

Office of Criminal Justice Services

- Juvenile Justice Out; Family Violence In
- CJS: Completion Date? Price Tag?

OVERVIEW

Historically, the primary role of the Office of Criminal Justice Services (CJS) has been in the administration of federal financial assistance intended to improve state and local criminal and juvenile systems. Over time, however, its role has expanded to include coordination and development of the state's Criminal Justice Information System (CJIS), policy development, research and analysis, and program evaluation. Thus, the mission of the office has evolved from simply administering federal grant funding to providing leadership in the criminal justice arena by collecting, coordinating, maintaining, analyzing, and disseminating a wide array of information for the purpose of preventing and controlling crime and delinquency in the State of Ohio.

Juvenile Justice

The most significant aspect of the office's proposed budget for FYs 2002 and 2003 involves the transfer of its role in the state's federal juvenile justice and delinquency prevention program to the Department of Youth Services (DYS). The practical fiscal effect of the transfer will be to move approximately \$10 million in annual federal funding and six full-time staff from the office to DHS. This transfer will also create a fiscal crisis of sorts for the office. It currently codes other administrative costs to this federal juvenile justice and delinquency prevention funding that is being transferred to DHS. Of specific concern is the fact that the office also charges approximately 25 percent of the time of 32 other full-time staff to this federal juvenile justice and delinquency prevention funding. LSC fiscal staff have calculated these other administrative costs, which are largely payroll and smaller amounts of maintenance and equipment expenses, at roughly \$500,000 in FY 2002 and \$600,000 in FY 2003. With the loss of federal juvenile justice and delinquency prevention funding, the office will have to redistribute these administrative expenses into its GRF budget and remaining federal criminal justice programs, most notably the Byrne Memorial Criminal Justice Block Grant.

Family Violence Prevention and Services Program

The executive-recommended budget also proposes to transfer the federal Family Violence Prevention and Services program from the Department of Job and Family Services (JFS) to the Office of Criminal Justice Services. According to the U.S. Department of Health and Human Services program guidelines, the purpose of these dollars is to award grants to assist states in establishing, maintaining, and expanding

programs and projects to prevent family violence and to provide immediate shelter and related assistance for victims of family violence and their dependents. The federal award amount for this program is \$2.7 million annually, with 5 percent of the award available for administrative expenses. In addition to acquiring two full-time program staff that will transfer from JFS, the office will receive supplemental GRF funding of \$770,978 in FY 2002 and \$751,310 in FY 2003 for the purpose of making family violence prevention grants (line item 196-405).

Center for the Prevention of Family and Community Violence

Established in December 1999, the Center for the Prevention of Family and Community Violence replaced the Ohio Violence Prevention Center and narrowed the focus of work to family violence issues (line item 196-403). Whereas the original center focused on gun violence, its successor focuses on strategies and planning for the prevention of family violence. The goals of the center include implementing public awareness programs to educate Ohioans on issues related family and community violence, identifying state and local family and community violence programs, coordinating and implementing family and community violence training and education in the criminal justice system, and strengthening the criminal justice system's response to family violence through relevant legislative and judicial initiatives.

Criminal Justice Information System/Information Technology

Another notable aspect of the office's proposed budget is the development and implementation of the Ohio Justice Information Network (OJIN), which is a critical piece of the state's Criminal Justice Information System (CJIS). The OJIN project will tie together many local integration projects horizontally and vertically into a browser-based information system. The executive-proposed budget contains GRF funding totaling \$804,412 in FY 2002 and \$831,849 in FY 203 that will be used to assist local governments with system upgrades required for OJIN participation as well as assist with the office's technology staff costs. To date, approximately \$18.5 million, including about \$4 million in state GRF, has been spent completing 39 of the 68 identified tasks necessary to implement CJIS, the ultimate goal of which is to improve and integrate state and local criminal and juvenile justice systems. The ultimate price to implement CJIS is not known, but it has been suggested that its cost could be in the range of \$45 million-to-\$50 million or more.

Federal Funds Distribution

The office allocates certain federal dollars, in particular Byrne Memorial Criminal Justice Block Grant and Violence Against Women moneys, to geographic areas of the state based on a crime rate to population formula. Of the state's 88 counties, 82 are assigned to one of four administrative planning districts. The remaining six counties are major urban areas (Cuyahoga, Franklin, Hamilton, Lucas, Montgomery, and Summit) and are placed in a separate category. Four of these six counties (Cuyahoga, Franklin, Lucas, and Montgomery) operate regional planning units (RPU), which provide criminal justice planning and technical assistance at the local level. The four administrative planning districts, the four RPU, and the remaining two major urban areas (Hamilton and Summit) receive a predetermined portion of Ohio's annual federal allocation. Grant applications served by an RPU must apply for funds through that RPU. All other grant applicants submit their funding requests directly to the Office of Criminal Justice Services.

As the state agency responsible for federal grant administration to the criminal justice system in Ohio, the office administers the grants described briefly below. Relative to this list of federal grant programs, two things should be noted. First, the Family Violence Prevention and Services program is included because

the executive budget proposes to transfer it from the Department of Job and Family Services. Second, the various federal juvenile justice and delinquency prevention programs currently administered by the office are not included as the executive has proposed to transfer those duties to the Department of Youth Services.

Byrne Memorial Criminal Justice Block Grant. This program (CFDA #16.579) is designed to assist local law enforcement, state agencies, and eligible criminal justice organizations with various goals, including: narcotics trafficking task forces, pharmaceutical diversion task forces, community crime prevention, community policing, victim/witness assistance, court delay reduction, residential and non-residential corrections, and research and training.

Violence Against Women. This program (CFDA #16.588) focuses on law enforcement and prosecution strategies to fight violence against women and assist victim services for violence against women. The funding can be used for any of the following: law enforcement and prosecution enhancement or policy implementation, data collection and communication systems, victim services programs, and stalking programs.

Family Violence Prevention and Services. This program (CFDA #93.591) provides grants to local public agencies and nonprofit private organizations to prevent incidents of family violence and to provide immediate shelter and related assistance to victims of family violence. Unlike some of the federal criminal justice grants issued by the office, these grants will not be issued through regional planning units, but rather awarded by the number of applications received.

National Criminal History Program. This program (CFDA #16.554) is designed to improve the level of criminal history record automation, expand the FBI's Interstate Identification Index, and the National Instant Criminal Background Check System. The program assists with identifying persons applying for firearm purchases or who are responsible for care of children, the elderly, or the disabled.

Local Law Enforcement Assistance Block Grant. This program (CFDA #16.592) is intended to focus on the following purpose areas: new law enforcement officers, school security, drug courts, enhancing adjudication of violent offenders, establishment of multijurisdictional task forces, crime prevention, and defraying the costs of indemnification insurance for law enforcement officers.

Residential Substance Abuse Treatment. This program (CFDA #16.593) assists states and units of local government in developing and implementing residential substance abuse treatment programs within State and local correctional facilities in which prisoners are incarcerated for a period of time sufficient to permit substance abuse treatment.

