

Violent Career Criminal Act

Summit County Prosecutor
SHERRI BEVAN WALSH



2941.132(A)(1)(a) Violent career criminal

- Past 8 years (excluding incarceration time)
- Convicted or plead guilty to two or more violent felony offenses (not same course of conduct)



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2941.132 (A)(2) Violent Felony Offense

2903.01 Aggravated Murder	2907.02 Rape (Felony only)
2903.02 Murder	2907.03 Sexual Battery (Felony only)
2903.03 Voluntary Manslaughter	2907.04 Unlawful Sexual Conduct with a Minor (Felony only)
2903.04 Involuntary Manslaughter	2907.05 Gross Sexual Imposition (Felony only)
2903.11 Felonious Assault	
2903.12 Aggravated Assault	
2905.01 Kidnapping	2909.24 Terrorism (Felony only)
2905.02 Abduction	2919.25 Domestic Violence (F3 only)
2909.02 Aggravated Arson	Substantially similar offenses committed in other jurisdictions
2909.23 Making terroristic threat	Attempt, Conspiracy, Complicity (F1 or F2 only)
2911.01 Aggravated Robbery	
2911.02 Robbery	
2911.11 Burglary	
2911.12 Burglary (F2 only)	



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Violent Career Criminal Charge

2941.132 (B)

No violent career criminal shall knowingly use any firearm or dangerous ordnance

Violent Career Criminal Specification

2941.1424 (A)

- Defendant is convicted of a violent felony
- Used a firearm (brandished, displayed, etc.)
- Violent Career Criminal

2-11 Mandatory Years



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Violent Career Criminal vs. Repeat Violent Offender

- Violent Career Criminal
 - Past 8 years (excluding incarceration time)
 - 2-11 Mandatory years
- Repeat Violent Offender
 - Past 20 years (no tolling mechanism)
 - F1 with no life sentence
 - F2 with attempt or threat of harm
 - 1-10 Mandatory Years plus Max (2 priors)
 - 1-10 Discretionary Years plus Max (1 prior)



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Violent Career Criminal Violent Felony Offenses

2903.01 Aggravated Murder
2903.02 Murder
2903.03 Voluntary Manslaughter
2903.04 Involuntary Manslaughter

2903.11 Felonious Assault
2903.12 Aggravated Assault

2905.01 Kidnapping
2905.02 Abduction

2909.02 Aggravated Arson
2909.23 Making terroristic threat

2911.01 Aggravated Robbery
2911.02 Robbery
2911.11 Burglary
2911.12 Burglary (F2 only)

2907.02 Rape (Felony only)
2907.03 Sexual Battery (Felony only)
2907.04 Unlawful Sexual Conduct with a Minor (Felony only)
2907.05 Gross Sexual Imposition (Felony only)

2909.24 Terrorism (Felony only)
2919.25 Domestic Violence (F3 only)

Substantially similar offenses committed in other jurisdictions

Attempt, Conspiracy, Complicity (F1 or F2 only)

RVO Offense of Violence F1 or F2 only

2903.01 Aggravated Murder
2903.02 Murder
2903.03 Voluntary Manslaughter
2903.04 Involuntary Manslaughter

2903.11 Felonious Assault

2905.01 Kidnapping
2905.02 Abduction
2905.32 Trafficking in Persons

2907.02 Rape
2907.03 Sexual Battery

2909.02 Aggravated Arson

2911.01 Aggravated Robbery
2911.02 Robbery
2911.11 Aggravated Burglary
2911.12 Burglary
2917.31 Inducing Panic

2923.161 Improperly Discharging Firearm
2919.22 Endangering Children

Substantially similar offenses committed in other jurisdictions

Attempt (F1 or F2 only)



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