

ORDINANCE MAKING ADDITIONAL APPROPRIATIONS IN THE
LAW ENFORCEMENT TRUST FUND FOR TRUST EXPENSES
FOR THE YEAR ENDING DECEMBER 31, 2018.

Whereas, the police department is requesting donated money be appropriated in the Law Enforcement Trust Fund for trust expenses.

BE IT ORDAINED by the Council of the City of Marion, Marion County, Ohio:

Section 1. That there be additional appropriations as follows:

Law Enforcement Trust Fund

MPACT Trust Expense	246.2066.5502	4,085
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Section 2. This ordinance shall take effect and be in force from and after the earliest period allowed by law.

Todd Schneider
President of Council

Approved:

Mayor Scott Schertzer

Attest;

Clerk of Council

ORDINANCE AUTHORIZING THE AUDITOR TO APPROPRIATE
MONIES TO ADAMH VETERANS FUND RECEIVED BY
OPERATION LEGAL HELP, FOR THE YEAR ENDING DECEMBER
31, 2018

WHEREAS, the Court is requesting the Auditor to appropriate
\$3,813.15 to the ADAMH Veterans fund for expenditures.

BE IT ORDAINED by the Council of the City of Marion, Marion
County, Ohio

Section 1. That there be an additional appropriation made in the
ADAMH Veterans Fund in the amount of \$3,813.15 for the year ending
December 31, 2018 as follows:

Probation Department

Travel & Transportation	271.2079.5201	\$3,815.15
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Section 2. That this ordinance shall take effect and be in force from
and after the earliest period allowed by law.

Todd Schneider
President of Council

Approved:

Mayor Scott Schertzer

Attest:

Clerk of Council

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

Whereas, this Council, in accordance with the provisions of law, has previously adopted a budget for the next succeeding fiscal year commencing January 1, 2019, and

Whereas, the Budget Commission of Marion County, Ohio has certified its action thereon to this Council, together with an estimate by the County Auditor of the rate of each tax necessary to be levied within the ten-mill limitation, and

BE IT RESOLVED by the Council of the City of Marion, Marion County, Ohio that the amount and rate as determined by the Budget Commission on its certification be, and the same are hereby accepted, and

BE IT FURTHER RESOLVED that there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within the ten mill limitation and without the ten mil limitation as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY THE BUDGET COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES.

NAME OF FUND	AMT. TO BE DERIVED FROM LEVIES OUTSIDE THE 10 MILL. LIMITATIONS	AMT. APPROVED BY THE BUDGET COMMISSION INSIDE THE 10 MILL LIMITATION	COUNTY AUDITORS ESTIMATE OF TAX RATE TO BE LEVIED		
General					
Police		109,726	.30		
Fire		109,726	.30		
Marion City SD D12		1,149,893	3.60		
Elgin SD D13		2,285	2.60		
Pleasant SD D14		31,542	.90		
River Valley SD D15		16,946	2.70		
Ridgedale SD D41		1,247	1.40		
District 44 Annex		135	1.10		
District 45 Annex		2,324	1.55		
District 46 Annex		209	1.50		

BE IT FURTHER RESOLVED that the Clerk of this Council be and she is hereby directed to certify a copy of this resolution to the County Auditor of said County.

Section 1. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Todd Schneider, President of Council

APPROVED:

Mayor Scott Schertzer

Clerk of Council

**REQUEST FOR TRANSFER OF FUNDS
WITHIN DEPARTMENT APPROPRIATIONS**

REQUEST NO. 2018-10

DATE: 8/13/18

I, Tom Robbins
(Name)

, Safety Director
(Title)

hereby request that \$ 3,000.00 be transferred within the General / Safety
(Name of Fund and Department)

\$ 3,000.00 from: Weeds & Blight Control to: Service Contracts \$ 3,000.00
Fund No. 101.1015.5310 Fund No. 101.1015.5403

\$ _____ from: _____ to: _____ \$ _____
Fund No. Fund No.

\$ _____ from: _____ to: _____ \$ _____
Fund No. Fund No.

\$ _____ from: _____ to: _____ \$ _____
Fund No. Fund No.

\$ _____ from: _____ to: _____ \$ _____
Fund No. Fund No.