Executive Recommendation

The key to understanding the fiscal consequences of the office's executive-proposed budget lies in taking a closer read of the recommended level of GRF funding. Compared to total estimated FY 2001 GRF expenditures of \$3.2 million, the executive has recommended what would appear to represent an increase of 12.7 percent in FY 2002, followed by a 5.1 percent increase in FY 2003. This is actually quite deceiving, as the increase is totally a function of a new \$700,000-plus annual family violence prevention and services subsidy program. If one were to back that new subsidy program out of the office's total amount of recommended GRF funding in each fiscal year, then its budget picture for the next biennium looks markedly different. The result is a total GRF budget of \$2.8 million when compared to estimated FY 2001 GRF expenditures, followed by a total FY 2003 GRF budget of \$3.0 million. Thus, the office in reality will be receiving less total GRF funding in each of the next two fiscal years. Compounding this

reduced level of financial assistance is the fact that the office is losing control of federal juvenile justice and delinquency prevention grant programs that provided a vital source of supplemental funding that was used to cover various administrative expenses. That being said, it seems pretty clear that the office did not receive a recommended level of GRF funding that will allow full delivery of its current level of services in the next biennium. How it will maneuver around that fiscal problem is uncertain, but presumably would involve some mix of cutting costs and gaining new revenue streams. For example, on the cost side, the office could delay non-critical maintenance spending and equipment purchases and not fill vacant staff positions, and on the revenue side seek out other sources of federal financial assistance.

ADDITIONAL FACTS AND FIGURES

Office of Criminal Justice Services Staffing Levels*						
Line Item	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003
196-401	-----	-----	-----	-----	1.92	1.92
196-403	3.23	3.23	3.23	3.23	5.10	5.10
196-424	14.35	14.35	14.35	14.35	20.70	20.70
196-499	10.30	10.31	10.31	10.31	-----	-----
196-601	-----	-----	-----	-----	-----	-----
196-604	32.12	34.11	34.11	34.11	26.28	26.28
Totals	60.00	62.00	60.00	62.00	54.00	54.00

*The staffing levels displayed in the above table represent full-time equivalents (FTEs). The number of FTEs for FYs 2001, 2002, and 2003 are estimates.

- The Office of Criminal Justice Services staffing levels have remained relatively constant over the course of the last four fiscal years, as evidenced by the number of FTEs in the above table. A noticeable dramatic turn in these staffing levels will occur in the next biennium as a result of the executive-proposed budget. What is planned to transpire is several things. First, control of the state's federal juvenile justice and delinquency prevention programs will transfer to the Department of Youth Services, along with six existing full-time staff. Second, control of the state's Family Violence Prevention and Services program, along with two full-time staff, will be transferred in from the Department of Job and Family Services. The resulting net change of just these two programming changes means that the office loses four FTEs.
- The loss of the federal juvenile justice and delinquency prevention programs, combined with a rather tight GRF operating expenses budget, also suggests that the office will have to find a way to reallocate payroll funding for another 4 FTEs. This may involve cutting or shifting existing operational costs, seeking new federal grant opportunities, or some combination of the two.
- The large change in the staffing levels associated with line item 196-499 is not as dramatic as it first appears. This simply reflects the executive's proposal to eliminate the line item and merge its funding and purpose into line item 196-424. The merging of these two line items will offer greater flexibility to the office in certain situations, such as reallocating payroll funding.

Office of Criminal Justice Services Spending by Fund Group*						
Fund Group	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003
GRF	\$ 2,253,818	\$ 2,960,251	\$ 3,485,879	\$ 3,198,246	\$ 3,605,471	\$ 3,789,523
GSF	\$ 65,722	\$ 53,713	\$ 66,720	\$ 105,000	\$ 107,310	\$ 109,992
FED	\$28,160,850	\$35,237,751	\$34,688,966	\$40,607,753	\$29,464,972	\$29,494,089
Totals	\$30,480,390	\$38,251,715	\$38,241,565	\$43,910,999	\$33,177,753	\$33,393,604

*The amounts in the above table for FYs 2001, 2002, and 2003 are estimates.

- The Office of Criminal Justice Services' budget has increased somewhat dramatically over the last three fiscal years, largely due to the arrival of larger amounts of federal criminal and juvenile justice funding. The size of the office's budget is expected to take a dramatic downturn in the next biennium as control of the state's roughly \$10 million in juvenile justice and delinquency prevention funding

will transfer to the Department of Youth Services. This loss of federal funding will be partially offset by around \$2.7 million in funding associated with the federal Family Violence Prevention and Services program that will be transferred in from the Department of Job and Family Services.

- Over the last four fiscal years, the component of the office’s budget that is attributable to the GRF has averaged 7.9 percent. That picture too will take a noticeable turn in the next biennium, as the component of the office’s budget that is attributable to the GRF will rise to around 11 percent. This change reflects two factors. First, the transfer of \$10 million in juvenile justice and delinquency prevention funding to the Department of Youth Services. Second, the arrival of \$700,000–plus in supplemental GRF funding associated with the transfer of the federal Family Violence Prevention and Services program from the Department of Job and Family Services.

Office of Criminal Justice Services Spending by Object of Expense*						
Object of Expense	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003
Personal Service	\$ 2,890,561	\$ 2,954,562	\$ 3,313,493	\$ 4,067,624	\$ 3,274,509	\$ 3,520,439
Purchased Service	\$ 322,703	\$ 938,026	\$ 982,279	\$ 901,513	\$ 89,351	\$ 89,192
Maintenance	\$ 884,533	\$ 928,129	\$ 733,804	\$ 865,409	\$ 850,641	\$ 903,134
Equipment	\$ 283,145	\$ 200,232	\$ 147,829	\$ 112,500	\$ 67,519	\$ 89,510
Subsidy	\$20,208,308	\$27,794,400	\$27,610,745	\$29,161,953	\$23,375,467	\$23,290,593
Transfer	\$ 5,891,140	\$ 5,436,366	\$ 5,453,415	\$ 8,802,000	\$ 5,520,266	\$ 5,550,736
Total	\$30,480,390	\$38,251,715	\$38,241,565	\$43,910,999	\$33,177,753	\$33,393,604

*The amounts in the above table for FYs 2001, 2002, and 2003 are estimates.

- As is evidenced in the above table, almost 90 percent of the office’s annual spending is typically distributed as grants (subsidies and transfers) to other state agencies, local units of government, and non-profit organizations. The remainder is largely allocated to cover staff salaries and fringe benefits (personal service).

ANALYSIS OF EXECUTIVE PROPOSAL

The following table shows the line items that are used to fund the Office of Criminal Justice Services, as well as the Governor's recommended funding levels.

Fund	ALI	Title	FY 2002	FY 2003
GRF	196-401	Criminal Justice Information System	\$ 804,412	\$ 831,849
GRF	196-403	Violence Prevention	\$ 305,095	\$ 289,504
GRF	196-405	Center for Violence Prevention	\$ 770,978	\$ 751,310
GRF	196-424	Operating Expenses	\$ 1,724,986	\$ 1,916,860
Total funding: General Revenue Fund			\$ 3,605,471	\$ 3,789,523
GSF	196-601	General Services	\$ 107,310	\$ 109,992
FED	196-604	Justice Programs	\$29,464,972	\$ 29,494,089
Total funding: Criminal Justice Services			\$33,177,753	\$33,393,604

Before we start in on this analysis of the Office of Criminal Justice Services' budget, a caveat is necessary. There are two key elements to the office's annual budget: 1) a \$29-plus million federal grants program; and 2) a GRF operating expenses line item carrying anywhere from \$1.7 million-to-\$1.9 million. Roughly one-third of the GRF line item's appropriation in each fiscal year is expected to be used as the cash match that allows the state to tap into various federal grants in order to finance some of the office's administrative expenses, including staff salaries and fringe benefits. For example, in the typical fiscal scenario, if the office has \$100,000 in administrative costs that it generates in relation to a particular federal grant, it must spend \$25,000 in state funds (a 25 percent match), and in turn, the remainder of those costs, \$75,000, can be charged against the federal grant. The office has numerous opportunities with its various federal grant programs to utilize this matching strategy.

