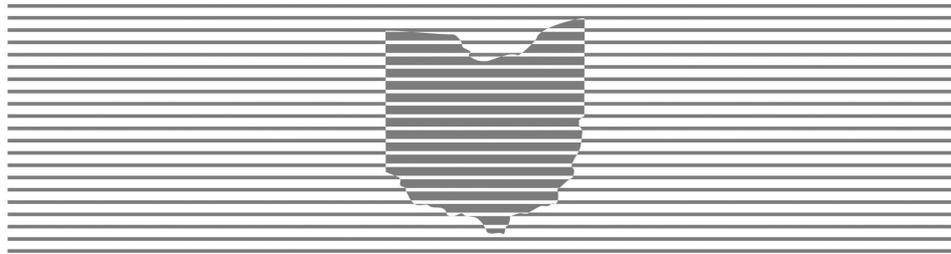


Baldwin's
OHIO PRACTICE

Katz & Giannelli **Ohio Criminal Laws** **and Rules**

VOLUME 1



2025

Ohio Revised Code complete to March 13, 2025
Ohio Administrative Code complete to December 31, 2024

Edited by
Lewis R. Katz & Paul C. Giannelli



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Preface

This text is designed for law enforcement officers, prosecutors, defense attorneys, judges, and students. It is an easy-to-use, current, and comprehensive guide to Ohio criminal law.

This 2025 Edition will bring you up-to-date on Ohio statutes, rules, and other materials on criminal law, including:

- Elements of Crimes
- Ohio Revised Code Title 29, “Crimes—Procedure,” in its entirety
- Selected statutes from related Revised Code titles, including provisions on townships, local and common pleas courts, habeas corpus, domestic violence, schools, motor vehicles, and financial responsibility
- Rules of Criminal Procedure
- Rules of Appellate Procedure
- Rules of Juvenile Procedure
- Ohio Rules of Evidence
- Rules of Superintendence for the Courts of Ohio
- Rules for Appointment of Counsel in Capital Cases
- Ohio Traffic Rules
- Victims of Crime Compensation
- Ohio Administrative Rules, and
- Sentences and Fines—Tables and Checklists.

Your comments and suggestions for future improvements will help us to achieve our goal.

LEWIS R. KATZ
PAUL C. GIANNELLI

March 2025

Foreword

This publication is divided into two volumes. Volume 1 contains provisions from the Ohio Constitution, Ohio Revised Code Title 29, Criminal Rules, Appellate Rules, Juvenile Rules, Evidence Rules, Superintendence Rules, Rules for Appointment of Counsel in Capital Cases, Traffic Rules, Ohio Administrative Code, and Ohio Revised Code General Provisions through Title 27. Volume 2 contains provisions from Ohio Revised Code Title 31 through Title 61, Elements of Crimes, Sentences & Fines—Tables and Checklists, and a comprehensive index.

The 2025 edition of *Ohio Criminal Laws and Rules* (formerly entitled *Ohio Criminal Justice*) is a compilation of the laws and rules needed for researching and practicing Ohio criminal law, with editorial enhancements and research aids. Edited by Lewis R. Katz and Paul C. Giannelli of the Case Western Reserve University School of Law, it offers attorneys, judges, and law enforcement officials an authoritative and up-to-date reference to the sources of law they refer to most often, in a compact and convenient format.

This 2025 Edition contains laws from the Ohio General Assembly through March 13, 2025.

The Elements of Crimes and Sentences and Fines—Tables and Checklists have been updated to reflect all relevant amendments.

Ohio Criminal Laws and Rules continues to be the most useful publication of its kind in Ohio. It contains the full text of criminal and motor vehicle statutes; laws setting forth the powers, duties, and regulations of public agencies, political subdivisions, public officeholders, and law enforcement authorities; and miscellaneous provisions governing:

- Watercraft and waterways (RC Chapters 1547 and 1548);
- Township and joint township police (RC Chapter 504, and RC 505.48 to 505.55);
- Liquor control (RC Chapters 4301 and 4399);
- Mayor’s courts, county courts, and juvenile courts (RC Chapters 1905, 1907, and 2151, respectively);
- Special proceedings, including habeas corpus (RC Chapter 2725);
- Pharmacists and dangerous drugs (RC Chapter 4729);
- Court of claims and victims of crimes (RC Chapter 2743)
- Public defenders, state and county (RC Chapter 120);
- Jails and reformatories (RC Chapters 341 and 753); and
- Fireworks (RC Chapter 3743).

