



Ohio Revised Code

Section 5924.01 Code of military justice definitions.

Effective: September 28, 2012

Legislation: House Bill 490 - 129th General Assembly

As used in Chapter 5924. of the Revised Code unless the context otherwise requires:

- (A) "Organized militia" means the Ohio national guard, the Ohio naval militia, and the Ohio military reserve.
- (B) "Officer" means commissioned or warrant officer.
- (C) "Commissioned officer" includes a commissioned warrant officer.
- (D) "Commanding officer" includes only commissioned or warrant officers in command of a unit.
- (E) "Superior commissioned officer" means a commissioned officer superior in rank or command.
- (F) "Enlisted member" means a person in an enlisted grade.
- (G) "Grade" means a step or degree, in a graduated scale of office or military rank, that is established and designated as a grade by law or regulation.
- (H) "Rank" means the order of precedence among members of the armed forces.
- (I) "State active duty" means full-time duty in the active military service of the state under a proclamation of the governor issued pursuant to authority vested in the governor by law, and while going to and returning from such duty.
- (J) "Duty status other than state active duty" means any other types of duty and while going to and returning from such duty.
- (K) "Military court" means a court-martial, a court of inquiry, or a provost court.



(L) "Military judge" means an official of a general or special court-martial who is a commissioned officer, who has been duly certified to be qualified for duty as a military judge by the state judge advocate, and who has been properly detailed in accordance with section 5924.26 of the Revised Code.

(M) "Law specialist" means a commissioned officer of the organized naval militia of the state designated for special duty.

(N) "Legal officer" means any commissioned officer of the organized naval militia of the state designated to perform legal duties for a command.

(O) "State judge advocate" means the commissioned officer responsible for supervising the administration of military justice in the organized militia.

(P) "Accuser" means a person who reports an offense subject to trial by court-martial and who signs and swears to charges, any person who directs that charges nominally be signed and sworn to by another, or any other person who has an interest other than an official interest in the prosecution of the accused.

(Q) "Military" refers to any or all of the armed forces.

(R) "Convening authority" includes, in addition to the person who convened the court, a commissioned officer commanding for the time being, or a successor in command.

(S) "May" is used in a permissive sense. The words "no person may _____" mean that no person is required, authorized, or permitted to do the act prescribed.

(T) "Shall" is used in an imperative sense.

(U) "Code" means the Ohio code of military justice, as set forth in Chapter 5924. of the Revised Code.



(V) "Trial counsel" means the prosecuting attorney in a general or special court-martial.

(W) "Detention facility" means any place that is owned or operated by a municipal corporation, by a county, or by one or more municipal corporations, counties, or both and that is used for the confinement of persons charged with or convicted of any crime in this state or another state or under the laws of the United States.

(X) "Examiner" has the same meaning as in division (A)(2)(a) of section 2945.37 of the Revised Code.

(Y) "Nonsecured status," "unsupervised, off-grounds movement," "trial visit," "conditional release," and "licensed clinical psychologist" have the same meanings as in section 2945.37 of the Revised Code.