

## Shari O'Neill

---

**From:** Hayes, Bill <BHayes@LCOUNTY.com>  
**Sent:** Thursday, May 25, 2017 4:51 PM  
**To:** ocmc  
**Subject:** Proposed Constitutional Amendments - Grand Jury

Ladies and Gentlemen:

Re: Objections to the Proposed language for Constitutional Amendment to Article I, Section 10 of the Ohio Constitution regarding Grand Jury

I urge you to vote "NO" on the proposals to amend Article I, Section 10 of the Ohio Constitution for the following reasons:

- The Grand Jury may seek the advice of the Court if the members have questions, a fact that is explained to the jury in their initial instructions.
- The county prosecutor is elected and accountable to the citizens of his/her county, an independent counsel would not be in that position.
- The proposed language could result in the independent counsel causing unnecessary political turmoil if, for example, due to the political structure of the county, the independent counsel and the county prosecutor were of different political parties. In such a situation, significant differences could arise based on prosecutorial philosophy or an intentional effort on the part of the independent counsel to disrupt the ongoing work of the elected prosecutor.
- Some smaller counties may not be able to find a willing attorney to serve as independent counsel for the grand jury.
- Providing transcripts to defendants may lead to intimidation of witnesses and a lack of willingness to testify and cooperate with law enforcement because witnesses know involvement will become known to defendants.
- The cost of implementing the proposals is prohibitive.

I would be willing to explain further my objections to the proposals should you wish to contact me.

Thanks for your consideration,

Bill Hayes  
Licking County Prosecutor  
20 S. 2<sup>nd</sup> Street  
Newark, Ohio 43055  
740.670.5248