They will attempt to provide you with services or refer you to programs familiar with your situation.

This booklet is not intended as a complete guide to community resources. Crime victims are strongly encouraged to contact the agencies mentioned in this booklet for more detailed information and community resources.

As a victim, you may be eligible to receive compensation through the Ohio Victims of Crime Compensation Program. Contact this program directly for more information.

Remember – you are not responsible for the offender’s behavior and cannot control or change their behavior.

RESOURCE INFORMATION

IF YOU ARE IN FEAR OR DANGER CALL 911

- Advocating Opportunity - (855) 855-1945
www.advocatingopportunity.com
- ASHA—Ray of Hope - (614) 326-2121
www.asharayofhope.org
- Asian American Community Services -(614) 220-4023
24-hour helpline (614) 266-4208
www.aacsohio.org
- BRAVO (Buckeye Region Anti-Violence Organization) -
call (614) 294-7867, or text (614) 333-1907
www.bravo-ohio.org
- Capital University Law School Family Advocacy Clinic -
(614) 236-6779
www.law.capital.edu
- The Center for Family Safety and Healing -
(614) 722-8200
www.nationwidechildrens.org/tcfsh
- Central Ohio Area Agency on Aging - (614) 645-7250
www.coaaa.org
- CHOICES (Domestic Violence 24-hour hotline) -
(614) 224-4663
www.choicescolumbus.org
- Columbus City Prosecutor’s Office, Domestic Violence & Stalking Unit - (614) 645-6232
www.columbuscityattorney.org/prosecution-dv.aspx
- Columbus City Prosecutor’s Office - (614) 645-7385
www.columbuscityattorney.org

- Columbus Division of Police (non-emergency) -
(614) 645-4545
www.columbuspolice.org
- Columbus Division of Police Domestic Violence Unit -
(614) 645-7225
- Columbus Division of Police Special Victims Bureau -
(614) 645-4701
- Columbus Public Health Department - (614) 645-7772
www.publichealth.columbus.gov
- Community Refugee and Immigration Services -
(614) 235-5747
www.crisohio.org
- Deaf World Against Violence Everywhere (DWAVE) -
Video Phone: (614) 678-5476 or (877) 425-0148
Voice, Fax, TTY: (614) 670-8796
www.dwaveohio.org
- Ethiopian Tewahedo Social Services - (614) 252-5362
www.ethiotss.org
- Franklin County Board of Developmental Disabilities -
(614) 475-6440
www.fcbdd.org
- Franklin County Children Services - (614) 229-7000
www.franklincountyohio.gov/children_services
- Franklin County Clerk of Courts
 - * Common Pleas Court, Criminal Division -
(614) 525-3650
 - * Civil Division - (614) 525-3621
 - * Domestic Relations - (614) 525-4410
 - * www.franklincountyohio.gov/clerk/cio.cfm
- Franklin County Municipal Clerk of Courts -
(614) 645-8186
www.fcmcclerk.com

- Franklin County Prosecutor's Office - (614) 525-3555
www.prosecutor.franklincountyohio.gov
- Franklin County Prosecuting Attorney's Office
Victim Witness Assistance Unit - (614) 525-3555
www.prosecutor.franklincountyohio.gov/criminal-division/victim-witness-unit
- Franklin County Sheriff (non-emergency) -
(614) 525-3333
www.sheriff.franklin.oh.us
- Franklin County Sheriff, Detective Bureau -
(614) 525-3350
www.sheriff.franklin.oh.us
- Hands on Central Ohio - (614) 221-6766 OR 211
www.handsoncertralohio.org
- Huckleberry House - (614) 294-5553
www.huckhouse.org
- Jewish Family Services - (614) 231-1890
www.jfscolumbus.org
- Legal Aid Society - (614) 224-8374
www.columbuslegalaid.org
- Mt. Carmel Crime and Trauma Assistance Program -
(614) 234-5900
www.mountcarmelhealth.com/ctap-services
- National Human Trafficking Hotline -
(888) 373-7888
- Net Care Access (24-hour mental health services) -
(614) 276-2273
www.netcareaccess.org

