



Ohio Prosecuting Attorneys Association

for justice, for safety, for our communities

What Do County Prosecuting Attorneys Do?

Ohio's county prosecuting attorneys are primarily ministers of justice and the voice for victims. As ministers of justice, prosecuting attorneys play an integral role in our public safety. They prosecute adults accused of felony crimes and juveniles accused of delinquent acts. Some Ohio county prosecuting attorneys prosecute adult misdemeanor offenses, as well. At the same time, prosecuting attorneys are the courtroom advocates for victims of crime and their families.

Within each of Ohio's 88 counties, the office of prosecuting attorney will differ somewhat in size and scope, according to the available needs and resources. However, all prosecuting attorneys work closely with law enforcement to pursue convictions for those guilty of crime and to stand up for the rights of victims. In addition, prosecuting attorneys and their staff are responsible for the legal needs of all county and township officials, and serve as counsel for those offices.

County prosecuting attorneys begin criminal casework once they have determined that law enforcement officers have collected enough evidence to suggest a felony offense has been committed. If arrested, the accused appears before a municipal court judge who will hold a preliminary hearing to determine whether there is "probable cause" that the individual committed the alleged offense. If probable cause exists, the case is bound over to the court of common pleas. A case cannot proceed to trial in the court of common pleas unless it first goes through a grand jury.

The prosecuting attorney presents the case to the grand jury on behalf of the State of Ohio. In this proceeding, only the prosecuting attorney, the grand jury members, and witnesses are authorized to attend. When a grand jury finds probable cause that a person committed the alleged offense, it votes to indict that person (now called a defendant), and the case is then set for trial in the county's court of common pleas.

At this point, the prosecuting attorney presents the case against the defendant. Cases can be resolved in one of several ways – by a plea agreement reached between the prosecutor's office and the defendant's attorney before the case goes to trial, by jury verdict at the end of a trial, or by the decision of the judge alone when the defendant decides not to have a jury hear the evidence. The latter is referred to as a bench trial.

Throughout this process, prosecuting attorneys balance their duties as ministers of justice and as advocates for the victims of crime, with their ethical duty to pursue evidence that either may exonerate a person accused of a crime, or mitigate punishment. Prosecuting attorneys make sure victims are aware of court dates, the status of pending court cases and the availability of appropriate community resources and services. Prosecuting attorneys also invite the input of crime victims and take their feelings and wishes into account during the prosecution and resolution of the case against the defendant.

Prosecuting attorneys also recognize the importance of educating the general public, news media, local office holders, and other constituencies on the roles and responsibilities of their office. In addition, they are proactive supporters of community safety initiatives, especially for seniors, children and families.

Ohio's County Prosecuting Attorneys:

- **Work with law enforcement agencies to pursue convictions for people guilty of crimes.**
- **Serve as legal counsel for all county and township offices.**
- **Advocate for crime victims and their families.**
- **Pursue evidence that may exonerate an innocently accused person or mitigate punishment.**
- **Support and promote community safety initiatives.**

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