



COMMUNITY LIAISON UNIT

COLUMBUS DIVISION OF POLICE • STRATEGIC RESPONSE BUREAU

Steps in the Prosecution of a Misdemeanor

Misdemeanor charges may be filed by the police, or the police may refer you to the City Prosecutor's Office (Intake Department) to file a criminal complaint.

A misdemeanor is a crime in which the maximum penalty is 6 months in jail and/or a \$1,000 fine.

Misdemeanor cases are prosecuted by:

Columbus City Attorney's Office

Prosecutor's Division

375 S. High St., 7th Floor

Columbus, Ohio 43215

(614) 645-7483

Please call the City Prosecutor's Office for Intake Department hours of operation.

Once the defendant has been arrested, or summoned into court, the court process is as follows:

1. Arraignment

- Defendant enters a plea (almost always 'Not Guilty' at this stage).
- Victims generally must be present in order to request a protection order. A protection order is generally available for domestic violence and stalking situations. If a victim does not want a protection order, it is not mandatory to appear for the arraignment.
- Judge sets bond. Offender may or may not be able to get out of jail.
- A Legal Advocate will be available to help you.

NOTE: Contact VINE for information about offender's incarceration status.

2. Pre-Trial Conference

- Case is assigned to a permanent judge.
- Victim will be requested to appear, but in certain circumstances may be placed on telephone standby by the prosecutor.
- Prosecutor and defense attorney exchange information and evidence.
- Defendant can plead guilty to original charge or to a lesser charge and get sentenced. If there is no resolution at this phase, the case will be continued or postponed.

3. Trial

- The case can go to trial where a jury or judge, after hearing all of the evidence, decides whether the defendant is guilty or not guilty of the charges.
- Defendant can still plead guilty in this stage and waive his/her right to trial.
- The case can be continued several times at this stage.

4. Sentencing

- The victim has the right to give the court input at the sentencing hearing.
- The judge decides the penalty to impose on the defendant.
- This could range from probation and/or a fine to jail time, depending on the crime.

5. Appeal

- The defendant and his/her attorney may, in rare circumstances, appeal the sentence of the court. An appeal is not common in misdemeanor cases.
- If the defendant accepts a plea agreement, there is usually no appeal.

Remember - there will be a legal advocate available to assist you through out this process.

NOTES: It is the sole discretion of the prosecutor to dismiss charges. It is not up to you to decide if charges will be dropped or dismissed. Please be prepared to wait. There are many cases set in each courtroom each day. You may be here for a few hours, so prepare accordingly (it is not recommended that you park at a meter, as you may be ticketed). Bringing something to read is a good idea.