- Ohio Crime Victim Justice Center - (614) 848-8500
www.ocvjc.org
- Ohio Department of Rehabilitation and Correction,
Office of Victim Services - (614) 728-1976
www.drc.ohio.gov/victims
- Ohio Hispanic Coalition - (614) 840-9934
www.ohiohispaniccoalition.org
- Ohio State STAR Trauma Recovery Center -
(614) 293-7827
www.go.osu.edu/startrcprogram
- Ohio Victims of Crime Compensation Program -
1-800-584-2846 OR (614) 466-5610
www.ohioattorneygeneral.gov/Services/Victims/Victims-Compensation-Application
- Sexual Assault Response Network of Central Ohio
(SARNCO) 24-Hour Rape Helpline - (614) 267-7020
www.ohiohealth.com/sarnco
- Somali Community Association of Ohio - (614) 262-4068
www.somaliohio.org
- Southeast, Inc. - (614) 225-0990
www.southeastinc.com
- Suicide Prevention 24-hour Hotline - (614) 221-5445
- VINE (Victim Information & Notification Everyday) -
1-800-770-0192
www.vinelink.com

DEFINITIONS OF CHARGES

Sexual Assault: Sexual assault occurs when someone forces or coerces you into a sex act without your consent.

Domestic Violence: Domestic violence occurs when your spouse, intimate partner, or family or household member threatens with words and/or weapons, attempts to cause, or causes you bodily harm (for example: hitting, slapping, punching, kicking, biting or strangling).

Stalking: Stalking occurs when someone's repeated acts cause you mental distress and/or fear of bodily harm (for example: they follow you, call you, threaten you, or contact you repeatedly).

All of the above are considered crimes of violence. If you are a victim of any of these or other violent crimes, make sure you are physically safe and call 911. If you have been injured, seek medical attention.

IF YOU HAVE BEEN THE VICTIM OF A SEXUAL ASSAULT

- Seek medical care at a local emergency department. The emergency department staff can collect physical evidence, and they will document any injuries if you wish.
- Local emergency departments offer comprehensive and supportive services to victims of sexual assault. Emergency departments have Sexual Assault Nurse Examiners (SANE's), who are specially trained in the field of forensic nursing and the collection of evidence, and advocates who specialize in supporting sexual assault survivors. Both can assist you through the hospital process.
- For the best evidence collection results: avoid bathing, douching, brushing your teeth, going to the bathroom, smoking, or changing clothes before going to the hospital. If you change your clothes, bring the clothes you were wearing at the time of the assault with you.
- If you are the victim of sexual assault, contact the **Sexual Assault Response Network of Central Ohio (SARNCO) 24-hour Rape Helpline at (614) 267-7020**, or toll free through the **Rape, Abuse & Incest National Network (RAINN) at 1 800-656-HOPE**.

IF YOU HAVE BEEN THE VICTIM OF DOMESTIC VIOLENCE

- If you are a victim of domestic violence, call the police first, then call the **Columbus City Prosecutor's Office Domestic Violence and Stalking Unit, (614) 645-6232**, Monday –Friday 8:00 a.m. -4:30 p.m.
- **Your safety and the safety of your children are more important than anything else. If you are afraid that your partner may hurt you, advocates are available to help you develop a safety plan:**
 - ◇ Call CHOICES 24-hour hotline at (614) 224-4663.
 - ◇ Plan ahead for someplace to go if your partner threatens you or makes you feel unsafe. Go to a neighbor, friend or family member you can trust to help you and/or your children.
 - ◇ Decide on a door or window to exit quickly and safely to escape.
 - ◇ Do not confront or challenge your partner if they are intoxicated or on drugs.
 - ◇ Try to set aside some cash, extra clothing, extra keys for the house and cars, and any important documents for you and your family (for example: social security cards, birth certificates, divorce documents, passports, visas and immigration papers). If you need to leave the house in a hurry, think about where you can safely keep these things (perhaps a friend's, relative's or neighbor's house).

IF YOU HAVE BEEN THE VICTIM OF STALKING

- Call the police and make a report each time an incident occurs.
- Contact the **Columbus City Prosecutor's Office Domestic Violence and Stalking Unit, (614) 645-6232**, Monday-Friday, 8:00 am—4:30pm
- Do not discard anything that could be used as evidence. Keep all letters, text messages, voicemails, etc.
- Make a timeline of the incidents.
- Change up your routine frequently.

NOTES: If the police file a charge, you can check the status of the case by contacting the Franklin County Clerk of Courts. If the police did not file a charge, or you are unsure if a charge was filed, contact the Columbus City Prosecutor's Office Domestic Violence and Stalking Unit or the Franklin County Prosecutor's Office Victim Witness Assistance Unit.

STEPS IN THE PROSECUTION OF A MISDEMEANOR

Misdemeanor charges may be filed by the police, or the police may refer you to the City Prosecutor's Office (Intake Department) to file a criminal complaint. A misdemeanor is a crime in which the maximum penalty is 6 months in jail and/or a \$1,000 fine.