Reason for request: Mowing

Signed: Tom Robbins

Date: 8-14-2018

Tom Robbins
Director Approve Disapprove

Date: _____

Scott Schertzer
Mayor Scott Schertzer Approved Disapproved

Date: 8-14-18

Kelly Carr
Auditor Kelly Carr Approved Disapproved

Date: 8/15/18

FINANCE COMMITTEE

Chair _____ Approved Disapproved

Date: _____

Member _____ Approved Disapproved

Date: _____

Member _____ Approved Disapproved

Date: _____



BJA FY 18 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - Local Solicitation 2018-H2890-OH-DJ



[Application](#)

[Correspondence](#)

Application:

Application Handbook

Project Information

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[Applicant Information](#)

[Project Information](#)

[Budget and Program Attachments](#)

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*Descriptive Title of Applicant's Project	
City of Marion Police Department TASER Replacement Plan & Trauma Kit Supplies / Marion County Sheriff's Office Balstic Helmet Upgrade and TASER Cartridge purchase	
*Areas Affected by Project	
The areas affected by this grant are mainly Marion County, Ohio and the City of Marion, which is in Marion County. Marion County is located in North Central Ohio and has a population of about 65,000 and encompasses 404 square miles. US Route 23 comes through Marion County and connects Marion to surrounding areas. Marion is about 154 miles from Detroit, MI, 325 miles from Chicago, IL, 48 miles from Columbus, 119 miles from Cleveland, 94 miles from Toledo, and 151 miles from Cincinnati.	
Proposed Project	
*Start Date	November ▼ 01 ▼ 2018 ▼
*End Date	February ▼ 28 ▼ 2019 ▼
*Congressional Districts of	
Project	Congressional District 01, OH Congressional District 02, OH Congressional District 03, OH Congressional District 04, OH
*Estimated Funding	
Federal	\$ 11475 .00
Applicant	\$ 0 .00
State	\$ 0 .00
Local	\$ 0 .00
Other	\$ 0 .00
Program Income	\$ 0 .00
TOTAL	\$ 11475 .00

Program Narrative

The Marion Police Department and Marion County Sheriff's Office are jointly requesting funds allocated to Marion County under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program for FY 2018 Local Solicitation.

The Marion Police Department is requesting funds for the first year of purchase payments for 35 X26P Taser devices. The need for these new X26P devices is great. Thirty-four of the X26 Tasers that are currently issued to officers have not been manufactured for five years. Starting in 2019, Axon (formerly Taser International) will end support for the X26 model and stop manufacturing needed accessories such as the batteries and holsters.

Under the TASER 60 Basic plan, the department is requesting funding to acquire 35 X26P Taser devices at a cost of \$6300 for the first year. The total cost over five years through the TASER 60 Basic program is \$45,500. The department cannot afford this lump sum payment and felt that the purchase plan was the best route. Funding for the each of the next four years will be budgeted for in 2019 or a grant will be applied for to cover the remaining costs per year.

Studies have been conducted that show that the use of a conducted energy device (CED) reduces officer and suspect injuries. In a study published in the American Journal of Public Health from 2009, the "odds of injury to civilians and officers were significantly lower when police used CED weapons." In two departments, monthly injuries declined significantly by 25%.

The study considered differences in "case attributes" as well as department policies that restrict the use of the devices. These less-lethal weapons are critical in helping keep officers and suspects safer. As concluded by the same study, "incidence of these injuries can be reduced dramatically when law enforcement agencies responsibly employ less-lethal weapons in lieu of physical force." The Marion Police Department has policies and procedures in place for the use of the Taser device. Annual training is also conducted on use of force policies as well as the use of the Taser device.

When Tasers were first introduced to the Marion Police Department several years ago, there were multiple discussions with the City of Marion administration as well as the City Council. The community was involved in that process as all meetings were open to the public.

When the grant money is awarded, the department plans to purchase 35 X26P devices before the end of 2018. According to the representative from Axon, the pricing increased each year from 4-6%. Getting on the plan this year would be a cost savings.