The problem this creates in the current budget environment is that the executive recommendations only partially fund what the office requested. This creates some uncertainty as to how the office will cover some of its existing operational costs in FYs 2002 and 2003; in particular how it will spend cash match moneys to tap into federal dollars. In this analysis of the executive proposal, we have parceled out the office's operating expenses appropriation (line item 196-424) across its mix of activities and programs, including instances where the matching strategy will most likely be employed. It needs to be recognized though that the office is still examining how it will meet its duties and responsibilities in the next biennium. As a result, the distribution of line item 196-424's appropriation across the office's various state and federal tasks should be seen as our "best estimate" of how those fiscal resources will be deployed in FYs 2002 and 2003.

Our analysis of the Office of Criminal Justice Services' budget is organized around the following nine topics or areas, many of which involve federal criminal justice grant programs:

- ***Byrne Memorial Criminal Justice Block Grant***
- ***Violence Against Women (VAWA)***
- ***Violence Prevention***
- ***Information Technology***
- ***National Incident-Based Reporting System (NIBRS)***
- ***Policy & Research***
- ***Residential Substance Abuse Treatment (RSAT)***
- ***Local Law Enforcement Assistance Block Grant***
- ***Program Support***

BYRNE MEMORIAL CRIMINAL JUSTICE BLOCK GRANT

Purpose To aid local governments with project funding to reduce crime, enhance criminal justice technology, and increase the effectiveness, fairness, and coordination of criminal justice systems at all levels of government.

BYRNE MEMORIAL CRIMINAL JUSTICE BLOCK GRANT

Program Description: This federal grant program (CFDA #16.579) is designed to assist local law enforcement, state agencies, and eligible criminal justice organizations with various goals, including: narcotics trafficking task forces, pharmaceutical diversion task forces, community crime prevention, community policing, victim/witness assistance, court delay reduction, residential and non-residential corrections, and research and training. Eligible subgrantees are units of local government and state agencies. The implementing agencies include police departments, sheriff departments, non-profit agencies, prosecutor’s offices, juvenile and family courts, probation offices, hospitals, and state agencies (e.g., the Office of the Attorney, the Department of Youth Services, the Department of Rehabilitation and Correction, and the Supreme Court). Subgrantees are required to provide a cash match as follows: 25 percent the first two years, 50 percent for the third year, and 75 percent required the fourth year. The Office of Criminal Justice Services is allowed to use some of the federal money for administrative purposes, but must meet the 25 percent cash match requirement.

Funding Source: Primarily federal grant money with small GRF cash match.

Line Items: 196–604, Justice Programs; 196–424, Operating Expenses.

Implication of the Executive Recommendation: The executive–proposed level of funding for the Byrne Memorial program is summarized in the table below. The amounts associated with line item 196–424 represent the 25 percent cash match that the office must ante up in order to use some of the federal funding for administrative purposes. This amount of state cash match will allow the office to use between \$900,000 and \$1.0 million of the federal grant in each fiscal year for administrative purposes. The remainder of the proposed spending from the federal grant (line item 196–604) in each fiscal year, which amounts to roughly \$17.2 million will be allocated for grants to various entities involved in the state and local criminal justice systems.

Fund	ALI	Title	FY 2002	FY 2003
GRF	196-424	Operating Expenses	\$ 305,072	\$ 323,053
FED	196-604	Justice Programs	\$18,242,362	\$18,242,363
Total funding: Byrne Memorial Criminal Justice Block Grant			\$18,547,434	\$18,565,416

Earmarking: None.

Permanent and Temporary Law: None.

VIOLENCE AGAINST WOMEN

Purpose To assist local government and victim service providers in developing and strengthening effective law enforcement, prosecution strategies, and victims’ services to combat violent crimes against women.

VIOLENCE AGAINST WOMEN (VAWA)

Program Description: This federal grant program (CFDA #16.588) focuses on law enforcement and prosecution strategies to fight violence against women and assist victim services for violence against women. The funding can be used for any of the following: law enforcement and prosecution enhancement or policy implementation, data collection and communication systems, victim services programs, and stalking programs. Twenty-five percent of the funds under this program must go to law enforcement agencies, 25 percent to prosecution agencies, 25 percent to victim service providers, and the remaining 25 percent may be discretionally applied to any or all of these three groups. Generally, the entire amount of the discretionary funding goes to victim service providers. Eligible subgrantees for law enforcement and prosecution agencies are local government (cities, counties, and townships) and implementing agencies are usually police departments, sheriff departments, and prosecuting attorneys. Eligible subgrantees for the victim service provider portion of the program are non-profit service provider agencies. Law enforcement and prosecutors are required to provide a 25 percent cash or in-kind match. Victim services providers have no match requirement.

Funding Source: Federal grant money.

Line Items: 196-604, Justice Programs.

Implication of the Executive Recommendation: The executive-proposed level of funding for the Violence Against Women program is summarized in the table below. The office plans to allocate the bulk of this funding, \$4.7 million in each fiscal year, for grants that will be distributed to law enforcement, prosecutors, and victim service providers. The remainder, which amounts to between \$150,000 and \$200,000 in each fiscal year, will be used to cover administrative expenses.

Fund	ALI	Title	FY 2002	FY 2003
FED	196-604	Justice Programs	\$4,900,000	\$4,900,000
Total funding: VAWA			\$4,900,000	\$4,900,000

Earmarking: None.

Permanent and Temporary Law: None.

VIOLENCE PREVENTION

Purpose To prevent or reduce family and related community violence by assisting in the establishment, maintenance, and expansion of programs, education, training, and public awareness, and to provide immediate shelter and related assistance for victims of family violence.

VIOLENCE PREVENTION

Program Description: This program involves two components: a small resource center and a federal/state grant program. The first component relates to the office’s Center for the Prevention of Family and Community Violence, which, among other things, implements and coordinates public awareness, training, and education programs. The second component involves the executive’s proposal that the office assume responsibility for the federal Family Violence Prevention and Services program currently administered by the Department of Job and Family Services.

Funding Source: 1) GRF; and 2) federal grant moneys.

Line Items: 196–403, Violence Prevention; 196–405, Center for Violence Prevention; 196–424, Operating Expenses; 196–604, Justice Programs.

Implication of the Executive Recommendation: The executive–proposed level of funding for the Violence Prevention program is summarized in the table below. These amounts may be sufficient to allow the center to deliver its current level of services in the next biennium (line item 195–403). The amounts associated with line item 196–424 represent the 25 cash match that the office must ante up in order to use some of the federal funding for administrative purposes. This amount of state cash match will allow the office to use around \$135,000 of the federal grant in each fiscal year for administrative purposes. The remainder of the proposed spending from the federal grant (line item 196–604) in each fiscal year, which amounts to roughly \$2.6 million, will be allocated for family violence prevention and shelter and related assistance programs. In addition, all of the funding appropriated to line item 196–405 is intended to be disbursed in the form of grants.

