



Ohio Revised Code

Section 2941.1424 Specification of violent career criminal.

Effective: September 14, 2016

Legislation: Senate Bill 97 - 131st General Assembly

(A) The imposition of a mandatory prison term of two, three, four, five, six, seven, eight, nine, ten, or eleven years upon an offender under division (K) of section 2929.14 of the Revised Code is precluded unless the offender is convicted of or pleads guilty to committing a violent felony offense and unless the indictment, count in the indictment, or information charging the offense specifies that the offender is a violent career criminal and had a firearm on or about the offender's person or under the offender's control while committing the presently charged violent felony offense and displayed or brandished the firearm, indicated that the offender possessed a firearm, or used the firearm to facilitate the offense. The specification shall be stated at the end of the body of the indictment, count, or information and shall be stated in substantially the following form:

"SPECIFICATION (or, SPECIFICATION TO THE FIRST COUNT).

The Grand Jurors (or insert the person's or the prosecuting attorney's name when appropriate) further find and specify that (set forth that the offender is a violent career criminal and did have a firearm on or about the offender's person or under the offender's control while committing the presently charged violent felony offense and displayed or brandished the firearm, indicated that the offender possessed a firearm, or used the firearm to facilitate the offense.)"

(B) A court may not impose more than one sentence under division (C) of section 2923.132 of the Revised Code and division (K) of section 2929.14 of the Revised Code for acts committed as part of the same act or transaction.

(C) As used in this section:

(1) "Firearm" has the same meaning as in section 2923.11 of the Revised Code.

(2) "Violent career criminal" and "violent felony offense" have the same meanings as in section 2923.132 of the Revised Code.



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