The Marion Police Department is also requesting funds for the purchase of 10 trauma kits that can be used by officers to provide lifesaving aid to citizens and officers. The goal is to continue to build on the initial 10 kits and eventually provide one for every police car (approx. 20). Within the last two years, the police department took steps to supply every officer with a tourniquet as well as the training to use it. Within the last two months, officers have used the tourniquet to provide aid to a suspect shot as a result of an officer-involved shooting as well as a victim who was shot as a result of a drive-by shooting. In both incidents, the tourniquet helped stop the bleeding in the areas where it was applied prior to paramedics arriving. The next step is to provide additional potentially life-saving supplies to the police department first responders.

The trauma kit was built with the assistance of the Marion City Fire Department. It is not meant to replace any of the fire department's life-saving and more complicated efforts. This kit is meant to provide potentially life-saving assistance to persons with trauma in the few minutes where an officer may be on scene and the paramedics are on their way. According to the U.S. Department of Homeland Security's website, "a person who is bleeding can die from blood loss within five minutes." Each minute in a traumatic event is critical. Trauma kits can help fill the void in those critical minutes.

Basic training on the use of each part of the trauma kit will be provided by a member of the Marion City Fire Department. The department will purchase the following items for each kit: 1 first responder bag, 3 tourniquets, 1 package of quick clot bandage, 1 roll of electrical tape, 4 rolls of gauze, 12 5x9 sterile dressings, 2 12"x30" trauma dressings, 2 Sharpie markers, 2 chest seals, 2 ace bandages, 1 pair of trauma shears, and 1 Israeli bandage. The purchases will be made the last quarter of 2018.

The Marion County Sheriff's Office will purchase equipment vital to officer safety. The sheriff's office will purchase twelve Valor ballistic tactical helmets for members of their tactical team. The current helmets being used on the tactical team are eight years out of warranty and manufacture replacement recommendation on ballistic dependability. The helmets are high-cut around the ears (to accommodate communication headsets) and are IIIA ballistic rated with a night vision goggle shroud and accessory rail. The helmets are lightweight and conform to the National Institute of Justice ballistic standards and requirements. Purchases will be made no later than January 31, 2018.

The Marion County Sheriff's Office will also purchase 16 Taser cartridges from Vance's Law Enforcement with the remaining funds. Purchases will be made no later than January 31, 2018.

Program Indicators
LESS THAN LETHAL
OFFICER SAFETY
EQUIPMENT – TACTICAL

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) signifies that the City of Marion and the Marion County Sheriff's Office have reached an agreement on the Justice Assistance Grant funds for FY2018 that have been appropriated for Marion County, Ohio. For Marion County, Ohio, a total of \$11,475 has been allocated.

Both parties have agreed to a split of the grant funding, with the City of Marion receiving 66% (\$7,573.50) and the Marion County Sheriff's Office receiving 34% (\$3901.50).

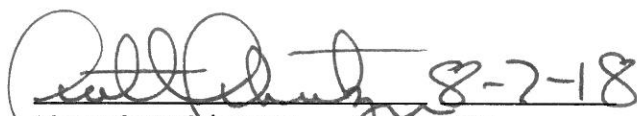
Both parties have agreed that the City of Marion will apply for and administer the grant.

Both parties agree that the Marion City Auditor will establish a distinct line item account specifically for these funds and these funds will not be co-mingled with any other funds.


Both parties agree that the City of Marion will advance the funds into this account and that all reimbursements from the Justice Assistance Grant program will be used to repay the General Fund of the City of Marion.

Both parties agree that the Marion County Sheriff's Office / Marion County Commissioners will reimburse the City of Marion General Fund any over-expenditure of the \$3901.50 (MCSO portion of the grant) from the established line item account. The City of Marion will be responsible for any over-expenditure of the \$7,573.50 (City of Marion portion of grant).