Fund	ALI	Title	FY 2002	FY 2003
GRF	196-403	Violence Prevention	\$ 305,095	\$ 289,504
GRF	196-405	Center for Violence Prevention	\$ 770,978	\$ 751,310
GRF	196-424	Operating Expenses	\$ 45,000	\$ 45,000
FED	196-604	Federal Programs	\$2,700,000	\$ 2,700,00
Total funding: Violence Prevention			\$3,821,073	\$3,785,814

Earmarking: None.

Permanent and Temporary Law: The executive–proposed budget adds to the list of the office’s duties mandated in existing permanent law to include administering funds received under the federal Family Violence Prevention and Services Act (ORC 181.52 (B)(6)). The addition of this duty reflects the fact that this existing federal program, approximately \$2.7 million in annual federal funding and two full–time staff, are being transferred from the Department of Job and Family Services as part of the executive–proposed budget.

INFORMATION TECHNOLOGY

Purpose To support the improvement and integration of state and local criminal and juvenile justice information systems.

INFORMATION TECHNOLOGY

Program Description: This program area supports the office’s information technology (IT) operations. Perhaps most notable are the Criminal Justice Information System (CJIS) and the National Incident–Based Reporting System (NIBRS), the latter of which we discuss as a stand–alone topic that follows. When completed, CJIS will allow criminal and juvenile justice system information to be collected and flow more easily between state and local jurisdictions. The system’s final price tag has been estimated at anywhere from \$45 million–to–\$50 million or more. To date, approximately \$19 million has been spent in Ohio on CJIS. The next major CJIS piece involves building the Ohio Justice Information Network (OJIN), which will tie together many local integration projects horizontally and vertically into a browser–based information system

Funding Source: 1) GRF; and 2) relatively small amounts of federal grant money.

Line Items: 196–401, Criminal Justice Information System; 196–424, Operating Expenses; 196–604, Justice Programs.

Implication of the Executive Recommendation: The executive–proposed level of funding for the Information Technology program is summarized in the table below. At most, these amounts would appear to allow the office’s IT operation to continue its current level of activity related to the development of CJIS, but any acceleration in those efforts appears pretty unlikely at the moment.

Fund	ALI	Title	FY 2002	FY 2003
GRF	196-401	Criminal Justice Information System	\$804,412	\$831,849
GRF	196-424	Operating Expenses	\$ 50,491	\$ 54,435
FED	196-604	Federal Programs	\$151,468	\$ 163,292
Total funding: Information Technology			\$1,006,371	\$1,049,576

Earmarking: None.

Permanent and Temporary Law: Temporary law associated with GRF line–item 196–401 stipulates that its funding be used by the office to work on a plan to improve Ohio’s criminal justice information systems and that progress reports be issued to certain parties by January 1, 2002 and January 1, 2003. This temporary law, including the requirement that annual progress reports be issued, first appeared in Am. Sub. H.B. 215 of the 122nd General Assembly, the main appropriations act covering FYs 1998 and 1999.

NATIONAL INCIDENT–BASED REPORTING SYSTEM (NIBRS)

Purpose To provide support to local law enforcement agencies to provide more accurate crime data, increasing the effectiveness of targeting crime, enhancing community oriented policing and citizen crime watch programs.

NATIONAL INCIDENT–BASED REPORTING SYSTEM (NIBRS)

Program Description: NIBRS is a federal initiative designed to eventually replace the existing system for reporting the incidence of crime: the FBI’s Uniform Crime Reporting (UCR) system. NIBRS is currently a voluntary crime reporting system in which law enforcement agencies participate by submitting data to the Office of Criminal Justice Services. Currently, there are around 120 Ohio law enforcement agencies participating in the NIBRS software program.

Funding Source: 1) Federal grant; 2) fees collected from participating law enforcement agencies for crime reporting forms and annual software maintenance agreements; and 3) GRF.

Line Items: 196–604, Federal Programs; 196–601, General Services; 196–424, Operating Expenses.

Implication of the Executive Recommendation: The executive–proposed level of funding for the NIBRS program is summarized in the table below. These amounts mean that the office will continue to provide technical support to those law enforcement agencies currently using the program, and continue efforts to train law enforcement officers on the use of the program.

Fund	ALI	Title	FY 2002	FY 2003
GRF	196-424	Operating Expenses	\$ 79,194	\$ 79,194
GSF	196-601	General Services	\$107,310	\$109,992
FED	196-604	Federal Programs	\$237,580	\$237,580
Total funding: NIBRS			\$424,084	\$426,766

Earmarking: None.

Permanent and Temporary Law: None.

POLICY & RESEARCH

Purpose To conduct research and needs assessments, develop criminal justice policies, and evaluate programs for “best practices.”

POLICY & RESEARCH

Program Description: This component of the office essentially encompasses its Policy and Research sections.

Funding Source: 1) GRF; and 2) federal grant moneys.

Line Items: 196–424, Operating Expenses; 196–604, Federal Programs.

Implication of the Executive Recommendation: The executive–proposed level of funding for the office’s Policy & Research program is summarized in the table below. These amounts will most likely only allow the office to perform its current level of policy and research activities. Any expansion in those activities looks highly unlikely at this time.

Fund	ALI	Title	FY 2002	FY 2003
GRF	196-424	Operating Expenses	\$312,369	\$325,058
FED	196-604	Federal Programs	\$308,548	\$326,433
Total funding: Policy & Research			\$620,917	\$651,491

Earmarking: None.

Permanent and Temporary Law: None.

RESIDENTIAL SUBSTANCE ABUSE TREATMENT (RSAT)

Purpose To develop a strategy for providing substance abuse treatment services in correctional institutions and community-based programs using the model and requirements of the federal RSAT guidelines.

RESIDENTIAL SUBSTANCE ABUSE TREATMENT (RSAT)

Program Description: This federal criminal justice grant program (CFDA #16.593) provides funding to develop or enhance substance abuse treatment programs in state and local correctional facilities. These funds target treatment programs within state and local correctional and detention facilities in which prisoners are incarcerated for a period of time sufficient to permit substance abuse treatment. Grant awards cannot exceed 75 percent of the total project cost, and a 25 percent cash match is required.

Funding Source: Primarily federal grant money with small GRF cash match.

Line Items: 196–604, Justice Programs; 196–424, Operating Expenses.

Implication of the Executive Recommendation: The executive-proposed level of funding for the RSAT program is summarized in the table below. The amounts associated with line item 196–424 represent the 25 percent cash match that the office must ante up in order to use some of the federal funding for administrative purposes. This amount of state cash match will allow the office to use around \$27,000–to–\$28,000 of the federal grant in each fiscal year for administrative purposes. The remainder of the proposed spending from the federal grant (line item 196–604) in each fiscal year, which amounts to roughly \$2.1 million, will be allocated for state and local residential substance abuse treatment projects.

Fund	ALI	Title	FY 2002	FY 2003
GRF	196-424	Operating Expenses	\$ 8,923	\$ 9,503
FED	196-604	Federal Programs	\$2,091,740	\$2,091,740
Total funding: RSAT			\$2,100,663	\$2,101,243

Earmarking: None.

Permanent and Temporary Law: None.

LOCAL LAW ENFORCEMENT ASSISTANCE BLOCK GRANT

Purpose To provide resources that increase the presence of law enforcement in local communities.

LOCAL LAW ENFORCEMENT ASSISTANCE BLOCK GRANT

Program Description: This federal grant program (CFDA #16.592) is used to provide units of local government with funds to underwrite projects to reduce crime and improve public safety. The office in the past has limited all funding to overtime expenditures and equipment purchases for law enforcement agencies.