Misdemeanor cases are prosecuted by:

Columbus City Attorney's Office
Prosecutor's Division
375 S. High St., 7th Floor
Columbus, Ohio 43215
(614) 645-7483
www.columbuscityattorney.org

Please call the City Prosecutor's Office for Intake Department hours of operation.

Once the defendant has been arrested, or summoned into court, the court process is as follows: (See page 12 for diagram).

1. Arraignment

- The defendant enters a plea (almost always 'Not Guilty' at this stage).
- Victims generally must be present in order to request a protection order (see page 18). A protection order is available for domestic violence and stalking situations. If you do not want a protection order, it is not mandatory to appear for the arraignment.
- A Judge sets bond. The offender may or may not be able to get out of jail.
- A legal advocate will be available to help you.

NOTE: Contact VINE at 1-800-770-0192 for information about offender's incarceration status.

2. Pre-Trial Conference

- The case is assigned to a permanent Judge.
- The victim will be requested to appear, but in certain circumstances may be placed on telephone standby by the prosecutor.

- The prosecutor and defense attorney exchange information and evidence.
- The defendant can plead guilty to the original charge(s) or to a lesser charge and get sentenced. If there is no resolution at this phase, the case will be continued (postponed).

3. Trial /Plea

- The case can go to trial where a jury or Judge, after hearing all of the evidence, decides whether the defendant is guilty or not guilty of the charges.
- The defendant can still plead guilty at this stage and waive their right to trial.
- The case can be continued several times at this stage.
- The victim will generally have to testify at trial.
- The victim will not have to testify if a plea agreement is reached. The victim will be informed of plea negotiations and agreements.
- The victim has a right to be present during the plea and may make a Victim Impact Statement to the court.

4. Sentencing

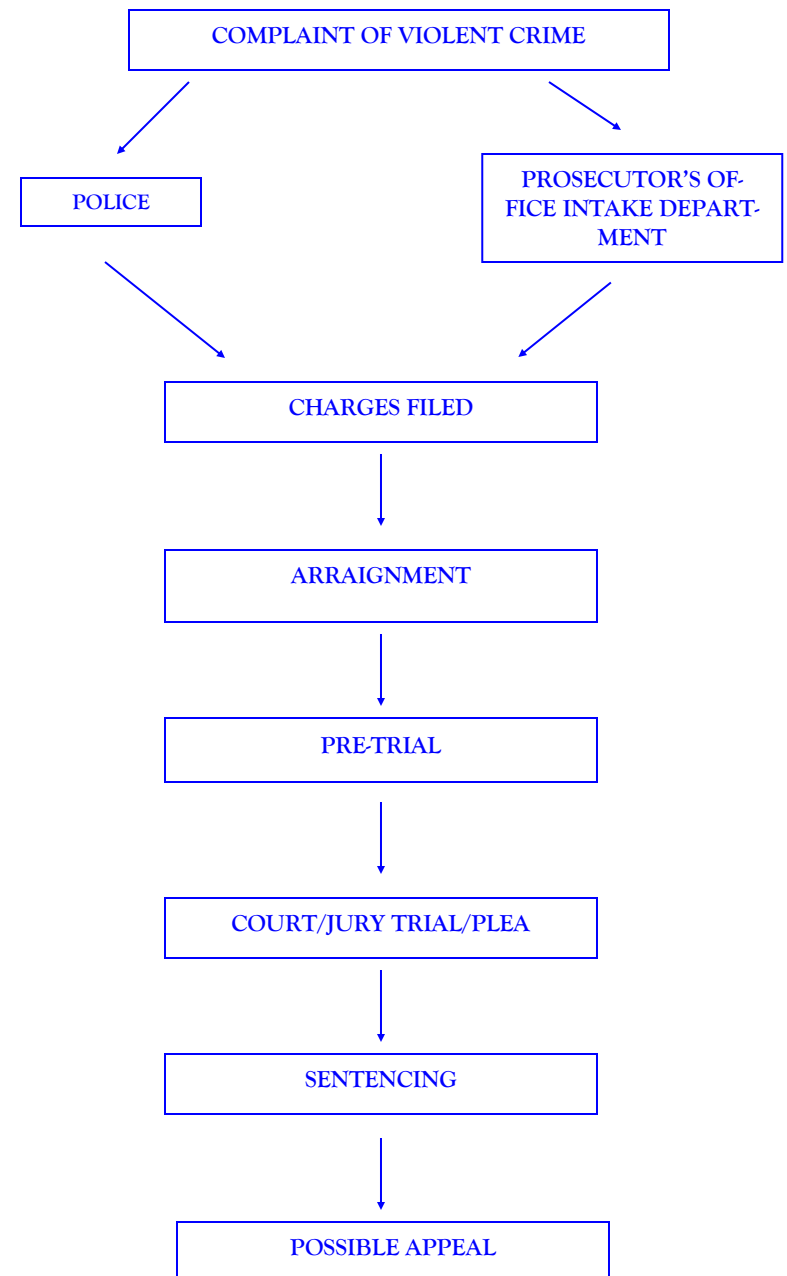
- The victim has the right to give a Victim Impact Statement at the sentencing hearing.
- The Judge decides the penalty to impose upon the defendant. This could range from probation and/or a fine to jail time, depending on the crime.

