

SUPPORTING STATEMENT

A. Justification

1. Necessity of Information Collection

The Annual Survey of Jails (ASJ) is the only data collection effort that provides an annual source of data on local jails and jail inmates. Local jails are locally-operated correctional facilities that confine persons before or after adjudication. Inmates sentenced to jails usually have a sentence of a year or less. The ASJ provides data on the supervision status of persons being held, including those under age 18, changes in the demographics of the jail population, admissions and releases, changes in jail rated capacity, level of occupancy, crowding issues, growth in the population supervised in the community by jail authorities, and a count of non-citizens.

Data on the size of the jails population and selected inmate characteristics are obtained every 5 to 6 years from the Census of Jails (CJ) and in years between the censuses from the Annual Survey of Jails. The last jail census was conducted in 2005. Since 1982, when the first survey was conducted, the ASJ has been the only nationwide government collection for jails during years between the jail censuses. In each of these years, the ASJ provides national estimates for the number of adults and juvenile incarcerated in local jails.

The ASJ gives BJS the ability to collect data on a sample basis that would normally be collected in the CJ. Sampling allows some types of information to be collected more efficiently (e.g., the numbers of inmates in the various types of non-confined supervision). Collecting data on a sample basis decreases respondent burden, improves the response rate, yields higher quality data, and reduces the time required for data collection.

When data from the ASJ are combined with data from the National Prisoners Statistics Program (NPS), BJS has the ability to provide an annual estimate of persons incarcerated in the United States. BJS also has the ability to analyze and track the rate of incarceration by gender, and race/ Hispanic origin. There is no other source of data measuring these trends in non-census years.

The Nation's local jails held or supervised 819,434 offenders on June 30, 2005. Jail authorities supervised 9% of these offenders (71,905) in alternative programs outside the jail facilities. A total of 747,529 persons were housed in local jails. This is a 4.7% (33,539) increase in the number of persons confined since 2004. A total of 6,759 persons under the age of 18 were housed in adult jails. Eighty-five percent of these young inmates had been convicted or were being held for trial as adults in criminal court.

Through an interagency agreement, the U.S. Department of Justice, Bureau of Justice Statistics, contracts with the U.S. Census Bureau to conduct the Annual survey of Jails in the interim between the jails censuses.

BJS is also requesting the approval for the Annual Survey of Jails in Indian Country (SJIC), which is a collection of 68 confinement facilities, detention centers, and other correctional facilities operated by tribal authorities or the Bureau of Indian Affairs (BIA). There is no other source of data for information on jails in Indian country or on trends in the number of persons confined in these jails.

The form (CJ-5B) includes items for each facility on rated capacity, number of adults and juveniles held, number of inmates held by gender, conviction status, seriousness of offense, number of admissions and releases in last 30 days, number of inmate deaths, average daily population and peak population during June, use of housing space, facility crowding, and staffing.

On June 30, 2004, a total of 68 jails, confinement facilities, detention centers, or other facilities were supervising 1,745 inmates, a 4% decrease from 2003, when 1,826 inmates were being held. At midyear 2004, jails in Indian country held 1,546 adults, 79% male and 21% female. Juveniles (persons under age 18) accounted for 11% (198) of the total custody population. Sixty-three percent were male; 37% were female. Three juveniles were being held as an adult.

For 2007-2009, BJS is requesting a special addendum (CJ-5B Addendum), previously approved for collection in 2004. The addendum will collect information on the physical conditions and operations of Indian country facilities as part of the Congressional mandate to study conditions of confinement, as outlined in the DOJ appropriations for FY2006. The SJIC will be collected and processed by a contractor outside BJS. Analysis will be done at BJS. The SJIC is designed explicitly to address issues in Indian country.

The collection will include information on inmate medical services, mental health services, suicide prevention procedures, substance dependency programs, domestic violence counseling, sex offender treatment, educational programs, and inmate work assignments. In 2004, a similar collection instrument was developed in collaboration with NIC's Indian Country Jail Administrators Network, Arizona Tribal Justice and Rehabilitation Coalition, and officials from BIA. BJS established a baseline in 45 participating facilities that provided in-depth data on inmate health services and facility programs.