Funding Source: Primarily federal grant money with small GRF cash match.

Line Items: 196–604, Justice Programs; 196–424, Operating Expenses.

Implication of the Executive Recommendation: The executive–proposed level of funding for the Local Law Enforcement Block Grant program is summarized in the table below. The amounts associated with line item 196–424 represent the 25 cash match that the office must ante up in order to use some of the federal funding for administrative purposes. This amount of state cash match will allow the office to use around \$25,000 of the federal grant in each fiscal year for administrative purposes. The remainder of the proposed spending from the federal grant (line item 196–604) in each fiscal year, which amounts to roughly \$830,000, will be allocated for grants to local jurisdictions.

Fund	ALI	Title	FY 2002	FY 2003
GRF	196-424	Operating Expenses	\$ 2,778	\$ 2,778
FED	196-604	Federal Programs	\$833,274	\$833,274
Total funding: Local Law Enforcement Block Grant			\$836,052	\$836,052

Earmarking: None.

Permanent and Temporary Law: None.

PROGRAM SUPPORT

Purpose To support the office’s criminal justice assistance activities and grant programs.

PROGRAM SUPPORT

Program Description: This program captures the office’s central administrative operation that in turn supports its criminal justice assistance activities and grant programs. These administrative elements include the director’s office, human resources, fiscal, audit and legal services, communications, and state–supported grants staff.

Funding Source: GRF.

Line Items: 196–424, Operating Expenses.

Implication of the Executive Recommendation The executive–proposed level of funding for Program Support is summarized in the table below. This amount of funding does not reflect all of what the office requested; it is shy of the requested amount by \$174,259 in FY 2002 and \$234,916 in FY 2003. These differences represent the amount of supplemental GRF funding that the office requested in order to support 25 percent of the time associated with 8 existing full–time staff positions (that translates into the equivalent of two full–time staff positions), along with a small amount of maintenance and equipment dollars. The request was dictated by the need to replace federal juvenile justice and delinquency prevention funding that was being transferred to the Department of Youth Services. The executive did not, however, provide any of the requested supplemental funding. At this time, it is unclear as to how the office is going to maneuver its way around this fiscal predicament.

Fund	ALI	Title	FY 2002	FY 2003
GRF	196-424	Operating Expenses	\$921,159	\$1,077,839
Total funding: Program Support			\$921,159	\$1,077,839

Earmarking: None.

Permanent and Temporary Law: None.

PERMANENT AND TEMPORARY LAW

This section of our analysis describes the proposed permanent and temporary law provisions contained in the Governor's budget that will affect the Office of Criminal Justice Services.

Permanent Law Provisions

Definition of "Comprehensive Plan" (ORC 181.51(D))

Under existing permanent law, a "comprehensive plan" for the purposes of sections 181.51 to 181.56 of the Revised Code means, among other things, a document that includes "all" of the functions of the criminal and juvenile justice systems of the state or a specified area of the state. The executive budget proposes to change the "all" to "any" of the functions of the criminal justice and juvenile justice systems of the state or a specified area of the state. The permanent law change would appear to give the state and local governments greater flexibility in determining how "comprehensive" criminal justice and juvenile justice plans must or should be.

Juvenile Justice Coordinating Councils (ORC 181.51(I) and 181.56(D))

The executive-proposed budget expands existing permanent law permitting a county or counties to form a criminal justice coordinating council to include authority to form a juvenile justice coordinating council. The permanent law change reflects the proposed take-over of the state's federal juvenile justice and delinquency prevention programs by the Department of Youth Services. While the cost of establishing and maintaining a juvenile justice coordinating council are unclear, what is clear is that those costs are only triggered if those local governments opt to form such a council.

Juvenile Justice System Duties (ORC 181.52)

Under existing permanent law, the office is required to perform various duties in relation to the juvenile justice system in Ohio, including administration of any grants that are made available through federal juvenile justice acts. The executive budget proposes to transfer these juvenile justice system duties and related federal grants from the office to the Department of Youth Services (DYS). This would mean that, effective July 1, 2001, over \$10 million in annual federal administrative and program dollars and six full-time juvenile justice staff will be transferred to DHS.

The transfer of these juvenile justice duties and related federal funds also creates a fiscal problem for the Office of Criminal Justice Services. Currently, the office codes other on-going administrative costs to these various federal juvenile justice and delinquency prevention programs, including around 25 percent of the payroll associated with 32 of its remaining staff. LSC fiscal staff has estimated the cost of these other administrative expenses at roughly \$500,000 in FY 2002 and \$600,000 in FY 2003. As the federal juvenile justice and delinquency prevention funding that covers those other on-going administrative costs will be transferred to DHS, the office will have to shift these expenses into its GRF budget and remaining federal criminal justice assistance programs, most notably the Byrne Memorial Criminal Justice Block Grant.

Family Violence Prevention and Services Act (ORC 181.52(B)(6))

The executive-proposed budget adds to the list of the office’s duties mandated in existing permanent law to include administering funds received under the federal Family Violence Prevention and Services Act. The addition of this duty reflects the fact that this existing federal program, which includes approximately \$2.7 million in annual federal funding and two full-time staff, are being transferred from the Department of Job and Family Services as part of the executive-proposed budget.

Juvenile Justice System Information and Assistance (ORC 181.52(C))

The executive-proposed budget adds a “permissive” task to the list of duties assigned to the office under permanent law. Specifically, the new permanent law provision authorizes the office to gather and provide information and provide assistance regarding the juvenile justice system upon the request of the Governor. The fiscal burdens for the office associated with this “permissive” task are impossible to predict, and in fact, would be unknown until the Governor actually requested that the office assist the juvenile justice system in some way.

Metropolitan County Criminal Justice Services Agencies (ORC 181.54(A) and (B)(5))

Under existing permanent law, a metropolitan county criminal justice services agency must administer within its services area any federal criminal justice acts or juvenile justice acts that the Office of Criminal Justice administers. The executive-proposed budget amends that permanent law to extend that requirement to include any federal criminal justice acts or juvenile justice acts that the Department of Youth Services administers. The intent of this permanent law change is simply to ensure that existing administrative arrangements between the state and a metropolitan county criminal justice services agency in regard to federal juvenile justice program funding continue after the Department of Youth Services takes control.

Administrative Planning Districts (ORC 181.51(F) and 181.56(A) to (C))

Existing permanent law requires the office to establish administrative planning districts (APDs) that group contiguous counties in which no county has a metropolitan county criminal justice services agency. The executive-proposed budget amends that existing permanent law to limit the office’s duty to establish APDs solely for criminal justice programs and creates the requirement that the Department of Youth Services discharge a similar duty with regard to juvenile justice programs. The permanent law change reflects the proposal under the executive-recommended budget that the Department of Youth Services take control of the state’s federal juvenile justice and delinquency prevention funding. The department could opt to use the APDs already in place through the efforts of the Office of Criminal Justice Services or create their own APDs.

Temporary Law Provisions

Indigent Defense

Temporary law instructs the office to make an effort to maximize the amount of funding available for the defense of indigent persons. The temporary law first appeared in Am. Sub. H.B. 152 of the 120th General Assembly, the main appropriations act covering FYs 1994 and 1995.