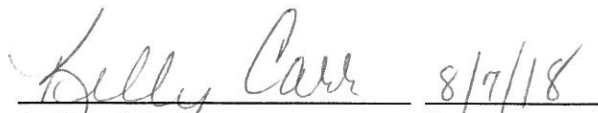
For the City of Marion



Mayor Scott Schertzer Date 8-7-18

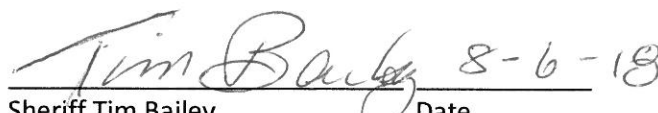


Chief Bill Collins Date 8-7-18



Auditor Kelly Carr Date 8/7/18

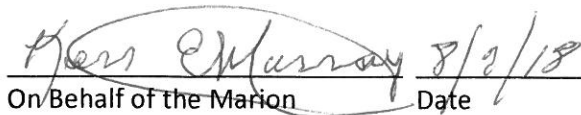
For the Marion County Sheriff's Office



Sheriff Tim Bailey Date 8-6-18



On Behalf of Marion County Date 8/7/18
Prosecutor's Office



On Behalf of the Marion Date 8/2/18
County Commissioners

Budget Detail - Year 1

Does this budget contain conference costs which is defined broadly to include meetings, retreats, seminars, symposia, and training activities? - Y/N No
 (DOJ Financial Guide, Section 3.10)

A. Personnel

Name <small>List each name, if known.</small>	Position <small>List each position, if known.</small>	Computation <small>Show annual salary rate & amount of time devoted to the project for each name/position.</small>						
		Salary	Rate	Time Worked <small>(# of hours, days, months, years)</small>	Percentage of Time	Total Cost	Non-Federal Contribution	Federal Request
						\$0		\$0
Total(s)						\$0	\$0	\$0

Narrative

B. Fringe Benefits						
Name <i>List each grant-supported position receiving fringe benefits.</i>		Computation <i>Show the basis for computation.</i>				
		Base	Rate	Total Cost	Non-Federal Contribution	Federal Request
				\$0		\$0
Total(s)				\$0	\$0	\$0
Narrative						

C. Travel											
Purpose of Travel	Location	Type of Expense	Basis	Computation							
<i>Indicate the purpose of each trip or type of trip (training, advisory group meeting)</i>	<i>Indicate the travel destination.</i>	<i>Lodging, Meals, Etc.</i>	<i>Per day, mile, trip, Etc.</i>	<i>Compute the cost of each type of expense X the number of people traveling.</i>							
				Cost	Quantity	# of Staff	# of Trips	Total Cost	Non-Federal Contribution	Federal Request	
			N/A					\$0		\$0	
								Total(s)	\$0	\$0	\$0
Narrative											

Purpose Area #4

D. Equipment					
Item	Computation				
<i>List and describe each item of equipment that will be purchased</i>	<i>Compute the cost (e.g., the number of each item to be purchased X the cost per item)</i>				
	# of Items	Unit Cost	Total Cost	Non-Federal Contribution	Federal Request
TASER cartridges	16	\$28.00	\$448	\$15	\$434
Lightweight VALOR ballistic tactical helmets	12	\$289.00	\$3,468		\$3,468
Israeli bandage	10	\$8.84	\$89		\$89
Tauma sheers	10	\$4.21	\$43		\$43
Ace bandage	20	\$0.42	\$9		\$9
Chest seals	20	\$12.89	\$258		\$258
Sharpie Markers	20	\$1.48	\$30		\$30
12"x30" Tramua Dressing	20	\$1.52	\$31		\$31
5x9 Sterile Dressings	120	\$0.25	\$30		\$30
Roll of Gauze	40	\$0.20	\$8		\$8
Roll of Electrical Tape	10	\$4.00	\$40		\$40
Quick Clot Bandage	10	\$48.29	\$483		\$483
Tourniquet (pack of 3)	10	\$21.59	\$216	\$214	\$2
First Responder Bag	10	\$24.99	\$250		\$250
BLACK X26P Conducted Electrical Weapon - TASER 60 Plan	35	\$180.00	\$6,300		\$6,300
Total(s)			\$11,703	\$229	\$11,475
Narrative					
<p>The Marion Police Department is requesting funds for the first year of purchase payments for 35 X26P Taser devices. It is important to note that this is a purchase over a five-year period and not a lease or rental agreement. Under the TASER 60 Basic plan, the department is requesting funding to acquire 35 X26P Taser devices at a cost of \$6300 for the first year. The total cost over five years through the TASER 60 Basic program is \$45,500. The department cannot afford this lump sum payment and felt that the purchase plan was the best route. Funding for the each of the next four years will be budgeted for in 2019 or a grant will be applied for to cover the remaining costs per year. The Marion Police Department is requesting \$1483.50 for the purchase of 10 trauma kits.</p> <p>Total purchases for MPD is \$7783.50 with a request for \$7573.50 in federal contribution and remaining balance will be paid through a non-federal contribution from the City of Marion Police Department budget. The purchases will be made the last quarter of 2018.</p> <p>The Marion County Sheriff's Office is requesting \$3,468 for tactical ballistic helmets for their tactical team and \$448 for 16 Taser cartridges for use in the deputy's Tasers. The total for MCSO purchases is \$3916 with the federal contribution request of \$3901.50 per the MOU with the City of Marion. The Sheriff's Office will contribute \$14.50 of non-federal funds to the grant. All purchases will be made prior to January 31, 2019.</p>					

