



MAHONING COUNTY
GRAND JURY
HANDBOOK

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MAHONING COUNTY GRAND JURY

This brochure is designed to give you necessary information about Grand Jury service. By serving as a grand juror, you will be put to work on behalf of your community using your experience as a citizen and your sense of fairness. Our system of justice depends on the unpublicized efforts of people like you. Every resident of Mahoning County owes you their gratitude.

What are you expected to do?

The grand jury decides whether an accused person should be tried for a serious crime. You will:

- Deal with *felonies* (crimes punishable by imprisonment for more than one year);
- Rarely deal with misdemeanors;
- Hear evidence presented to you by an assistant prosecutor and hear testimony from witnesses, but the grand jury does not try the case and;
- Decide whether this evidence justifies the formal charge of a crime or probable cause to believe it was committed by the accused.

The grand jury votes a *true bill* – an indictment – when seven or more of the nine jurors believe there is sufficient evidence to require a trial. If fewer than seven jurors vote to indict, the result is called a *no bill*. The case is dropped with no trial. If the prosecutor obtains new evidence the case can be re-presented to the grand jury. Your responsibilities are to:

- Protect innocent persons from wrongful accusations;
- Make sure, on behalf of the accused person, that evidence against them is presented fully and considered fairly and;
- Determine, in every case, whether there is probable cause for the prosecution to go forward to a trial, be terminated or be continued pending more evidence.

How does a grand jury differ from a “trial” jury?

A grand jury’s 9 members include a foreman, and a deputy foreman and secretary. There are also five alternates to serve if a member cannot be present.

- A petit, or trial jury, usually has 12 members and considers one case.
- There is no judge in the grand jury room. The setting and procedure resemble a meeting.
- The foreman, secretary and witness sit facing the other jurors. There is no jury box.
- Unlike a trial juror, you are permitted, and urged, to make notes and ask questions.

What is the procedure?

An assistant prosecutor, who is appointed by the county prosecutor, explains the charge(s) to the grand jury and advises which witnesses will appear.

- Witnesses testify one by one and may include police officers, alleged victims, and persons at the scene of the crime or those with knowledge of it.
- The assistant prosecutor first questions the witness.
- The jurors may ask questions.
- The only other person permitted in the grand jury room is a court stenographer. No spectators, media reporters, or bailiffs.
- After the prosecutor has presented each case, he or she and the court stenographer leave the room.
- Then the foreman leads the eight other jurors in a discussion of the case and asks for a vote, usually by a show of hands.
- The secretary, also seated at the front facing the other members, records the grand jury’s vote on each case.

Who selects the foreman?

Judges of the Mahoning County Court of Common Pleas take turns appointing the foreman before the start of a grand jury’s term. The foreman is in charge of the grand jury proceedings and is responsible only to the judge who appoints him or her to the oath to follow the laws of the State of Ohio.

Are grand jury proceedings secret?

Definitely secret! Everything you see and hear in the grand jury room is secret including testimony, evidence, and the vote. You must not reveal to anyone the cases you consider or the people involved. Silence is difficult, particularly if a case has produced earlier newspaper headlines and TV coverage. But secrecy works to protect everyone involved, including you. No one except your fellow jurors should know what is said in the jury room or how anyone voted.

What kinds of cases does a grand jury hear?

- Receiving stolen property
- Possession of criminal tools
- Forgery
- Welfare fraud
- Trafficking in drugs
- Shoplifting and theft
- Felonious assault
- Rape and other sex offenses
- Passing bad checks
- Carrying a concealed weapon
- Robbery
- Animal cruelty
- Menacing by stalking
- Domestic violence
- Child pornography
- Kidnapping
- Vehicular homicide
- Breaking and entering
- Burglary
- Child abuse
- Aggravated murder
- Manslaughter
- Embezzlement and other white-collar crimes
- Computer fraud
- Intimidation of a crime-victim or witness

Abbreviations you should know:

- Agg. – Aggravated
- Att. – Attempt
- B&E – Breaking & Entering
- Burg. – Burglary
- CCW – Carrying Concealed Weapon
- FA – Felonious Assault
- Forg. – Forgery
- GT – Grand Theft
- GSI – Gross Sexual Imposition
- HWWUD – Having Weapon While Under Disability (under probation, free on bail, underage, or under indictment for a drug offense or a felony of violence)
- RSP – Receiving Stolen Property
- Utt. – Uttering/passing an item with intent to defraud
- Vol. Mans. – Voluntary Manslaughter
- W/Fraud – Fraud on the Dept. of Health and Human Services
- DV – Domestic Violence

Grand Jurors in Mahoning County serve a term of 4 months and meet once a week. In the event you cannot attend a session, please notify our Grand Jury Coordinator, Maureen Scavelli. All other questions can be directed to our Grand Jury Prosecutor, Michael Yacavone or any of the Attorneys listed below.



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TERMS YOU WILL HEAR

Arraignment – defendant’s appearance before a judge to answer to an indictment.

Criminal justice system – series of official acts starting with the report of a crime, its investigation by the police, preparation of charges by the prosecutor, preliminary hearing before a court, presentment of felony charges to a grand jury by the prosecutor, trial before a Judge or trial jury, conviction or release, sentencing, probation, imprisonment, parole.

Impanel – to select a jury from a list of eligible citizens.

Indictment – also a *true bill* of indictment – formal accusation (list of charges) presented by a grand jury to initiate a criminal trial required for felonies and other serious crimes.

No bill – decision by the grand jury that a charge should not be filed.

Praecipe – form attached to the indictment which tells the clerk of courts whether to issue a summons or warrant to the defendant.

Statute – enactment by the legislature and expressed in a formal document (example: Ohio Revised Code).

Subpoena – process for summoning witnesses.

Summons – written notice to defendant from clerk’s office containing indictment and note of when to appear for arraignment.

Voir dire – “to say truly” - examination of prospective jurors to ascertain their competence.

Warrant or Capias – instrument issued by a judge authorizing an officer to make an arrest, seize property, or conduct a search.