

INTRODUCTION TO OHIO CRIMINAL LAW SUPPLEMENT

As a supplement to Matthew Lippman's *Criminal Law* textbook, the following provides a general overview of the major concepts of criminal law found in the Ohio Revised Code and other sources. This is not to say that this supplement is a comprehensive text on Ohio law, however; it is merely an overview of the major concepts found in criminal law and how these concepts are defined and applied in Ohio. Readers are always encouraged to research Ohio's criminal law on their own, utilizing the references and websites found at the end of each supplement chapter.

The Ohio supplement is comprised of a brief history of Ohio, including the creation of Ohio's state government and subsequent creation of its laws. As part of the original Northwest Territory, Ohio has a vivid history involving clashes between settlers, British troops, and Native Americans. When Ohio became the nation's 17th state to enter the Union in 1803, it established a state government that was heavily legislative, in that the executive and judicial branches had limited power in comparison to the legislature. This has changed, however, and each branch of government serves as a check and balance on the others.

Ohio's criminal law history is not unlike the history of other states, with the major issues in U.S. history reflected in Ohio's history (slavery, civil rights, temperance, etc.). It can be said, however, that Ohio has the dubious distinction of being involved in a number of landmark U.S. Supreme Court cases, such as *Mapp v. Ohio* (1961), which incorporated the exclusionary rule to the states, and *Terry v. Ohio* (1968), which established guidelines for police to conduct a "stop and frisk" of individuals on the street. Additionally, *Jacobellis v. Ohio* (1964) features Justice Potter Stewart's famous definition of obscenity: "I know it when I see it."

Today, Ohio is similar to most states regarding their criminal law and procedure, but there are some distinctions. For example, whereas most states define and treat felonies as those that call for one year or more in prison, Ohio categorized felonies as those that call for six months or more in prison. Other distinctions such as these are found throughout the chapters in this supplement.

This supplement follows the format of the textbook, with each chapter devoted to the provisions found in the Ohio Revised Code and in Ohio court decisions. Some things must be mentioned, however, so that students have a better grasp of the material.

- As you will notice in the in-text references in the supplement, the various laws found in the Ohio Revised Code have different dates attached to them. This is a reflection of the latest changes to these laws enacted by the Ohio General Assembly. These laws can be accessed through the website found in the reference section of each chapter.
- Most of the included court cases are decisions handed down by the Ohio Supreme Court. Occasionally, a case is discussed that was handed down by one of the twelve appellate courts in Ohio. This is because the particular issue discussed may not have been addressed by the Ohio Supreme Court yet, or the case was too old and no longer applicable to existing law and procedures. Court cases can be found on the LEXIS-NEXIS website that can be accessed through your library's database.
- Each chapter has at least 2 multiple choice questions as well as a discussion question. The purpose of the discussion question is to enable you to think "outside the box" and critically reflect on your own views of the law in your state.

- The web resources found at the end of each chapter provide links to some interesting websites that cover some of the material discussed in the chapter. The internet is a wonderful resource for discovering the laws and policies of each state and the federal government.
- The information provided in this supplement is the most up-to-date information on the laws and procedures in Ohio. Keep in mind that the law changes constantly, so make sure to keep up-to-date on changes in these laws.