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E. Supplies						
Supply Items <i>Provide a list of the types of items to be purchased with grant funds.</i>		Computation <i>Describe the item and the compute the costs. Computation: The number of each item to be purchased X the cost per item.</i>				
		# of Items	Unit Cost	Total Cost	Non-Federal Contribution	Federal Request
				\$0		\$0
Total(s)				\$0	\$0	\$0
Narrative						

F. Construction						
Purpose <i>Provide the purpose of the construction</i>	Description of Work <i>Describe the construction project(s)</i>	Computation <i>Compute the costs (e.g., the number of each item to be purchased X the cost per item)</i>				
		# of Items	Cost	Total Cost	Non-Federal Contribution	Federal Request
				\$0		\$0
Total(s)				\$0	\$0	\$0
Narrative						

G. Subawards (Subgrants)								
Description	Purpose	Consultant?						
<i>Provide a description of the activities to be carried out by subrecipients.</i>	<i>Describe the purpose of the subaward (subgrant)</i>	<i>Is the subaward for a consultant? If yes, use the section below to explain associated travel expenses included in the cost.</i>						
			Total Cost	Non-Federal Contribution	Federal Request			
					\$0			
			Total(s)	\$0	\$0	\$0		
Consultant Travel (if necessary)								
Purpose of Travel	Location	Type of Expense	Computation					
<i>Indicate the purpose of each trip or type of trip (training, advisory group meeting)</i>	<i>Indicate the travel destination.</i>	<i>Hotel, airfare, per diem</i>	<i>Compute the cost of each type of expense X the number of people traveling.</i>					
			Cost	Duration or Distance	# of Staff	Total Cost	Non-Federal Contribution	Federal Request
						\$0		\$0
			Total			\$0	\$0	\$0
Narrative								
H. Procurement Contracts								
Description	Purpose	Consultant?						
<i>Provide a description of the products or services to be procured by contract and an estimate of the costs. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source procurements in excess of the Simplified Acquisition Threshold (currently \$150,000).</i>	<i>Describe the purpose of the contract</i>	<i>Is the subaward for a consultant? If yes, use the section below to explain associated travel expenses included in the cost.</i>						
			Total Cost	Non-Federal Contribution	Federal Request			
					\$0			
			Total(s)	\$0	\$0	\$0		
Consultant Travel (if necessary)								
Purpose of Travel	Location	Type of Expense	Computation					
<i>Indicate the purpose of each trip or type of trip (training, advisory group meeting)</i>	<i>Indicate the travel destination.</i>	<i>Hotel, airfare, per diem</i>	<i>Compute the cost of each type of expense X the number of people traveling.</i>					
			Cost	Duration or Distance	# of Staff	Total Cost	Non-Federal Contribution	Federal Request
						\$0		\$0
			Total			\$0	\$0	\$0
Narrative								

I. Other Costs							
Description <i>List and describe items that will be paid with grants funds (e.g. rent, reproduction, telephone, janitorial, or security services, and investigative or confidential funds).</i>	Computation <i>Show the basis for computation</i>						
	Quantity	Basis	Cost	Length of Time	Total Cost	Non-Federal Contribution	Federal Request
					\$0		\$0
Total(s)					\$0	\$0	\$0
Narrative							