Criminal Justice Information System

Temporary law associated with GRF line item 196-401, Criminal Justice System Information, stipulates that its funding be used by the office to work on a plan to improve Ohio's criminal justice information systems and that progress reports be issued to certain parties by January 1, 2002 and January 1, 2003. The temporary law, including the requirement that annual progress reports be issued, first appeared in Am. Sub. H.B. 215 of the 122nd General Assembly, the main appropriations act covering FYs 1998 and 1999.

Operating Expenses

Temporary law associated with GRF line item 196-424, Operating Expenses, instructs the office to spend up to \$577,642 in FY 2002 and up to \$606,109 in FY 2003 of its funding for the purpose of matching federal funds. The temporary law reflects the fact that the executive-recommended budget proposes to eliminate the office's existing GRF State Match line item (196-499) and merge its purpose and funding into the office's GRF Operating Expenses line item (196-424).

REQUESTS NOT FUNDED

The difference, or variance, between what the Office of Criminal Justice Services requested for its biennial GRF budget and the Governor’s recommended funding level is summarized in the tables below.

GRF Line Item	FY 2002 Requested	FY 2002 Recommended	Difference	FY 2003 Requested	FY 2003 Recommended	Difference
196-401	\$ 918,185	\$ 804,412	(\$ 113,773)	\$ 996,475	\$ 831,849	(\$ 164,626)
196-403	\$ 368,397	\$ 305,095	(\$ 63,302)	\$ 378,814	\$ 289,504	(\$ 89,310)
196-405	\$ 0	\$ 770,978	\$ 770,978	\$ 0	\$ 751,310	\$ 751,310
196-424	\$ 1,581,955	\$ 1,724,986	\$ 143,031	\$ 1,799,419	\$ 1,916,860	\$ 117,441
196-499	\$ 594,53	\$ 0	(\$ 594,533)	\$ 634,669	\$ 0	(\$ 634,669)
Totals	\$33,035,352	\$33,177,753	\$142,401	\$33,414,058	\$33,393,604	(\$ 20,454)

- As one can see from the above table, in terms of the office’s total amount of GRF funding requested, the executive recommended slightly more in FY 2002 and a little less in FY 2003. This overall picture, however, is a bit deceiving because of line item 196-405, Center for Violence Prevention, which will essentially function as a subsidy that will be used to award grants to domestic/family violence shelters and related programs and services. This new subsidy was not part of the office’s initial budget request, but was added later as part of the executive proposal to transfer the federally funded Family Violence Prevention and Services program from the Department of Job and Family Services to the Office of Criminal Justice Services.
- The more important feature of the above comparison between what the office requested in GRF funding and what the executive recommended lies in line items 196-424, Operating Expenses, and 196-499, State Match. The executive has recommended that the office combine the State Match line item with the Operating Expenses line item. As part of this line item combination, temporary law has been made part of the office’s budget, which stipulates that up to \$577,642 in FY 2002 and up to \$606,109 in FY 2003 be used for the purpose of matching federal funds. This is slightly less in state matching money than the office had requested in order to tap certain federal grants for administrative expenses. In addition, the office received a few hundred thousand dollars less in operating expenses funding intended to replace some of the federal juvenile justice and delinquency prevention funding that was utilized for a portion of its operating expenses, including some payroll. The executive budget did not provide any of the requested replacement funding. This creates some real uncertainty as to how much of line item 196-424’s appropriation will be used as state match money and how much will be used to cover administrative expenses that cannot be charged against federal grants.
- Relative to line items 196-401, Criminal Justice Information System/CJIS, and 196-403, Violence Prevention, the office received less funding than requested to continue implementation of CJIS and to support its Center for the Prevention of Family and Community Violence. This would appear to create a situation requiring the office to exercise some fiscal creativity in delivering its current level of services in these two areas during the next biennium.

LSC Budget Spreadsheet by Line Item, FY 2002 - FY 2003

<i>Fund</i>	<i>ALI</i>	<i>ALI Title</i>	Revised Estimated 2001	As Introduced 2002	House Sub Bill 2002	% Change Est. 2001 to House 2002	As Introduced 2003	House Sub Bill 2003	% Change House 2002 to House 2003
<i>CJS Criminal Justice Services, Office of</i>									
GRF	196-401	Criminal Justice Information System	\$952,560	\$ 804,412	\$ 772,236	-18.9%	\$ 831,849	\$ 798,575	3.4%
GRF	196-403	Violence Prevention	\$364,842	\$ 305,095	\$ 292,891	-19.7%	\$ 289,504	\$ 277,924	-5.1%
GRF	196-405	Center for Violence Prevention	\$0	\$ 770,978	\$ 375,000	N/A	\$ 751,310	\$ 375,000	0.0%
GRF	196-424	Operating Expenses	\$1,011,300	\$ 1,724,986	\$ 1,655,987	63.7%	\$ 1,916,860	\$ 1,840,186	11.1%
GRF	196-499	State Match	\$755,579	\$ 0	\$ 0	-100.0%	\$ 0	\$ 0	N/A
GRF	196-502	Lucasville Disturbance Costs	\$50,000	\$ 0	\$ 0	-100.0%	\$ 0	\$ 0	N/A
General Revenue Fund Total			\$ 3,134,281	\$ 3,605,471	\$ 3,096,114	-1.2%	\$ 3,789,523	\$ 3,291,685	6.3%
4P6	196-601	General Services	\$105,000	\$ 107,310	\$ 107,310	2.2%	\$ 109,992	\$ 109,992	2.5%
General Services Fund Group Total			\$ 105,000	\$ 107,310	\$ 107,310	2.2%	\$ 109,992	\$ 109,992	2.5%
3L5	196-604	Justice Programs	\$32,648,653	\$ 29,464,972	\$ 29,464,972	-9.8%	\$ 29,494,089	\$ 29,494,089	0.1%
3U1	196-602	Criminal Justice Federal Programs	\$7,959,100	\$ 0	\$ 0	-100.0%	\$ 0	\$ 0	N/A
Federal Special Revenue Fund Group Total			\$ 40,607,753	\$ 29,464,972	\$ 29,464,972	-27.4%	\$ 29,494,089	\$ 29,494,089	0.1%
Total All Budget Fund Groups			\$ 43,847,034	\$ 33,177,753	\$ 32,668,396	-25.5%	\$ 33,393,604	\$ 32,895,766	0.7%

General Revenue Fund

GRF 196-401 Criminal Justice Information System

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$51,028	\$935,344	\$838,178	\$972,000	\$804,412	\$831,849
	1733.0%	-10.4%	16.0%	-17.2%	3.4%

Source: GRF

Legal Basis: originally established by Am. Sub. H.B. 215 of the 122nd G.A., the main appropriations act covering FYs 1998 and 1999.

Purpose: This special purpose account is used by the Office of Criminal Justice Services to improve Ohio's criminal justice information systems. The office will be utilizing the bulk of these funds for development of the last big piece for CJIS, the Ohio Justice Information Network (OJIN). CJIS will permit local, regional, and state justice agencies to share information utilizing common technologies in a secure environment. The office will utilize these funds specifically to assist local jurisdictions with system upgrades required for OJIN participation, as well as to administer OJIN at the state level.

GRF 196-403 Violence Prevention

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$315,753	\$278,957	\$351,836	\$364,842	\$305,095	\$289,504
	-11.7%	26.1%	3.7%	-16.4%	-5.1%

Source: GRF

Legal Basis: originally established by Am. Sub. H.B. 117 of the 121st G.A., the main appropriations act covering FYs 1996 and 1997.

