



# Criminal Justice Weekly

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## NEWS/ANNOUNCEMENTS

**Motion Filed Seeking to Add Ohio to States Challenging Healthcare Law:** Ohio Attorney General Mike DeWine announced today that he has been notified that the plaintiffs challenging the constitutionality of the recently enacted healthcare law in federal court in Florida today filed a motion for leave to amend the complaint to add Ohio as a party plaintiff in that case. DeWine gave authority for that challenge last Monday, on his first day in office.

The motion seeks to add Ohio to the states involved in *State of Florida, et al., v. United States Department of Health and Human Services, et. al.* In addition to Ohio, the motion seeks to add Kansas, Wyoming, Wisconsin, Maine, and Iowa to the growing number of states challenging the law, potentially bringing the total number of states in the case to 26. In a separate challenge, by the Commonwealth of Virginia, a federal judge already held part of the act unconstitutional.

"Simply put, the federal government does not have the power to force individuals to buy a product -- whether they want it or not -- or face a penalty," said Attorney General DeWine. "I look forward to working with Florida and the other states to challenge the constitutionality of the 'individual mandate' that requires individuals to purchase health insurance."

The lawsuit challenges the healthcare law's unreasonable burdens on the states and its unprecedented claim of federal power to require individuals across the country to go into the marketplace and purchase certain, federally-approved health insurance coverage or face financial penalties. That 'individual mandate' far exceeds the authority of the federal legislature under Article I of the United States Constitution and is not authorized by Congress' power "to regulate commerce ... among the several states." The complaint asks the court to declare the act unconstitutional and to enjoin the federal bureaucracy from enforcing the act against Ohio and the other plaintiff states.

Source: <http://www.ohioattorneygeneral.gov/Briefing-Room/News-Releases/January-2011/Motion-Filed-Seeking-to-Add-Ohio-to-States-Challen>

**Attorney General Mike DeWine Names Jeffrey M. Welbaum as Criminal Justice Section Chief:** At a press conference at the Miami County Courthouse today, Ohio Attorney General Mike DeWine announced that former Common Pleas Judge Jeffrey M. Welbaum has been named Criminal Justice Section chief in the Attorney General's Office, where he will oversee Capital Crimes, Non-Capital Habeas Corpus, Special Prosecutions and Corrections Litigation.

"Jeff Welbaum has a passion for criminal

justice issues that he has demonstrated throughout his career," said Attorney General DeWine. "He will bring his skills as a former judge, prosecutor and public defender to bear as he helps us advance our law enforcement agenda."

Welbaum is a native of Troy, Ohio. He is a 1977 graduate of the Ohio Northern University Petit College of Law in Ada, Ohio. Welbaum began his career as an assistant Miami County prosecuting attorney and then served for two years as an assistant Miami County public defender. Welbaum was Miami County prosecuting attorney from 1985 to 1994. Welbaum also was a special assistant United States attorney with the U.S. Department of Justice from 1990 to 1993.

In 1995, Welbaum was elected judge of the Miami County Court of Common Pleas, General Division. Welbaum also served as a visiting judge in Allen, Clinton, Greene, Mercer, Montgomery, Preble and Shelby counties. He also was a temporary juvenile/probate judge during absences of a sitting judge.

Source: <http://www.ohioattorneygeneral.gov/Briefing-Room/News-Releases/January-2011/Attorney-General-Mike-DeWine-Names-Jeffrey-A--Welb>

## TRAINING/RESOURCES

**Free Grant Writing Seminars:** OCJS is hosting free Grant Writing seminars in 2011. OCJS's grant trainings provide an overview of identifying grant sources, analyzing program objectives, creating a budget, seeking letters of support, and writing proposals. Federal and state grants available

to criminal justice professionals are discussed. Attendees also receive the OCJS publication, *Grant Writing: Identifying and Applying for Funding in a Competitive Market*. Trainings take place on the following dates: Thursday, February 10 and Tuesday, March 22, 2011. All trainings are held from 9 a.m.

to 3:30 p.m. in the Ohio Department of Public Safety's Motorcycle Classroom, located at 1970 W. Broad St., Columbus, on the first floor. To download and print a training registration form, visit: [http://publicsafety.ohio.gov/links/ocjs\\_TrainingForm.pdf](http://publicsafety.ohio.gov/links/ocjs_TrainingForm.pdf)

## TRAINING/RESOURCES CONT.

### National Incident-Based Reporting System (NIBRS) Level I & II Training Announcement:

**Date:** February 16-17, 2011, start time 8:00 a.m. both days

**Cost:** Training is FREE

**Sponsored By:** Warren Police Department and Kent State University Trumbull Campus Ohio Peace Officer Training Academy

**Training Location:** Kent State University Trumbull Campus, 4314 Mahoning Ave. NW, Warren, Ohio 44483, O.P.O.T.A. Building, Room 211.

