

As Reported by the Senate Judiciary--Criminal Justice Committee

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Sub. H. B. No. 4

**Representatives Dolan, Latta, D. Evans, Gilb, Hughes, Seitz, Perry, Allen,
Brown, Bubp, Calvert, Cassell, Coley, DeBose, Distel, Domenick, C. Evans,
Flowers, Gibbs, Hagan, Hartnett, Hoops, Key, Law, Martin, McGregor, Miller,
Oelslager, Otterman, T. Patton, Reidelbach, Reinhard, Schaffer, Schlichter,
Seaver, Setzer, G. Smith, J. Stewart, Strahorn, Wagner, Wagoner, Walcher,
Widener, Widowfield, Williams, Wolpert
Senators Clancy, Grendell, Schuring, Goodman, Dann, Zurz**

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A B I L L

To amend section 181.52 of the Revised Code to create 1
the Ohio Incident-Based Reporting System in the 2
Office of Criminal Justice Services and to require 3
that law enforcement agencies that receive certain 4
types of funding participate in the system, in the 5
Uniform Crime Reporting Program of the F.B.I., or 6
in the Ohio Local Law Enforcement Information 7
Sharing Network. 8

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 181.52 of the Revised Code be amended 9
to read as follows: 10

Sec. 181.52. (A) There is hereby created an office of 11
criminal justice services. The governor shall appoint a director 12
of the office, and the director may appoint, within the office, 13
any professional and technical personnel and other employees that 14

are necessary to enable the office to comply with sections 181.51 15
to 181.56 of the Revised Code. The director and the assistant 16
director of the office, and all professional and technical 17
personnel employed within the office who are not public employees 18
as defined in section 4117.01 of the Revised Code, shall be in the 19
unclassified civil service, and all other persons employed within 20
the office shall be in the classified civil service. The director 21
may enter into any contracts, except contracts governed by Chapter 22
4117. of the Revised Code, that are necessary for the operation of 23
the office. 24

(B) Subject to division ~~(E)~~(F) of this section and subject to 25
divisions (D) to (F) of section 5120.09 of the Revised Code 26
insofar as those divisions relate to federal criminal justice acts 27
that the governor requires the department of rehabilitation and 28
correction to administer, the office of criminal justice services 29
shall do all of the following: 30

(1) Serve as the state criminal justice services agency and 31
perform criminal justice system planning in the state, including 32
any planning that is required by any federal law; 33

(2) Collect, analyze, and correlate information and data 34
concerning the criminal justice system in the state; 35

(3) Cooperate with and provide technical assistance to state 36
departments, administrative planning districts, metropolitan 37
county criminal justice services agencies, criminal justice 38
coordinating councils, agencies, offices, and departments of the 39
criminal justice system in the state, and other appropriate 40
organizations and persons; 41

(4) Encourage and assist agencies, offices, and departments 42
of the criminal justice system in the state and other appropriate 43
organizations and persons to solve problems that relate to the 44
duties of the office; 45

- (5) Administer within the state any federal criminal justice acts that the governor requires it to administer; 46
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- (6) Administer funds received under the "Family Violence Prevention and Services Act," 98 Stat. 1757 (1984), 42 U.S.C.A. 10401, as amended, with all powers necessary for the adequate administration of those funds, including the authority to establish a family violence prevention and services program. 48
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- (7) Implement the state comprehensive plans; 53
- (8) Audit grant activities of agencies, offices, organizations, and persons that are financed in whole or in part by funds granted through the office; 54
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- (9) Monitor or evaluate the performance of criminal justice system projects and programs in the state that are financed in whole or in part by funds granted through the office; 57
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- (10) Apply for, allocate, disburse, and account for grants that are made available pursuant to federal criminal justice acts, or made available from other federal, state, or private sources, to improve the criminal justice system in the state. All money from such federal grants shall, if the terms under which the money is received require that the money be deposited into an interest-bearing fund or account, be deposited in the state treasury to the credit of the federal program purposes fund, which is hereby created. All investment earnings of the fund shall be credited to the fund. 60
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- (11) Contract with federal, state, and local agencies, foundations, corporations, businesses, and persons when necessary to carry out the duties of the office; 70
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- (12) Oversee the activities of metropolitan county criminal justice services agencies, administrative planning districts, and criminal justice coordinating councils in the state; 73
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(13) Advise the general assembly and governor on legislation and other significant matters that pertain to the improvement and reform of criminal and juvenile justice systems in the state;