Purpose: This special purpose account was created in FY 1996 to implement recommendations produced by the Ohio Task Force on Gun Violence. This included establishing the Ohio Violence Prevention Center and providing grants for pilot violence prevention projects. In December 1999, the operation was renamed the Center for the Prevention of Family and Community Violence. Its focus narrowed to family violence issues. Specific tasks include implementing public awareness programs to educate Ohioans on issues related to family and community violence, identifying state and local family and community violence programs to coordinate service delivery systems, coordinating and implementing family and community violence training and education in the criminal justice system, and strengthening the criminal justice systems response to family violence through relevant legislative and judicial initiatives.

GRF 196-405 Center for Violence Prevention

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$0	\$0	\$0	\$0	\$770,978	\$751,310
	N/A	N/A	N/A	N/A	-2.6%

Source: GRF

Legal Basis: newly created as part of the executive-recommended budget contained in H.B. 95, the main appropriations act of the 124th G.A.

Purpose: This special purpose account will function as a subsidy program that is used to award grants to assist in establishing, maintaining, and expanding programs and projects to prevent family violence, and to provide immediate shelter and related assistance for victims of family violence and their dependents. This family violence prevention program and related GRF funding, including a \$2.7 million federal grant (CFDA #93.671), are being transferred from the Department of Job and Family Services' budget.

GRF 196-424 Operating Expenses

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$1,070,894	\$941,770	\$1,088,126	\$1,011,300	\$1,724,986	\$1,916,860
	-12.1%	15.5%	-7.1%	70.6%	11.1%

Source: GRF

Legal Basis: originally established by Am. Sub. H.B. 152 of the 120th G.A., the main appropriations act covering FYs 1992 and 1993; replaced GRF line item 195-424, Criminal Justice Services, which reflected the period of time when the Office of Criminal Justice Services was part of the Department of Development's budget.

Purpose: This special purpose account is used to cover the Office of Criminal Justice Services' general operating expenses (payroll, purchased personal services, supplies, and equipment). Historically, this account has supported programmatic activities related to criminal justice assistance (policy, information and research, and monitoring and evaluation) and day-to-day central administration (director's office, human resources, legal counsel, legislative affairs, and so forth). The executive budget proposed for FYs 2002 and 2003 merges the office's existing state match line item (196-499) into this operating expenses account.

GRF 196-499 State Match

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$679,912	\$691,068	\$772,871	\$800,104	\$0	\$0
	1.6%	11.8%	3.5%	-100.0%	N/A

Source: GRF

Legal Basis: originally established by Am. Sub. H.B. 152 of the 120th G.A., the main appropriations act covering FYs 1992 and 1993; replaced GRF line item 195-499, State Match - Justice Programs, which reflected the period of time when the Office of Criminal Justice Services was part of the Department of Development's budget.

Purpose: This special purpose account provides the required cash match for the state's participation in certain programs administered by the federal Department of Justice. Historically, these moneys have principally matched two federal grant programs: 1) the Byrne Memorial Criminal Justice Block Grant program (CFDA #16.579); and 2) the Juvenile Justice and Delinquency Prevention program (CFDA #16.540). Smaller amounts of this state matching money have supported various other criminal justice assistance activities, including the federally required criminal justice information system steering committee and the federally initiated National Incident-Based Reporting System (NIBRS). The executive budget proposed for FYs 2002 and 2003 merges this state match account into the office's existing GRF operating expenses account (line item 196-424).

GRF 196-502 Lucasville Disturbance Costs

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$136,231	\$113,112	\$434,868	\$50,000	\$0	\$0
	-17.0%	284.5%	-88.5%	-100.0%	N/A

Source: GRF

Legal Basis: originally established by Controlling Board on September 27, 1993, with funds transferred from the Controlling Board's line item 911-401, Emergency Purposes/Contingencies.

Purpose: This subsidy account has covered certain local costs incurred in relation to the disturbance that transpired on April 11, 1993 at the Southern Ohio Correctional Facility in Lucasville. At the outset, funds were distributed for various expenses incurred by various local entities during, and immediately after, the disturbance, including Scioto County (sheriff, coroner, and engineer), the City of Portsmouth, and Jefferson Township. Subsequent to that time, the bulk of these funds have been distributed to Scioto County for the cost of prosecuting inmates who were charged with criminal offenses as a result of the disturbance. Although the executive budget proposed for FYs 2002 and 2003 contains no appropriations for this subsidy account, there is a temporary law provision tied to the Controlling Board's budget permitting the transfer of Emergency Purposes/Contingencies funds if additional money for this purpose is deemed necessary.

General Services Fund Group

4P6 196-601 General Services

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$65,722	\$53,713	\$66,720	\$105,000	\$107,310	\$109,992
	-18.3%	24.2%	57.4%	2.2%	2.5%

Source: GSF: primarily fees charged to law enforcement agencies for goods and services (crime reporting forms and annual software maintenance agreements) delivered in relation to the National Incident-Based Reporting System (NIBRS); secondarily, small grants for onetime costs, such as publications and registration fees for conferences and the like.

Legal Basis: originally established by Controlling Board on October 12, 1993.

Purpose: Moneys deposited into this fund are used to support the purpose associated with the revenue being collected in the first place. Thus, NIBRS fees finance the printing of crime reporting forms and the provision of NIBRS technical assistance to law enforcement, including software development and upgrades.

Federal Special Revenue Fund Group

3L5 196-604 Justice Programs

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$28,160,850	\$35,237,751	\$34,107,230	\$32,648,653	\$29,464,972	\$29,494,089
	25.1%	-3.2%	-4.3%	-9.8%	0.1%

Source: FED: various federal criminal and juvenile justice financial assistance programs, largest three of which are the Byrne Memorial Criminal Justice Block Grant program (CFDA #16.579), the Violence Against Women Formula Grants program (CFDA #16.588), and the Juvenile Justice Delinquency Prevention (JJDP) program (CFDA #16.540); additional federal awards, more or less in dollar amount order, Residential Substance Abuse for State Prisoners (RSAT) (CFDA #16.593), National Criminal History Improvement Program (NCHIP) (CFDA #16.554), State Justice Statistics Program for Statistical Analysis Centers (CFDA #16.550), and Local Law Enforcement Block Grants (CFDA #16.592); executive budget proposes to transfer JJDP funding to the Department of Youth Services and transfer in the Family Violence Prevention and Services grant (CFDA #93.671) from the Department of Job and Family Services.

Legal Basis: originally established by Am. Sub. H.B. 152 of the 120th G.A., the main appropriations act covering FYs 1994 and 1995; replaced federal line item 195-604, Justice Programs, which reflected the period of time when the Office of Criminal Justice Services was part of the Department of Development's budget.

Purpose: Each of these forms of federal financial assistance comes attached with specifically authorized uses and use restrictions. Generally speaking, these federal awards cover programs to: 1) improve criminal justice information systems; 2) assist in drug law enforcement and improve the functioning of the criminal justice system; 3) address juvenile justice and delinquency prevention; and 4) reduce violence against women. Starting in FY 2002, the executive-proposed budget would move the juvenile justice and delinquency prevention programs over to the Department of Youth Services and transfer in a federal family violence prevention and services program from the Department of Job and Family Services. Some of this federal revenue is used to support operating costs of the Office of Criminal Justice Services, however, most of it is distributed in the form of grants, typically to state agencies and state-supported universities, units of local governments or combined units of local government, regional planning units, and non-profit organizations.