5. Appeal

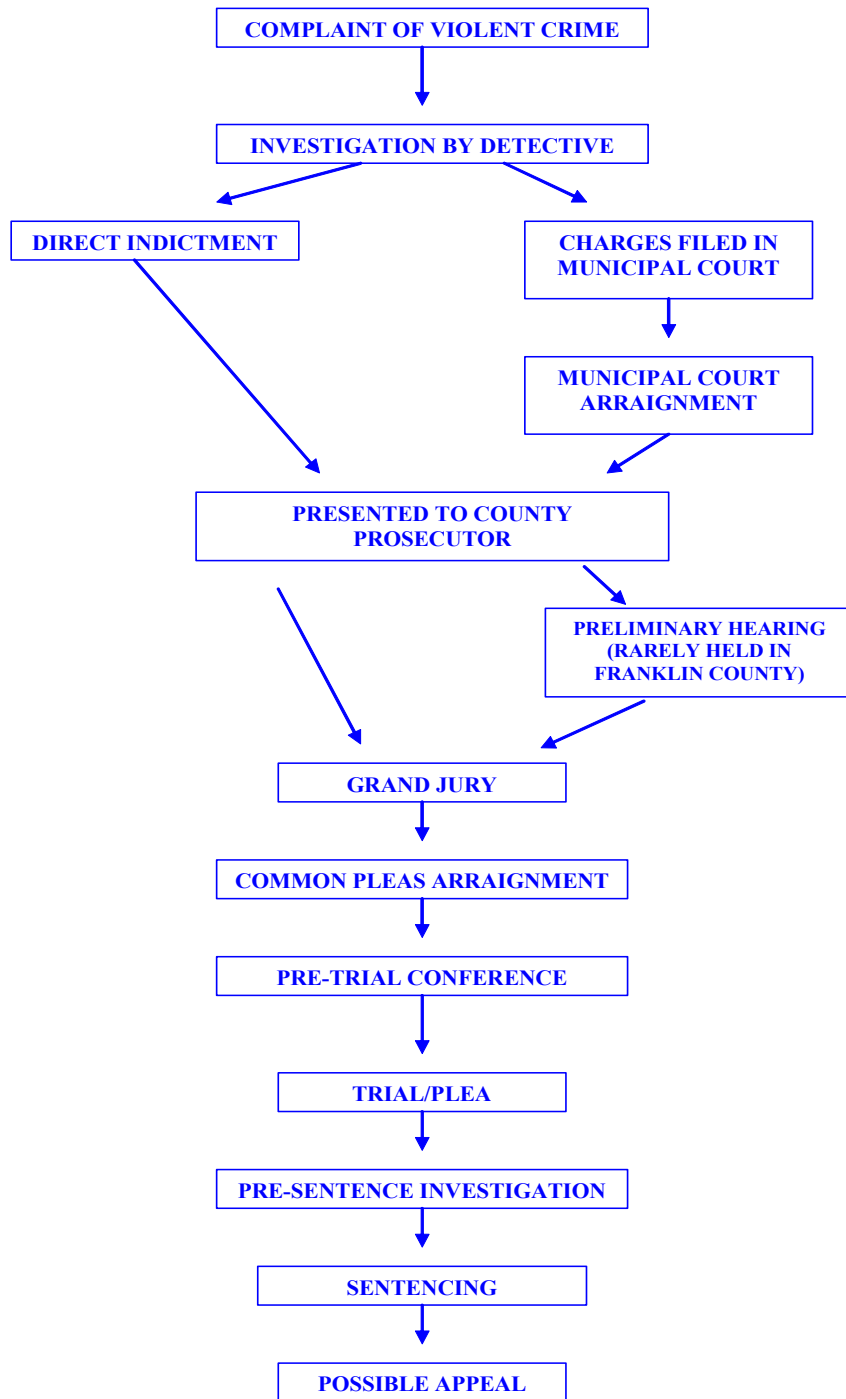
- The defendant and their attorney may, in rare circumstances, appeal the sentence of the court. An appeal is not common in misdemeanor cases.
- If the defendant accepts a plea agreement, there is usually no appeal.

