



Ohio Revised Code Section 2945.25 Challenges for cause.

Effective: April 6, 2023

Legislation: House Bill 281

A person called as a juror in a criminal case may be challenged for the following causes:

- (A) That the person was a member of the grand jury that found the indictment in the case;
- (B) That the person is possessed of a state of mind evincing enmity or bias toward the defendant or the state; but no person summoned as a juror shall be disqualified by reason of a previously formed or expressed opinion with reference to the guilt or innocence of the accused, if the court is satisfied, from examination of the juror or from other evidence, that the juror will render an impartial verdict according to the law and the evidence submitted to the jury at the trial;
- (C) In the trial of a capital offense, that the person unequivocally states that under no circumstances will the person follow the instructions of a trial judge and consider fairly the imposition of a sentence of death in a particular case. A prospective juror's conscientious or religious opposition to the death penalty in and of itself is not grounds for a challenge for cause. All parties shall be given wide latitude in voir dire questioning in this regard.
- (D) That the person is related by consanguinity or affinity within the fifth degree to the person alleged to be injured or attempted to be injured by the offense charged, or to the person on whose complaint the prosecution was instituted, or to the defendant;
- (E) That the person served on a petit jury drawn in the same cause against the same defendant, and that jury was discharged after hearing the evidence or rendering a verdict on the evidence that was set aside;
- (F) That the person served as a juror in a civil case brought against the defendant for the same act;
- (G) That the person has been subpoenaed in good faith as a witness in the case;



- (H) That the person has chronic alcoholism, or a drug dependency;
- (I) That the person has been convicted of a crime that by law disqualifies the person from serving on a jury;
- (J) That the person has an action pending between the person and the state or the defendant;
- (K) That the person or the person's spouse is a party to another action then pending in any court in which an attorney in the cause then on trial is an attorney, either for or against the person;
- (L) That the person is the person alleged to be injured or attempted to be injured by the offense charged, or is the person on whose complaint the prosecution was instituted, or the defendant;
- (M) That the person is the employer or employee, or the spouse, parent, son, or daughter of the employer or employee, or the counselor, agent, or attorney of any person included in division (L) of this section;
- (N) That English is not the person's native language, and the person's knowledge of English is insufficient to permit the person to understand the facts and law in the case;
- (O) That the person otherwise is unsuitable for any other cause to serve as a juror.

The validity of each challenge listed in this section shall be determined by the court.