



Ohio Revised Code Section 2945.25 Challenges for cause.

Effective: October 19, 1981

Legislation: Senate Bill 1 - 114th General Assembly

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

- (A) That he was a member of the grand jury that found the indictment in the case;

- (B) That he 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 he 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 he unequivocally states that under no circumstances will he 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 he 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 he 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 he served as a juror in a civil case brought against the defendant for the same act;

- (G) That he has been subpoenaed in good faith as a witness in the case;

- (H) That he is a chronic alcoholic, or drug dependent person;



- (I) That he has been convicted of a crime that by law disqualifies him from serving on a jury;
- (J) That he has an action pending between him and the state or the defendant;
- (K) That he or his 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 him;
- (L) That he 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 he 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 his native language, and his knowledge of English is insufficient to permit him to understand the facts and law in the case;
- (O) That he 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.