NOTES: It is the sole discretion of the prosecutor to dismiss charges. It is not up to you to decide if charges will be dismissed. There are many cases set in each courtroom each day. Please be prepared to wait. You may be here for a few hours, so prepare accordingly (it is not recommended that you park at a meter, as you may be ticketed). Bringing a support person or something to read is a good idea. A safe place to wait will be provided for you. You can ask an advocate where to check in.

MISDEMEANOR CASES



FELONY CASES



STEPS IN THE PROSECUTION OF A FELONY

Felony charges are filed by the police. Felony crimes are considered very serious and can result in the offender being sent to prison.

Felony cases are prosecuted by:

Franklin County Prosecutor

373 S. High St., 14th Floor

Columbus, OH 43215

(614) 525-3555

www.prosecutor.franklincountyohio.gov

If you contact the police about a felony, they will usually assign a detective to investigate the complaint. When the detective believes they have sufficient evidence, they present the case to the Franklin County Prosecutor's Office. (See page 13 for diagram)

1. Grand Jury

- The case is presented to the Grand Jury who decide whether or not criminal charges should be filed.
- The defendant may be in jail at this time if the police filed a warrant.
- The victim may be required to testify at the Grand Jury hearing.
- The Grand Jury is not open to the public and the information is confidential.
- If the defendant has not already been arrested, a warrant may be issued after the Grand Jury hearing.

2. Arraignment

- The defendant enters a plea (always 'Not Guilty').
- A Protection Order can be requested (see page 18).
- The judge sets bond. The defendant may or may not be able to get out of jail.

NOTE: Contact VINE at 1-800-770-0192 for information about offender's incarceration status.

3. Pre-trial Conference

- The trial court judge may schedule a pre-trial conference to meet with the prosecutor and the defense attorney to discuss the case.
- The victim is usually not required to be present.

4. Trial/Plea

- The victim may be requested to appear, but in certain circumstances may be placed on telephone standby by the prosecutor.
- The case can go to trial where a jury or a judge, after hearing all of the evidence, decides whether the defendant is guilty or not guilty of the charges.
- The victim will generally have to testify at trial.
- The victim will not have to testify if a plea agreement is reached. The victim will be informed of plea negotiations and agreements.
- The victim has a right to be present during the plea and may make a Victim Impact Statement to the court.

NOTE: There will likely be many trial dates set. Continuances are very common, and are not indicative of the strength or importance of a case. Most often, the trial date will be continued for scheduling purposes.

5. Pre-Sentence Investigation (P.S.I.)

- A pre-sentence investigation report is sometimes prepared in order to provide the judge information needed in order to properly sentence the defendant. The victim may include a Victim Impact Statement in the report.

6. Sentencing

- The victim has the right to make a written and/or oral Victim Impact Statement at the sentencing hearing. A victim witness assistant can assist you with the preparation of a Victim Impact Statement.
- The Judge will decide what penalty to impose on the defendant. This could range from probation and/or a fine, to prison time, depending on the crime and other factors.

7. Appeal

- If the defendant is found guilty, the defendant and their attorney will likely appeal the verdict and/or the sentence of the court.
- If the defendant accepts a plea agreement, there is usually no appeal.

NOTES: Remember – there will be a victim witness assistant available to assist you throughout this process. It is the sole discretion of the prosecutor to dismiss charges. It is not up to you to decide if charges will be dropped or dismissed. There are many cases set in each courtroom each day. Please be prepared to wait. You may be here for a few hours, so prepare accordingly (it is not recommended that you park at a meter, as you may be ticketed). Bringing a support person or something to read is a good idea. A safe place to wait will be provided for you.

PROTECTION ORDERS

In Franklin County, criminal cases are heard in either:

- Franklin County Municipal Court – this court is responsible for misdemeanor cases. These cases are handled by the Columbus City Attorney’s Office. They can be reached at (614) 645-7483.
- Franklin County Court of Common Pleas – this court is responsible for felony cases. These cases are handled by the Franklin County Prosecutor’s Office. They can be reached at (614) 525-3555.

If you are not sure whether you are a victim of a misdemeanor or felony crime, you can call either prosecutor’s offices listed. You must have either the defendant’s name or the case number when you call.

A legal advocate or victim witness assistant will be available to help you through the entire court process.

