

CONSTITUTIONAL RIGHTS FOR CRIME VICTIMS

Information for Victims of Crime

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Franklin County Prosecuting Attorney

With the overwhelming support of over 82% of voters, the people amended Article I, Section 10a, of the Ohio Constitution effective February 5, 2018. The amendment represents a set of victim-rights reforms and protections known as Marsy's Law. Under the amendment, a "victim" is a person against whom a criminal offense or delinquent act is committed or who is directly and proximately harmed by the commission of the offense or act.

To secure for victims justice and due process throughout the criminal and juvenile justice systems, victims have the following rights under Section 10a, which shall be protected in a manner no less vigorous than the rights afforded to the criminal defendant or juvenile offender.

- to be treated with fairness and respect for the victim's safety, dignity and privacy;
- upon request, to reasonable and timely notice of all public proceedings involving the criminal offense or delinquent act against the victim, and to be present at all such proceedings;
- to be heard in any public proceeding involving the accused criminal defendant's or accused juvenile offender's release, plea, sentencing, disposition, or parole, or in any public proceeding in which a right of the victim is implicated;
- to reasonable protection from the accused criminal defendant or accused juvenile offender or any person acting on behalf of the accused criminal defendant or accused juvenile offender;
- upon request, to reasonable notice of any release or escape of the accused criminal defendant or accused juvenile offender;
- except as authorized by section 10 of Article I of the Ohio Constitution, to refuse an interview, deposition, or other discovery request made by the accused criminal defendant or accused juvenile offender or any person acting on behalf of the accused criminal defendant or accused juvenile offender;
- to full and timely restitution from the person who committed the criminal offense or delinquent act against the victim;
- to proceedings free from unreasonable delay and a prompt conclusion of the case;
- upon request, to confer with the attorney for the government; and
- to be informed, in writing, of all rights enumerated in Section 10a.

The victim, the attorney for the government upon request of the victim, or the victim's other lawful representative, in any proceeding involving the criminal offense or delinquent act against the victim or in which the victim's rights are implicated, may assert the rights enumerated in Section 10a and any other right afforded to the victim by law. If the relief sought is denied, the victim or the victim's lawful representative may petition the court of appeals for the applicable district, which shall promptly consider and decide the petition.

The constitutional rights afforded by Section 10a are in addition to any other rights that the victim may have under federal law or Ohio law. Section 10a supersedes any conflicting state law.

IF YOU WISH TO RECEIVE ADDITIONAL INFORMATION or have any questions about the rights of victims, contact the **VICTIM WITNESS NOTIFICATION UNIT** of our office at:

(614) 525-3555 regarding **ADULT DEFENDANTS**
or
(614) 525-4440 regarding **JUVENILE OFFENDERS**

We care about you as the victim of a crime and your rights are important to us. Our office will do our best to protect your rights as a victim and to help you achieve any of these rights which you choose to exercise.

RON O'BRIEN
Prosecuting Attorney