

What is Jury Duty? part two

In my last article, I discussed the function of a petit (or trial) jury. The other type of jury in our justice system is the grand jury.

Unlike a petit jury, a Grand Juror's role and duties relate only to criminal cases. People who serve on the grand jury meet at the direction of the Prosecutor and will hear evidence in a closed and confidential setting. By law, the grand jury meets in secret and is exempt from the Ohio Open Meetings Act as well as public records requests. In our county, the grand jury is a panel of 12 individuals. Nine members of the grand jury are considered the voting principals while the remaining three are alternates. From the nine principals, a foreperson and alternate foreperson are selected to aid discussions among the jurors, to record votes, and to sign the grand jury report filed with Hardin County Common Pleas Court.

The specific function of the grand jury is to inquire into criminal offenses committed within Hardin County to determine if a person should be charged with a crime and be required to stand trial. Generally, the grand jury is used to determine if a person should be charged for having committed a felony crime, however the grand jury is also able to investigate misdemeanor crimes. However, it should be noted that most misdemeanor crimes are heard directly by the municipal court based upon the filing of a complaint and skip the grand jury process.

The grand jury makes its inquiries by hearing testimony from witnesses who either investigated the case or have knowledge of the suspected crime under review. After hearing any evidence, documentation and witness testimony presented, the grand jurors must decide whether there is probable cause to believe that the suspected person committed a crime. If the grand jurors believe that there is enough evidence and information available to demonstrate probable cause that a crime has been committed in Hardin County, they will vote to issue a True Bill of Indictment which will be filed with the Common Pleas Court. An Indictment is a formal, written accusation issued by the grand jury charging someone with a crime. To issue an Indictment, seven of the nine voting members of the grand jury must believe that there is probable cause that a crime was committed in Hardin County by the named suspect. If there is insufficient evidence of other information which does not rise to the standard of probable cause to charge a crime, then a no bill is issued. The grand jury has a great responsibility and uses its power both as a sword and as a shield: a sword to accuse or indict those whom there is reason to believe have committed crimes; a shield to protect the innocent against unfounded accusations.

Jury service is one of the most important civic duties we have as United States Citizens. The right to have the grand jury consider if a person should stand trial for a felony crime is a right guaranteed by the Ohio Constitution. This right is one of the cornerstones of our American and State of Ohio forms of government and one of the few ways in which a citizen may take part in our criminal justice system.

Grand jury service typically lasts for 6 months, with actual service being one or two days per month. Occasionally, a grand jury may be held longer or it may be necessary to meet more often depending on the number of cases to be considered and the length of time needed to present particular types of cases. Grand Jurors are paid a small amount for their time. In addition, work slips are available for employers. By law, employers are not permitted to lay you off, discharge you, deny you advancement opportunity or otherwise penalize you for appearing for jury service. To be an eligible juror, you must be 18 years of age, a United States citizen, and a resident of Hardin County who is registered to vote. Names are randomly selected from the voter registration list.

I encourage you to visit the Prosecutor's webpage at www.hardincountyprosecutor.com where you will find more information about the office of the Prosecutor and other helpful links. In addition, I welcome any feedback and suggested topics that you would like to know more about. Please send all correspondence through our office email at hardinpa@hotmail.com.