IMPORTANT:

- Always wear proper clothes to court. If in doubt, call your prosecutor or victim witness assistant.
- Some judges do not allow children in the courtroom. More importantly, certain information discussed in court can be very traumatic for children. Try to find someone to take care of your children while you are in court, or bring someone with you to watch your children.
- If you are interested in obtaining a Protection Order, please see Page 18 for more information, or contact a legal advocate or victim witness assistant.
- If you need an interpreter, one will be provided for you at no cost. If possible, please notify the office assisting you in advance so that arrangements for the interpreter can be made.
- A safe place to wait will be provided for you.

Victims of certain types of violent crimes may be eligible for a Protection Order. A Protection Order is a temporary order intended to help provide safety and protection to victims of certain crimes.

There are four types of Protection Orders that are enforceable by the police:

1. Domestic Violence Temporary Protection Order (DVTPO)
2. Criminal Protection Order (CrPO)
3. Civil Protection Order (CPO)
4. Stalking Sexually Oriented Offender Protection Order (SSOPO)

NOTES:

- A ‘Stay Away Order’ as a condition of bond **CANNOT be enforced by the police, only by the issuing judge.**
- Restraining Orders issued in divorce cases **CANNOT be enforced by the police.**
- There must be a criminal charge filed to request a DVTPO or a CrPO. The prosecutor will assist you in seeking either a DVTPO or CrPO.
- Criminal charges do not have to be filed for a CPO or SSOPO. An attorney is not required, but it is recommended that you obtain legal representation in order to request a CPO or SSOPO.
- There is no court fee for Protection Orders.
- If you aren’t sure if you qualify or have a question, you may contact an advocate at the City Attorney’s Office at (614) 645-6232 or the County Prosecutor’s Office at (614) 525-3555.
- No Contact Orders are given as a condition of probation.

A Protection Order is intended for persons who are in fear for their safety. Once a Protection Order is issued, the offender can have no contact with you, even with your permission. Only a Judge can change the terms and conditions of the Order. Violation of a Protection Order is a crime. The offender can be arrested for violating the Protection Order.

If you have questions about Criminal or Civil Protection Orders, please call the Columbus City Prosecutor's Domestic Violence and Stalking Unit at (614) 645-6232 or the Franklin County Prosecutor's Office Victim Witness Assistance Unit at (614) 525-3555.

When you have a Protection Order

- **Make sure you have a copy of your Protection Order with you at all times! Take a picture of it and have it on your phone. Make multiple copies to keep in multiple locations.**
- Have absolutely no contact with the offender while a Protection Order is in place.
- Do not invite the offender into your home or to meet you elsewhere. Even with your permission, this is a violation of the protection order.
- Take a copy of the Protection Order to your neighborhood police station so they will have a copy on file.
- Change your door locks and keep your doors and windows locked. Put sturdy sticks in windows and sliding glass doors.
- Alert neighbors, co-workers, schools and daycare centers to call police if offender is seen at your home, work, or school.
- Have someone stay with you, if possible.
- Try not go out alone. Be around people whenever possible. Witnesses are very important.
- Always be aware of your surroundings.

COMMON TERMS IN CRIMINAL COURT

Arraignment: Initial appearance where the offender is formally notified of the crime(s) with which they have been charged. Arraignment court is also where initial bond is set or adjusted and Protection Orders may be granted.

Bond: After an arrest, a judge will determine what bond to set to make sure the defendant appears in court. There are 3 types of bonds:

Recognizance/Unsecured Appearance Bond (ROR) – allows the defendant to get out of jail on their signature.

Appearance Bond – the defendant must give the court 10% of the bond amount plus a court fee before being released.

Cash/Surety Bond – defendant must pay the entire bond amount in cash or hire a bail bondsman (a bondsman's non-refundable fees are 10% of the entire bond).

Complaint: The official sworn statement of the offense that gives the statute under which the defendant was arrested.

Continuance or Continued: A delay of a court hearing to another day. (e.g. "The case will be continued").

Court (or Bench) Trial: A trial before a judge, not a jury.

Defendant/Offender: The subject of a criminal charge.

Defense Attorney: A lawyer hired or appointed to represent the defendant (can be either public or private).

Evidence: Anything shown in court to support a case. Can include testimony by the victim, defendant or another witness, documents, photographs, items of clothing, weapons, and police or medical records.

Grand Jury: A group of people who consider cases presented for felony indictment. Proceedings are confidential and closed to the public.

Indictment: Formal felony charges returned by the Grand Jury. May be one or more charges – each charge is called a ‘count’.