(14) Prepare and recommend legislation to the general assembly and governor for the improvement of the criminal and juvenile justice systems in the state;

(15) Assist, advise, and make any reports that are requested or required by the governor, attorney general, or general assembly;

(16) Develop and maintain the Ohio incident-based reporting system in accordance with division (C) of this section;

(17) Adopt rules pursuant to Chapter 119. of the Revised Code.

(C) The office of criminal justice services shall develop and maintain the Ohio incident-based reporting system to facilitate the sharing of information with the federal bureau of investigation and participating law enforcement agencies in Ohio. The Ohio incident-based reporting system shall be known as OIBRS. In connection with OIBRS, the office shall do all of the following:

(1) Collect and organize statistical data for reporting to the national incident-based reporting system operated by the federal bureau of investigation for the purpose of securing federal criminal justice grants;

(2) Analyze and highlight mapping data for participating law enforcement agencies;

(3) Distribute data and analyses to participating law enforcement agencies;

(4) Encourage nonparticipating law enforcement agencies to participate in OIBRS by offering demonstrations, training, and

<u>technical assistance;</u>	106
<u>(5) Provide assistance, advice, and reports requested by the</u>	107
<u>governor, the general assembly, or the federal bureau of</u>	108
<u>investigation;</u>	109
<u>(6) Require every law enforcement agency that receives</u>	110
<u>federal criminal justice grants or state criminal justice</u>	111
<u>information system general revenue funds through the office to</u>	112
<u>participate in OIBRS or in the uniform crime reporting program of</u>	113
<u>the federal bureau of investigation. An agency that submits OIBRS</u>	114
<u>data to the Ohio local law enforcement information sharing network</u>	115
<u>shall be considered to be in compliance with division (C)(6) of</u>	116
<u>this section if both of the following apply:</u>	117
<u>(a) The Ohio local law enforcement information sharing</u>	118
<u>network is capable of collecting OIBRS data.</u>	119
<u>(b) The office of criminal justice services has the ability</u>	120
<u>to extract the OIBRS data for reporting to the national</u>	121
<u>incident-based reporting system in the manner required by the</u>	122
<u>federal bureau of investigation.</u>	123
<u>(D) Upon the request of the governor, the office of criminal</u>	124
<u>justice services may do any of the following:</u>	125
<u>(1) Collect, analyze, or correlate information and data</u>	126
<u>concerning the juvenile justice system in the state;</u>	127
<u>(2) Cooperate with and provide technical assistance to state</u>	128
<u>departments, administrative planning districts, metropolitan</u>	129
<u>county criminal justice service agencies, criminal justice</u>	130
<u>coordinating councils, agency offices, and the departments of the</u>	131
<u>juvenile justice system in the state and other appropriate</u>	132
<u>organizations and persons;</u>	133
<u>(3) Encourage and assist agencies, offices, and departments</u>	134
<u>of the juvenile justice system in the state and other appropriate</u>	135

organizations and persons to solve problems that relate to the
duties of the office.

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~~(D)~~(E) Divisions (B) ~~and~~, (C), and (D) of this section do not
limit the discretion or authority of the attorney general with
respect to crime victim assistance and criminal justice programs.

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~~(E)~~(F) Nothing in this section is intended to diminish or
alter the status of the office of the attorney general as a
criminal justice services agency or to diminish or alter the
status or discourage the development and use of other law
enforcement information systems in Ohio.

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Section 2. That existing section 181.52 of the Revised Code
is hereby repealed.

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