



Ohio Revised Code

Section 2930.12 Notice of the defendant's acquittal or conviction.

Effective: April 6, 2023

Legislation: House Bill 343

(A) At the request of the victim or victim's representative in a criminal prosecution, the prosecutor or the prosecutor's designee shall give the victim and the victim's representative notice of the defendant's acquittal or conviction within seven days of the acquittal or conviction. At the request of the victim or victim's representative in a delinquency proceeding, the prosecutor or the prosecutor's designee shall give the victim and the victim's representative notice of the dismissal of the complaint against the alleged juvenile offender or of the adjudication of the alleged juvenile offender as a delinquent child, except that, if the juvenile court dismisses the complaint against the alleged juvenile offender or adjudicates the alleged juvenile offender a delinquent child prior to the prosecutor's involvement in the case, at the request of the victim or victim's representative, the court or a court employee shall give the victim and the victim's representative notice of the dismissal or of the adjudication. If the defendant or alleged juvenile offender is convicted or is adjudicated a delinquent child, the notice shall include all of the following:

- (1) The criminal offenses or delinquent acts of which the defendant was convicted or for which the alleged juvenile offender was adjudicated a delinquent child;
- (2) The purpose of the presentence investigation report, if ordered, and that the victim and victim's representative, if applicable, have the right to review, on request to the prosecutor, a copy of the presentence investigation report except those portions of the report that are confidential by law;
- (3) The address and telephone number of the probation department or other person, if any, that is to prepare a presentence investigation report pursuant to section 2951.03 of the Revised Code or Criminal Rule 32.2, the address and telephone number of the person, if any, who is to prepare a disposition investigation report pursuant to division (C)(1) of section 2152.18 of the Revised Code, and the address and telephone number of the person, if any, who is to prepare a victim impact statement pursuant to division (D)(1) of section 2152.19 or section 2947.051 of the Revised Code;
- (4) Notice that the victim and victim's representative, if applicable, may make a statement about the



impact of the criminal offense or delinquent act to the probation officer or other person, if any, who prepares the presentence investigation report or to the person, if any, who prepares a victim impact statement, that a statement of the victim and victim's representative, included in the report, if applicable, will be made available to the defendant or alleged juvenile offender unless the court exempts it from disclosure, and that the court may make the victim impact statement available to the defendant or alleged juvenile offender;

(5) Notice of the victim's, victim's representative's, and victim's attorney's, if applicable, right under section 2930.14 of the Revised Code to make a statement about the impact of the criminal offense or delinquent act before sentencing or disposition;

(6) The date, time, and place of the sentencing hearing or dispositional hearing;

(7) Notice that, if the court orders restitution, the victim or victim's attorney, if applicable, has the right to file a lien;

(8) One of the following:

(a) Any sentence imposed upon the defendant and any subsequent modification of that sentence, including modification under section 2929.20 or 5120.036 of the Revised Code or as a result of the defendant's appeal of the sentence pursuant to section 2953.08 of the Revised Code;

(b) Any disposition ordered for the defendant and any subsequent modification of that disposition, if known to the prosecutor, including judicial release or early release in accordance with section 2151.38 of the Revised Code. If a court has not provided timely notice to the prosecutor of a subsequent modification of that disposition, the court shall promptly notify the victim and the victim's representative, if applicable, of the subsequent modification.

(B) During the probation department's presentence investigation, the department shall contact the victim, victim's representative, and victim's attorney, if applicable, concerning the victim's economic, physical, psychological, or emotional harm or victim's safety concerns as a result of the offense.