Legal Advocate or Victim Witness Assistant: Employee of the prosecutor’s office who assists the victim in navigating the court process.

Ohio Victims of Crime Compensation Program: A program where a victim of crime may apply for reimbursement of costs (such as medical bills, lost wages, material losses, or counseling) as a result of the crime victimization. (1-800-584-2846).

Plea Agreement: When a defendant agrees to plead guilty, often to a lesser charge, in order to avoid a trial.

Preliminary Hearing: An initial hearing to determine if there is sufficient evidence to go forward with felony charges. These are rarely held in Franklin County.

Probable Cause: A showing prior to a trial that there is enough evidence against the defendant to proceed with the case.

Probation/Community Control: A sentence that requires the defendant to report to a probation officer, and to follow the rules as ordered by a judge, (for example: attend counseling, maintain employment, obtain drug and alcohol screening) in order to stay out of jail or prison.

Prosecutor: The attorney who represents the State of Ohio in a criminal case.

P.S.I. (Pre-sentence Investigation): Report that is prepared by the Probation Department in order to provide the judge information needed to sentence the defendant.

SANE (Sexual Assault Nurse Examiner): Nurses who are specially trained in the field of forensic nursing and the collection of evidence for sexual assault kits.

Subpoena: A court order for a victim or witness to appear in court.

Summons: A court order for a defendant to appear in court.

Trial: Where the defendant takes their case for hearing before members of the jury or a judge.

Victim Impact Statement: Written and/or oral statement from a crime victim, in their own words, about how a crime has affected them.

VINE (Victim Information & Notification Everyday): A free automated telephone service that will allow victims of crime to access offender information 24 hours a day. Victims can also register their phone number anonymously with VINE to be notified when there is a change with the offender’s status. (1-800-770-0192 or www.vinelink.com).

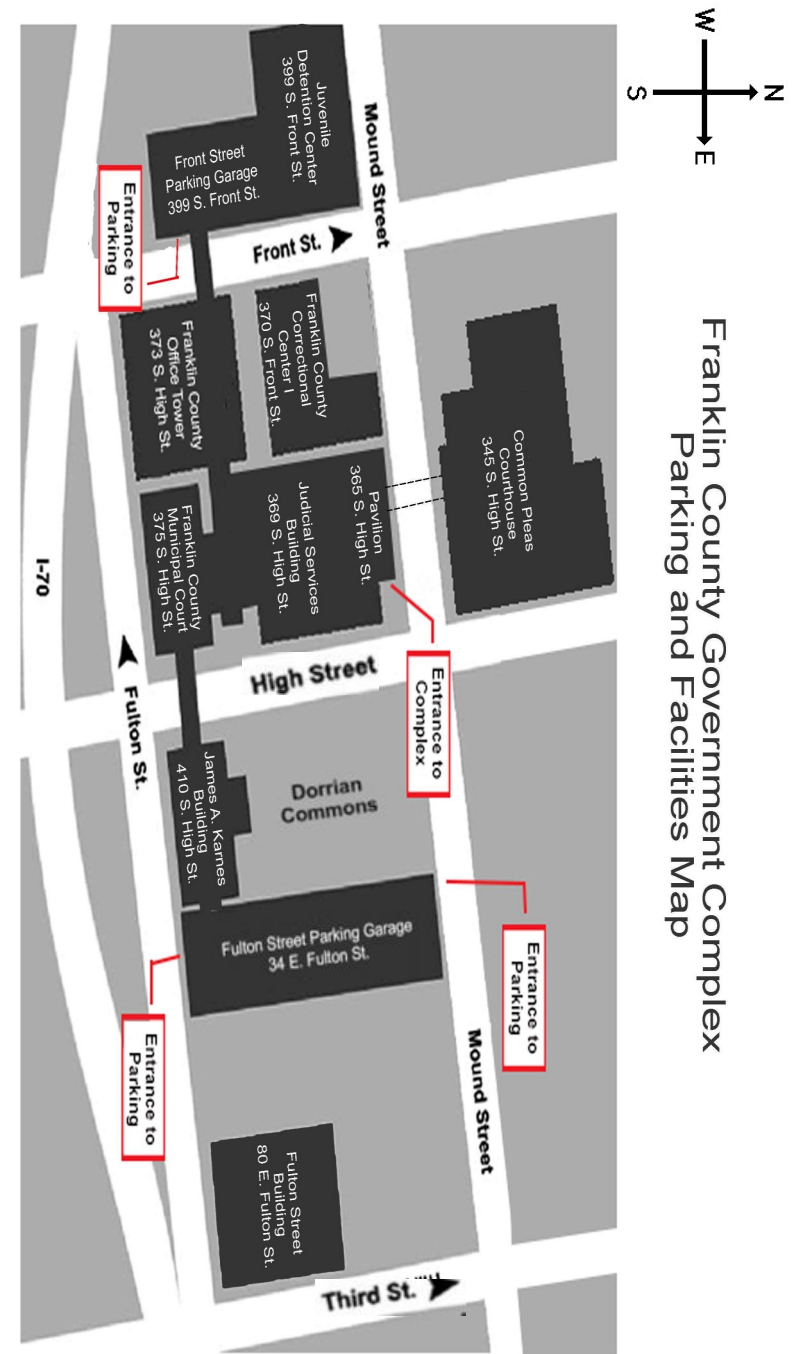
Warrant/Capias: A term used for an order issued by a judge when the defendant does not appear in court.