J. Indirect Costs						
Description <i>Describe what the approved rate is and how it is applied.</i>		Computation <i>Compute the indirect costs for those portions of the program which allow such costs.</i>				
		Base	Indirect Cost Rate	Total Cost	Non-Federal Contribution	Federal Request
				\$0		\$0
Total(s)				\$0	\$0	\$0
Narrative						

**U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS**

Local Government: FY 2018 Certification of Compliance with 8 U.S.C. §§ 1373 & 1644

On behalf of the applicant government entity named below, and in support of its application, I certify under penalty of perjury to the Office of Justice Programs ("OJP"), U.S. Department of Justice ("USDOJ"), that all of the following are true and correct:

- (1) I am the chief legal officer of the State or local government of which the applicant entity named below is a part ("the jurisdiction"), and I have the authority to make this certification on behalf of the jurisdiction and the applicant entity (that is, the entity applying directly to OJP). I understand that OJP will rely upon this certification as a material representation in any decision to make an award to the applicant entity.
- (2) I have carefully reviewed 8 U.S.C. §§ 1373(a) & (b), and 1644, including the prohibitions on certain actions by State and local government entities, -agencies, and -officials regarding information on citizenship and immigration status. I also have reviewed the provisions set out at (or referenced in) 8 U.S.C. § 1551 note ("Abolition ... and Transfer of Functions"), pursuant to which references to the "Immigration and Naturalization Service" in 8 U.S.C. §§ 1373 & 1644 are to be read, as a legal matter, as references to particular components of the U.S. Department of Homeland Security.
- (3) I (and also the applicant entity) understand that the U.S. Department of Justice will require States and local governments (and agencies or other entities thereof) to comply with 8 U.S.C. §§ 1373 & 1644, with respect to any "program or activity" funded in whole or in part with the federal financial assistance provided through the FY 2018 OJP program under which this certification is being submitted (the "FY 2018 OJP Program" identified below), specifically including any such "program or activity" of a governmental entity or -agency that is a subrecipient (at any tier) of funds under the FY 2018 OJP Program.
- (4) I (and also the applicant entity) understand that, for purposes of this certification, "program or activity" means what it means under title VI of the Civil Rights Act of 1964 (see 42 U.S.C. § 2000d-4a), and that terms used in this certification that are defined in 8 U.S.C. § 1101 mean what they mean under that section 1101, except that the term "State" also shall include American Samoa (cf. 34 U.S.C. § 10251(a)(2)). Also, I understand that, for purposes of this certification, neither a "public" institution of higher education (i.e., one that is owned, controlled, or directly funded by a State or local government) nor an Indian tribe is considered a State or local government entity or -agency.
- (5) I have conducted (or caused to be conducted for me) a diligent inquiry and review concerning both—
 - (a) the "program or activity" to be funded (in whole or in part) with the federal financial assistance sought by the applicant entity under this FY 2018 OJP Program; and
 - (b) any prohibitions or restrictions potentially applicable to the "program or activity" sought to be funded under the FY 2018 OJP Program that deal with sending to, requesting or receiving from, maintaining, or exchanging information of the types described in 8 U.S.C. §§ 1373(a) & (b), and 1644, whether imposed by a State or local government entity, -agency, or -official.
- (6) As of the date of this certification, neither the jurisdiction nor any entity, agency, or official of the jurisdiction has in effect, purports to have in effect, or is subject to or bound by, any prohibition or any restriction that would apply to the "program or activity" to be funded in whole or in part under the FY 2018 OJP Program (which, for the specific purpose of this paragraph 6, shall not be understood to include any such "program or activity" of any subrecipient at any tier), and that deals with either— (1) a government entity or -official sending or receiving information regarding citizenship or immigration status as described in 8 U.S.C. §§ 1373(a) & 1644; or (2) a government entity or -agency sending to, requesting or receiving from, maintaining, or exchanging information of the types (and with respect to the entities) described in 8 U.S.C. § 1373(b).

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. § 10271-10273), and also may subject me and the applicant entity to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and §§ 3801-3812). I also acknowledge that OJP awards, including certifications provided in connection with such awards, are subject to review by USDOJ, including by OJP and by the USDOJ Office of the Inspector General.


