

12.805 DIRECT PRESENTMENT TO THE GRAND JURY BY THE COUNTY PROSECUTOR

Purpose:

Obtain a direct indictment by the Grand Jury allowing the accused to be arrested on the open indictment and proceeded against in the Common Pleas Court of Hamilton County.

Obtain a direct indictment of any adult who is accused of the commission of a felony sex offense as set forth in Ohio Revised Code Chapter 2907 when the victim is a minor.

Procedure:

- A. Direct indictment by the Grand Jury except felony sex offenses where the victim is a minor, Central Vice Control Section, Homicide Unit, Personal Crimes Unit, Pharmaceutical Diversion Unit, and Street Corner Unit cases:
 1. Route requests to the Rapid Indictment Program at the Criminal Investigation Section.
 - a. A complete copy of the Case and Bond Information Sheet (Form 527A), countersigned by the district or unit commander, will accompany the request.
 2. Upon receipt of such request, the Rapid Indictment Program will review the request and cause the facts to be presented to the county prosecutor without delay. Incomplete Forms 527A will be returned to the initiating officer through command channels.
 - a. Officers will not hold out any pertinent information. The county prosecutor needs to know as much as possible about a given case before circumventing the usual procedure of taking the case through criminal court.
 3. Restrict requests to serious cases where the perpetrator(s) is known, warrants have been filed, the suspect(s) is out of the state and his whereabouts known, or he is in custody.
- B. Procedure for Processing All Felony Sex Offense Cases in Which the Victim is a Minor:
 1. In nonemergency situations or where the assailant is known but an arrest has not occurred, the investigating officer will immediately:
 - a. Prepare a Form 527A, including a complete witness list, and forward it along with any available evidence and medical information to the Personal Crimes Unit (PCU).
 - 1) PCU will conduct a follow-up investigation, notify the Rapid Indictment Program, and ensure the case is presented directly to the Grand Jury.

- a) If the Grand Jury returns an indictment, the accused will be arrested on the open indictment and proceeded against in Common Pleas Court.