

## SUPPORTING STATEMENT

### **A. Justification**

#### 1. Necessity of Information Collection

Among the many operations related to the criminal justice statistics function of the Bureau of Justice Statistics (BJS) is the administration of the National Criminal History Improvement Program (NCHIP), established by the Brady Handgun Violence Prevention Act (Brady Act). Since 1989, *The Survey of State Criminal History Information Systems* has provided state and federal lawmakers, policymakers, state criminal record agency administrators, researchers and others with the only comprehensive data available on the number and completeness of state-maintained criminal history records, the backbone of the nation's criminal record information sharing network. Survey information has supported and helped gauge the efficacy of initiatives, NCHIP among them, designed to improve criminal history records to support firearm suitability determinations, sex offender and domestic violence protection order registries. The criminal history record is the underpinning for wide ranging decision making within the criminal justice system. It is also of critical importance for employment, licensing and volunteer screening, and most especially as it relates to safety of children, other vulnerable populations and homeland security efforts. The value of survey data has increased in recent years as lawmakers at all levels of government continue to implement programs that rely on criminal history record background checks to improve public safety and to support a growing number of homeland security initiatives. By helping to inform these legislative efforts by providing lawmakers with invaluable data on the status of state-maintained criminal history records, the survey has played a critical role in the success of these public safety initiatives.

The *Survey of State Criminal History Information Systems* is essential to assessing the impact of the NCHIP program nationally. The survey falls within the statutory mission of BJS under Title 42 U.S.C. Section 3732, to wit, the collection and analysis of statistical information regarding the operation of the criminal justice system at the Federal, state, and local levels.

#### 2. Uses of Information

The collected statistics are used by state and federal lawmakers to identify areas of funding need and to gauge the efficacy of programs implemented to improve criminal record quality at the state and national levels. State Police, Public Safety and Attorney General's, the agencies that typically administer the state criminal record repositories use survey data to compare their progress with that of other states, to learn the status of operational and technological trends, to become aware of methods implemented by other states to improve record quality by promoting increased reporting from local justice jurisdictions and as the impetus for examining their own operations and services. Researchers use the data to support scholarly investigations into issues associated with the use of criminal history records for both criminal and non-criminal justice purposes.

### 3. Efforts to Minimize Burden

Data for the *Survey of State Criminal History Information Systems* have traditionally been collected on paper survey forms that were mailed (and emailed in PDF format) to criminal history record repository managers. Managers completed the survey forms and mailed or faxed them back to SEARCH. Data were compiled manually. Final survey results and analysis were published in paper-report format. For this iteration of the survey, respondents will have access to online, password-protect reporting forms. Data will be automatically compiled in databases, and will be accessible online with built-in utility to allow users to manipulate the data to suit their needs, comparing, for example, states or categories that they select. In previous surveys, respondents had to distribute questions within their agencies, review proposed answers and compile the full response before forwarding. The current survey is designed to allow respondents to submit individual sections, consequently eliminating the need to compile the full survey before submitting it.

### 4. Efforts to Identify Duplication

There will be no duplication of effort based on the nature and scope of this survey. The information sought is not attainable from any other data source.

### 5. Minimizing Burden on Small Businesses

Not applicable. No information will be gathered from small businesses.

### 6. Consequences of Not Conducting Collection

As noted previously, the *Survey of State Criminal History Information Systems* is the only source for complete and comprehensive data on the status of state-maintained criminal history records. As such, users at both the state and federal levels have come to depend on its production on a regular basis to gauge the efficacy of programs designed to improve criminal record quality and to identify potential funding targets. It is the most cited publication produced by SEARCH. The National Criminal Justice Reference Service distributed more than 6,000 copies of the 2003 survey report, including a copy to each member of Congress and to requestors from the United States and abroad.

### 7. Special circumstances that would increase respondent burden

There are no special circumstances that would increase the burden on respondents.

### 8. Public Comments and Consultations

A draft of the survey was submitted for review and comment to the SEARCH Membership Group, a body of criminal record managers with members appointed by the governor of each state and territory. The survey was then sent to criminal repository

managers for their review. Finally, SEARCH obtained a list from the National Criminal Justice Reference Service of the estimated 6,000 recipients of the 2003 report, and a draft of the 2006 survey was provided to a representative cross section for review and comment. Please see Attachment 1 for a review of the modifications made to the survey as a result of the review process.

#### 9. Provision of Payments or Gifts to Respondents

Not applicable. The Bureau of Justice Statistics will not provide any payment or gift of any type to respondents. Respondents participate in the survey on a voluntary basis.

#### 10. Assurance of Confidentiality

The data collected are in the public domain and not subject to confidentiality guarantees. Collected data are primarily statistics of an administrative nature, and do not allow for the identification of any individual. Each responding state will be provided with a unique password to ensure that only its representatives provide information to the survey.

#### 11. Justification for Sensitive Questions

There are no questions of a sensitive nature included in the data collection.

#### 12. Estimate of Respondent Burden

The survey will be sent to criminal history repositories in 53 jurisdictions including the 50 States, the District of Columbia, the Commonwealth of Puerto Rico and the U.S. Virgin Islands. The average time required for each agency to complete the survey is estimated at 3 hours. The total respondent burden is estimated at 159 hours. The estimated burden is based on the average reported by 5 states that reviewed the survey. Based on the estimates provided by the 5 reviewing states the average cost burden per state is \$85.

#### 13. Estimate of Respondents' Cost Burden

This collection will primarily require information that is already generated and maintained by the respondents. There is no additional cost to respondents other than the cost of filling out the survey form.

#### 14. Cost to Federal Government

The total cost to the Federal government for this survey is estimated at \$56,321, all to be borne by the Bureau of Justice Statistics. Office costs are based on 2 months full-time work (or 15%) of a GS-15 / 02 Supervisory Program Manager salary (\$111,104 per year) and a GS-13/ 02 Policy Analyst salary (\$79,931 per year) and benefits (25 percent of salary) per employee administrative costs of the Bureau of Justice Statistics.

## Summary of Cost Estimates

### **Office Costs (BJS)**

Salaries	\$28,656
Benefits	\$7,165
Other administrative cost	<u>\$20,500</u>
<b>Total Cost</b>	<b>\$56,321</b>

### 15. Reasons for Change in Burden

The change in burden is entirely because this collection of information has not previously been submitted to OMB for review. This information collection has been in use for approximately 17 years without an OMB control number. When the survey program was started in 1989, it was not clear that this collection of information would require OMB approval due to the nature of the cooperative agreement with the data collection agent, as well as the fact the data were in most cases already being collected by the respondents in the course of their regular operational activities. Following a recent review of data collections sponsored under the NCHIP program, BJS is submitting the *Survey of State Criminal History Information Systems* to OMB for review.

### 16. Publication Plans and Schedule

Collected information collected will be accessible through the SEARCH Website at <http://www.search.org>. The projected schedule for data collection, compilation and data release is as follows:

Survey Preparation	Complete
Data collection	Months 1-3
Data processing/analysis	Months 4-5
Publication release	Month 6

### 17. Display of Expiration Date

Thirty-six months from the date of approval.

### 18. Exceptions to the Certification Statement

There are no exceptions identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.