Signature of Chief Legal Officer of the Jurisdiction


8-15-15
Date of Certification

MARK D. Russell
Printed Name of Chief Legal Officer

Law Director
Title of Chief Legal Officer of the Jurisdiction

City of Marion
Name of Applicant Government Entity (i.e., the applicant to the FY 2018 OJP Program identified below)

FY 2018 OJP Program: Byrne Justice Assistance Grant (JAG) Program: Local



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

Local Government: FY 2018 Certification Relating to
8 U.S.C. §§ 1226(a) & (c), 1231(a)(4), 1324(a), 1357(a), & 1366(1) & (3)

On behalf of the applicant government entity named below, and in support of its application, I certify under penalty of perjury to the Office of Justice Programs ("OJP"), U.S. Department of Justice ("USDOJ"), that all of the following are true and correct:

1. I am the chief legal officer of the unit of local government of which the applicant entity named below is a part ("the jurisdiction"), and I have the authority to make this certification on behalf of the jurisdiction and the applicant entity (that is, the entity applying directly to OJP). I understand that OJP will rely upon this certification as a material representation in any decision to make an award to the applicant entity.
2. I have carefully reviewed each of the following sections of title 8, United States Code:
 - a. § 1226(a) & (c) (authorizing arrest and detention of certain aliens and providing that the federal government "shall take into custody" certain criminal aliens "when the alien is released");
 - b. § 1231(a)(4) (federal government may not "remove an alien who is sentenced to imprisonment until the alien is released from imprisonment");
 - c. § 1324(a) (forbidding any "person," in "knowing or in reckless disregard of the fact that an alien has come to, entered, or remains in the United States in violation of law," to "conceal[], harbor[], or shield[] from detection, or attempt[] to conceal, harbor, or shield from detection, such alien in any place, including any building or any means of transportation" or to "engage in any conspiracy to commit any of the preceding acts ... or aid[] or abet[] the commission of any of the preceding acts");
 - d. § 1357(a) (authorizing immigration officers, "anywhere in or outside the United States" (see 8 C.F.R. § 287.5(a)), to "interrogate any alien or person believed to be an alien as to his right to be or to remain in the United States"); and
 - e. § 1366(1) & (3) (requiring the Attorney General annually to submit to Congress "a report detailing ... (1) the number of illegal aliens incarcerated in Federal and State prisons for having committed felonies, stating the number incarcerated for each type of offense; [and] (3) programs and plans underway in the Department of Justice to ensure the prompt removal from the United States of criminal aliens subject to removal").
3. I (and also the applicant entity) understand that USDOJ will require States and local governments (including State and local government entities, -agencies, and -officials), with respect to any "program or activity" funded in whole or in part with the federal financial assistance provided through the FY 2018 OJP program under which this certification is being submitted (the "FY 2018 OJP Program" identified below), specifically including any such "program or activity" of a governmental entity or -agency that is a subrecipient (at any tier) of funds under the FY 2018 OJP Program, not to violate, or to aid or abet any violation of, 8 U.S.C. § 1324(a), and not to impede the exercise by federal officers of authority under 8 U.S.C. § 1357(a) or relating to 8 U.S.C. § 1366(1) & (3) or 8 U.S.C. § 1226(a) & (c).
4. I (and also the applicant entity) understand that, for purposes of this certification, "program or activity" means what it means under title VI of the Civil Rights Act of 1964 (see 42 U.S.C. § 2000d-4a), and that terms used in this certification that are defined in 8 U.S.C. § 1101 mean what they mean under that section 1101, except that the term "State" also shall include American Samoa (cf. 34 U.S.C. § 10251(a)(2)). Also, I understand that, for purposes of this certification, neither a "public" institution of higher education (i.e., one that is owned, controlled, or directly funded by a State or local government) nor an Indian tribe is considered a State or local government entity or -agency.
5. I have conducted (or caused to be conducted for me) a diligent inquiry and review concerning both—
 - a. the "program or activity" to be funded (in whole or in part) with the federal financial assistance sought by the applicant entity under this FY 2018 OJP Program; and
 - b. any laws, rules, policies, or practices potentially applicable to the "program or activity" sought to be funded under the FY 2018 OJP Program that implicate any of the requirements relating to 8 U.S.C. §§ 1226(a) & (c), 1324(a), 1357(a), & 1366(1) & (3) that are described in ¶ 3 of this certification, whether imposed by a State or local government entity, -agency, or -official.
6. As of the date of this certification, neither the jurisdiction nor any entity, agency, or official of the jurisdiction has in effect, purports to have in effect, or is subject to or bound by, any law, rule, policy, or practice that would apply to the "program or activity" to be funded in whole or in part under the FY 2018 OJP Program (which, for the specific purpose of this paragraph 6, shall not be understood to include any such "program or activity" of any subrecipient at any tier), and that would or does— (1) violate, or aid or abet any violation of, 8 U.S.C. § 1324(a); (2) impede the exercise by federal officers of authority under 8 U.S.C. § 1357(a); (3) impede the exercise by federal officers of authority relating to 8 U.S.C. § 1366(1) & (3); or (4) impede the exercise by federal officers of authority relating to 8 U.S.C. § 1226(a) & (c).