We are committed to continually improving *Ohio Criminal Laws and Rules*. Regularly republished, it remains the most comprehensive and timely publication of its kind on the market. We would greatly appreciate your comments for future editions.

The Publisher

March 2025

About the Editors

Lewis R. Katz is the John C. Hutchins Professor Emeritus of Law and Founding Director of Foreign Graduate Legal Studies at Case Western Reserve University School of Law. He attended Queens College (A.B., 1959), the University of Hawaii, and Indiana University (J.D., 1963), where he was a Note Editor of the *Indiana Law Journal*.

His writing career, like his academic career, spans six decades. His credits include Baldwin's Ohio Practice, *Criminal Law* (Thomson/West, 3d ed. 2013), a criminal law treatise; *Know Your Rights* (West Group, 1993), a practical guide for ordinary citizens to constitutional rights and other concerns; *Ohio Arrest, Search and Seizure* (Thomson/West, 2020), the twenty-seventh edition of a thorough and practical guide to the law of search and seizure, interrogation and confession, and pretrial identification; *Ohio Felony Sentencing Law* (Thomson/West, 2008), a complete guide to Ohio's sentencing guidelines; an undergraduate text book; law review articles; and treatises for practicing lawyers in Ohio and New York. Several of his publications have been cited in opinions of the United States Supreme Court and in hundreds of Ohio cases. He wrote a series of features published in the *Washington Post* and op-ed pieces in the *Christian Science Monitor*, *The Cleveland Plain Dealer*, and other newspapers.

Professor Katz was an advisor to the Ohio Sentencing Commission. Professor Katz was co-author, along with Judge Burt W. Griffin, of the original draft of 1995 Senate Bill 2, the felony sentencing reform act. Professor Katz was a member of the Cleveland Community Police Commission, and co-chair (2019-2020).

Paul C. Giannelli is a Distinguished University Professor Emeritus and the Albert J. Weatherhead III and Richard W. Weatherhead Professor Emeritus at Case Western Reserve University. He received his J.D. in 1970 from the University of Virginia, where he served as Articles Editor of the *Virginia Law Review*. His other degrees include an LL.M. from the University of Virginia and an M.S. in Forensic Science from George Washington University.

Professor Giannelli has written extensively in the field of evidence and criminal procedure, especially on the topic of scientific evidence. He has published articles in the Columbia, Cornell, Virginia, Vanderbilt, Illinois, Ohio State, Wisconsin, North Carolina, Fordham, Hastings, Cardozo, Capital, Cleveland State, and Case Western Reserve law reviews, as well as in the *Journal of Criminal Law & Criminology* (Northwestern University), *Criminal Law Bulletin*, and the *American Criminal Law Review* (Georgetown University). He has also published in interdisciplinary journals, such as the *International Journal of Clinical & Experimental Hypnosis*, the *New Biologist*, *Profiles in DNA*, and the *Journal of Forensic Science*.

He has written or co-authored twelve books including: *Scientific Evidence* (Lexis Co. 5th ed., 2020); *Courtroom Criminal Evidence* (Lexis Co. 6th ed., 2016); *Ohio Juvenile Law* (Thomson/West, 2018); Baldwin's Ohio Practice, *Evidence* (Thomson/West, 3d ed. 2020); Baldwin's Ohio Practice, *Rules of Evidence Handbook* (Thomson/West, 2023); and *Understanding Evidence* (Lexis Co. 6th ed. 2023).

Professor Giannelli's works have been cited hundreds of times in court opinions and the legal literature, including decisions by the U.S. Supreme Court. The *New York Times* referred to him as an "expert on scientific evidence." He has authored an op-ed piece for the *Times*: "When the Evidence Is a Matter of Life and Death," *New York Times, Week in Review Op-Ed*, Aug. 21, 1994, p. E15.

Professor Giannelli has also served as: Special Counsel, Joint Select Evidence Committee, Ohio General Assembly (1978-79); Member, Ohio Supreme Court Rules Advisory Committee (1985-88); and Counsel for Rules of Evidence, Ohio Supreme Court Rules Advisory Committee (1990-2000).

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