3U1 196-602 Criminal Justice Federal Programs

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$0	\$0	\$0	\$7,959,100	\$0	\$0
	N/A	N/A	N/A	-100.0%	N/A

Source: FED: CFDA #16.560, Juvenile Accountability Incentive Block Grants (JAIBG).

Legal Basis: originally established by Controlling Board on December 6, 1999.

Purpose: The major thrust of this relatively new federal juvenile justice and delinquency prevention grant program is the development of accountability-based sanctions, the operation of juvenile detention and corrections facilities, and the treatment of juveniles placed in residential facilities. Starting with FY 2002, the executive-proposed budget would move the JAIBG program over to the Department of Youth Services.

As Introduced

As Passed by the House

Permanent Law Changes**Subject: Definition of "Comprehensive Plan"****section: 181.51**

Changes "all" to "any" of the functions of the criminal justice and juvenile justice systems of the state or a specified area of the state that are to be included in developing a document defined as a "comprehensive plan" for the purposes of sections 181.51 to 181.56 of the Revised Code. This provision is largely a technical change reflecting the fact that the bill transfers juvenile justice duties from the Office of Criminal Justice Services to the Department of Youth Services.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**Subject: Juvenile Justice Coordinating Councils****sections: 181.51, 181.56**

Expands existing law permitting a county or counties to form a criminal justice coordinating council to include authority to form a juvenile justice coordinating council. This provision reflects the executive recommendation to transfer control of the state's federal juvenile justice and delinquency prevention programs from the Office of Criminal Justice Services to the Department of Youth Services. The costs of establishing and maintaining a juvenile justice coordinating council are unclear, however, these costs are only triggered if a county or combination of counties opt to form such a council. Additionally, one would think that, to the degree possible, such a county or combination of counties would try to integrate a juvenile justice coordinating council into the operation of its criminal justice coordinating council, assuming of course that one exists.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**Subject: Administrative Planning Districts****sections: 181.51, 181.56**

Limits the Office of Criminal Justices' duty to establish administrative planning districts (APDs) solely to criminal justice programs and creates the requirement that the Department of Youth Services discharge a similar duty with regard to juvenile justice programs. This change reflects the executive recommendation that the Department of Youth Services take control of the state's federal juvenile justice and delinquency prevention funding. The Department could opt to use the APDs already in place through the efforts of the Office of Criminal Justice Services or create their own APDs.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**Subject: Juvenile Justice System Information and Assistance****section: 181.52**

Adds a “permissive” task to the list of duties assigned to the Office of Criminal Justice Services. Specifically, this provision authorizes the Office to gather and provide information and provide assistance regarding the juvenile justice system upon the request of the Governor. The fiscal burdens for the Office associated with this “permissive” task are impossible to predict, and in fact, would be unknown until the Governor actually requested that the Office assist the juvenile justice system in some way.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**Subject: Transfer of Juvenile Justice System Duties****section: 181.52****ALIs: 196-604, 196-602**

Transfers juvenile justice system duties and related administration of federal juvenile justice and delinquency prevention program grants from the Office of Criminal Justice Services to the Department of Youth Services. This would mean that, effective July 1, 2001, over \$10 million in annual federal administrative and program dollars and six full-time juvenile justice staff positions will be transferred to the Department of Youth Services. The transfer of these juvenile justice duties and related federal funds creates a fiscal problem for the Office of Criminal Justice Services. Currently, the Office codes other on-going administrative costs to these various federal juvenile justice and delinquency prevention programs, including around 25 percent of the payroll associated with 32 of its remaining staff. LSC fiscal staff has estimated the cost of these other administrative expenses at roughly \$500,000 in FY 2002 and \$600,000 in FY 2003. As the federal juvenile justice and delinquency prevention funding that covers those other on-going administrative costs will be transferred to the Department of Youth Services, the Office will have to shift these expenses into its GRF budget and remaining federal criminal justice assistance programs, most notably the Byrne Memorial Criminal Justice Block Grant.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**Subject: Family Violence Prevention and Services Act****sections: 181.52, 5101.251****ALI: 196-604**

Requires the Office of Criminal Justice Services to administer funds received under the federal Family Violence Prevention and Services Act. The addition of this duty reflects the fact that this existing federal program, which includes approximately \$2.7 million in annual federal funding and two full-time staff positions, are being transferred from the Department of Job and Family Services to the Office of Criminal Justice Services as part of the executive-proposed budget.

No change.

As Introduced

As Passed by the House

Permanent Law Changes**Subject: Metropolitan County Criminal Justice Services Agencies****section: 181.54**

Expands an existing requirement that a metropolitan county criminal justice services agency administer within its services area any federal criminal justice acts or juvenile justice acts that the Office of Criminal Justice administers to include any federal criminal justice acts or juvenile justice acts that the Department of Youth Services administers. The intent of this provision is simply to ensure that existing administrative arrangements between the state and a metropolitan county criminal justice services agency with regard to federal juvenile justice program funding continue after various juvenile justice duties are transferred from the Office to the Department of Youth Services.

No change.

As Introduced

As Passed by the House

Temporary Law Changes**Subject: Indigent Defense****Section: 40**

Requires the Office of Criminal Justice Services make all efforts to maximize the amount of funding available for the defense of indigent persons.

No change.

Subject: Criminal Justice Information System**Section: 40****ALI: 196-401**

Requires the Office of Criminal Justice Services to: (1) use the funds appropriated to GRF appropriation item 196-401, Criminal Justice Information System, to work on a plan to improve Ohio's criminal justice information systems; (2) provide progress reports on this plan to certain parties by January 1, 2002 and January 1, 2003.

No change.

As Introduced

As Passed by the House

Temporary Law Changes**Subject: Operating Expenses****Section: 40****ALI: 196-424**

Earmarks up to \$577,642 in FY 2002 and up to \$606,109 in FY 2003 of the funds appropriated to GRF appropriation item 196-424, Operating Expenses, for the purpose of matching federal funds. This earmark reflects the executive recommendation to eliminate the Office's existing GRF appropriation item that is used for the purpose of matching federal funds (196-499, State Match) and merge its purpose and funding into the Office's GRF Operating Expenses appropriation item (196-424).

No change.

As Introduced

As Passed by the House

Temporary Law Changes

Subject: Transfer of Federal Family Violence Prevention and Services Act

Section: 142

ALIs: 196-604, 196-405

Requires the Office of Criminal Justice Services and the Department of Job and Family Services enter into an interagency agreement for the transfer to the Office of the Department's duties, records, assets, and liabilities related to the administration of funds received under the federal Family Violence Prevention and Services Act. Subject to statutory layoff provisions and any applicable collective bargaining agreement, this provision also transfers to the Office employees of the Department whose primary duties relate to the administration of those funds and requires employees so transferred retain their positions and benefits. This provision reflects the fact that the federal Family Violence Prevention and Services program, which includes approximately \$2.7 million in annual federal funding, \$700,000-plus in annual GRF funding, and two full-time staff positions, are being transferred from the Department to the Office as part of the executive-proposed budget.

Same as the Executive provision, but decreases the program's GRF funding to \$375,000 in each fiscal year (appropriation item 196-405, Center for Violence Prevention). The executive's intent is that this appropriation item be used to award grants to assist in establishing, maintaining, and expanding programs and projects to prevent family violence, and to provide immediate shelter and related assistance for victims of family violence and their dependents.