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the applicant entity to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and §§ 3801-3812). I also acknowledge that OJP awards, including associated certifications, are subject to review by USDOJ, including by OJP and the USDOJ Office of the Inspector General.

[Signature]
Signature of Chief Legal Officer of the Jurisdiction

Mark D. Russell II
Printed Name of Chief Legal Officer

8-15-15
Date of Certification

Law Director
Title of Chief Legal Officer of the Jurisdiction

City of Marion
Name of Applicant Government Entity (i.e., the applicant to the FY 2018 OJP Program identified below)

FY 2018 OJP Program: Byrne Justice Assistance Grant (JAG) Program: Local

[Signature] 103

Disclosure of Pending Applications

The City of Marion Police Department does not have (and is not proposed as a subrecipient under) any pending applications submitted within the last 12 months for federally funded grants or cooperative agreements (or for subawards under federal grants or cooperative agreements) that request funding to support the same project being proposed in this application to OJP and that would cover identical cost items outlines in the budget submitted as part of this application.

Marion County nor the Marion County Sheriff's Office do not have (and is not proposed as a subrecipient under) any pending applications submitted within the last 12 months for federally funded grants or cooperative agreements (or for subawards under federal grants or cooperative agreements) that request funding to support the same project being proposed in this application to OJP and that would cover identical cost items outlines in the budget submitted as part of this application.

Information regarding Communication with the Department of Homeland Security (DHS) and/or Immigration and Customs Enforcement (ICE)

Each applicant must provide responses to the following questions as an attachment to the application:

(1) Does your jurisdiction have any laws, policies, or practices related to whether, when, or how employees may communicate with DHS or ICE? **NO**

(2) Is your jurisdiction subject to any laws from a superior political entity (e.g., a state law that binds a city) that meet the description in question 1? **NO**

(3) If yes to either:

- Please provide a copy of each law or policy;
- Please describe each practice; and
- Please explain how the law, policy, or practice complies with section 1373.

Note: Responses to these questions must be provided by the applicant to BJA as part of the JAG application. Further, the requirement to provide this information applies to all tiers of JAG funding, for all subawards made to state or local government entities, including public institutions of higher education. All subrecipient responses must be collected and maintained by the direct recipient of JAG funding and must be made available to DOJ upon request. Responses to these questions are not required from subrecipients that are either a tribal government/organization, a nonprofit organization, or a private institution of higher education.

OIBRS/NIBRS Participation

 fluebbbers@dps.ohio.gov

Fri 8/10/2018 11:07 AM

To: Jon Shaffer <jshaffer@marionohio.org>;

Major Shaffer,

This is to recognize that the Marion Police Department (OH0510100) through its participation in the Ohio Incident-Based Reporting System (OIBRS) is an active participant in the National Incident-Based Reporting System (NIBRS). Through OIBRS, your crime data are reported to the FBI's NIBRS program.

Sincerely,

Jim Luebbbers
Criminal Justice Planning Supervisor
Office of Criminal Justice Services
Ohio Department of Public Safety
JFLuebbbers@dps.ohio.gov
614.644.6797
614.466.5061 fax