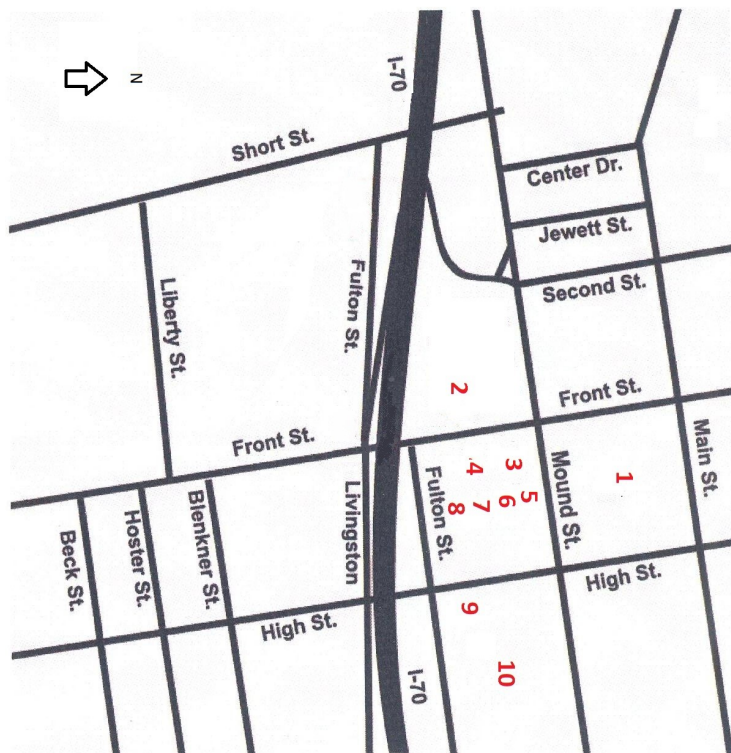
COURTHOUSE INFORMATION

Included in this booklet is a map of the Franklin County Government Complex (page 24) and a map showing the downtown area (page 25). There is parking all around the complex, and numerous bus routes.

- There are several parking garages nearby. The Fulton Street Parking Garage can be accessed from either Mound Street or Fulton Street. The Front Street Parking Garage can be accessed on Front Street. The Columbus Commons Parking Garage is also nearby, and can be accessed from either Main Street or Rich Street. Parking availability in these garages is limited.
- If you park in a parking lot, be aware that the cost of parking lots vary. You should come prepared with extra cash and leave yourself plenty of time to walk from the parking lot to the courthouse.
- Using a parking meter is not recommended, since you will probably be at the courthouse for quite a while, and you may not be able to leave to put money in the meter.
- For bus information, call COTA at (614) 228-1776 or visit www.cota.com.
- If you are not sure where to go when you get to the courthouse, security personnel may be able to assist you.

NOTE: The courthouse is a secure facility. You will not be permitted to bring in any weapons or items that could be used as a weapon.





1. Franklin County Common Pleas Courthouse
2. Juvenile Detention Center & Front Street Parking Garage
3. Franklin County Corrections Center I
4. Franklin County Courthouse/Office Tower
5. Pavilion
6. Franklin County Judicial Services Building
7. Atrium
8. Franklin County Municipal Court
9. James A. Karnes Building
10. Fulton Street Parking Garage

Remember, you are not alone. There are places you can go for assistance if you have been the victim of sexual assault, domestic violence, or stalking. Crime victims are strongly encouraged to contact the agencies mentioned in this booklet for help, detailed information, and community resources.



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To request additional copies of this booklet,
please contact the Franklin County
Prosecutor's Office, Victim Witness Assistance
Unit Director at (614) 525-3555