**Registration Information:** Must register by February 11, 2011 by contacting Rose Wilson, Warren Police Department at 330-841-2726 or by e-mail at [rowilson@warren.org](mailto:rowilson@warren.org) or Capt. Joseph Marhulik at 330-841-2537 or by e-mail at [jmarhulik@warren.org](mailto:jmarhulik@warren.org).

**Training Provided By:** Gregory S. Swanson, Federal Bureau of Investigation, Criminal Justice Information Services Division, Training Instructor and NIBRS Coordinator.

NIBRS I – This course furnishes an overview of the Uniform Crime Reporting (UCR) Program's NIBRS. Training activities and discussions center on the historical background

of the National Incident-Based Reporting System (NIBRS) Program, jurisdictional guidelines, the definition of an incident, the definition of the offenses captured by the NIBRS, separation of time and place rule, acting in concert and scoring procedures. (Approximately 8 hours)

NIBRS II – This course details the various segments, data elements, and data values that are integral components of the UCR Program's NIBRS. Training activities and discussion focus on the content of Volume 4: Error Message Manual, reporting hate crimes correctly, and properly completing incident-based reports. It is recommended that students complete UCR (NIBRS) Level I before taking this Level II course. (Approximately 6 hours)

NIBRS is the model for the Ohio Incident-Based Reporting System (OIBRS). OIBRS is customized to meet the needs of Ohio law enforcement in order to be able to participate in the FBI's NIBRS Program. The OIBRS crime data submitted to OCJS is electronically forwarded to the FBI in their NIBRS format.

**Human Trafficking Awareness Workshop:** Ohio is a leading state in human trafficking and it is happening in our community as well. Learn the signs to look for, learn how to intervene, and how to help raise awareness to others in our community about this horrific issue.

Sponsored by HelpLine, this workshop offers two free CEU's for counselors and social workers and is open to the public to increase awareness on a local level. Brent Currence, Director of the Ohio Missing Children's Clearinghouse at The Ohio Attorney General's Office, will be the featured presenter as a person on the frontlines of this fight against human trafficking. He has a lengthy law enforcement background and will be talking about how to track down these criminals and prosecution tactics with the newly introduced house bill in Ohio.

**When:** February 1 from 6-8

Please call Connections Volunteer Center at 740.363.5000 to register and for location information.

## GRANTS/FUNDING OPPORTUNITIES

### Office of Juvenile Justice and

**Delinquency Prevention:** The purpose of OJJDP's FY 2011 Field Initiated Research and Evaluation (FIRE) Program is to support methodologically rigorous research and evaluation studies that inform policy and practice consistent with the Department of Justice's mission.

With this solicitation, OJJDP encourages applicants to propose research and evaluation projects related to delinquency prevention; the reduction and control of juvenile delinquency and serious crime committed by juveniles; efforts to prevent recidivism through positive youth development; links between child neglect, victimization, and crime; and juvenile justice system response to issues such as sex crimes committed by juveniles, females in the juvenile justice system, and disproportionate minority contact at points along the juvenile justice system.

**Eligibility:** Applicants are limited to states (including territories), units of local government (including federally-recognized tribal governments, as determined by the Secretary of the Interior and published in the Federal Register), nonprofit and for-profit organizations (including tribal nonprofit and for-profit organizations), and institutions of higher education (including tribal institutions of higher education). For-profit organizations must agree to forgo any profit or management fee.

OJJDP welcomes joint applications from two or more eligible applicants; however, one applicant must be clearly indicated as the primary applicant (for correspondence, award, and financial management purposes) and the others listed as co-applicants.

OJJDP encourages researchers and evaluators in all relevant disciplines to submit applications.

**Deadline:** Registration with Grants.gov is

required prior to application submission. All applications are due by 11:59 p.m. Eastern Time on March 7, 2011.

**Contact Information:** For technical assistance with submitting an application, call the Grants.gov Customer Support Hotline at 1-800-518-4726 or e-mail [support@grants.gov](mailto:support@grants.gov). Grants.gov Support Hotline hours of operation are 24 hours, 7 days a week, except federal holidays.

For assistance with any other requirements of this solicitation, call Karen Bachar, Program Manager, at 202-514-4403 or email her at [karen.bachar@usdoj.gov](mailto:karen.bachar@usdoj.gov) or call Patrick Dunckhorst, Program Manager, at 202-514-4158 or email him at [patrick.dunckhorst@usdoj.gov](mailto:patrick.dunckhorst@usdoj.gov).

Source: <http://www.ojjdp.gov/grants/solicitations/FY2011/OJJDPFY11FIRE.pdf>

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