The Omnibus Crime Control and Safe Street Act of 1968, as amended (42 U.S.C. 3732), authorizes the collection of this information.

2. Needs and Uses

The ASJ is the only data collection effort that provides an ability to maintain important jail statistics in years between the jail censuses. The ASJ enables the Bureau the ability to track the growth in the number of local, privately contracted, and multi-jurisdiction (regional) jails and their capacities nationally, changes in the demographics of the jail population, supervision status of persons held, the prevalence of crowding issues, and a count of non-U.S. citizens within the jail population.

The data will be used by Department of Justice officials and officials of other Federal Agencies, State and local officials in conjunction with jail administrators, researchers and planners to analyze the current trends and growth patterns, and the public who want to be informed. Users of these data include the following:

U.S. Congress B to evaluate the adequacy of jail and correctional facilities to meet growing inmate populations and to assess the needs of States and local jurisdictions for more housing space relative to crime and available resources;

National Institute of Corrections B to evaluate local jail conditions, establish standards, and assess needs for technical assistance and training for local jail officials;

National Institute of Justice B to provide a comparative analysis of prison and jail conditions;

U.S. Marshall Service B to understand jail capacity, crowding, and other conditions used in the determination of housing Federal inmates;

Federal Bureau of Prisons B to develop plans for boarding Federal prisoners in local jails;

Drug Enforcement Administration B to gain knowledge of facility characteristics and services provided;

Office of Juvenile Justice and Delinquency Prevention B to assess the extent to which juveniles are held in adult jails and whether they are held as adults;

U.S. Department of Justice, Civil Rights Division B to understand capacity and confinement conditions as they relate to civil rights;

State and local corrections officials B to assess jail conditions within their own jurisdictions relative to others and to determine needs and budget requirements;

The public B to make informed decisions about crime and punishment within their jurisdictions.

For SJIC:

Bureau of Indian Affairs B to provide annual statistics on BIA and tribally operated facilities, provides comparative numbers with which to assess jail operations and programs;

Office of Tribal Justice, DOJ B to assess facility needs, related crowding, staffing and programs, assist in the evaluation of facility needs to determine funding and technical assistance;

Facility Administrators in Indian country B to assess jail conditions within their own jurisdictions relative to others and to determine needs and budget requirements.

3. Use of Information Technology

In an effort to reduce respondent burden, the Annual Survey of Jails uses the latest in form design and function. The Bureau has also continued to reduce the complexity of the questions and has included more definitions and counting rules next to the related items. These changes were attempts to make the survey easier to complete and to reduce measurement error. These changes were tested in 1994 and have been implemented since 1995 with remarkable success.

Since 2000, BJS has offered a web reporting option for respondents (CJ-5 and CJ-5A).

4. Efforts to Identify Duplication

A search of the National Criminal Justice Service repository did not reveal any duplication. No other organization collects comparable data on inmates in local jails. Neither present nor past BJS data collections duplicate this effort. To identify possible duplication of effort, the Bureau of Justice Statistics consulted with the American Correctional Association, National Institute of Corrections, and other agencies within the Office of Justice Programs.

5. Efforts to Minimize Burden

The CJ-5, CJ-5A, CJ-5B, and CJ-5B Addendum forms collect data that are available from the current record-keeping practices of jail jurisdictions. The arrangement of the items on the form reflects a logical flow of information to facilitate comprehension of requested items and to reduce the need for follow-up. BJS also provides several means by which respondents may submit data, by mail, fax, or web response.

6. Consequences of Less Frequent Collection

A Census of Jails is collected every 5-6 years (the latest census was conducted in 2005).

Without the ASJ, annual estimates of the number of persons incarcerated and under correctional supervision could not be obtained for non-census years. Without the ASJ, BJS could not accurately measure growth and changes in these populations.

Without the ASJ, annual data on jails in Indian country would not be available. There is no other data collection on these jails. As a result, decision-makers within OJP and DOJ would lack comparable data on these jails for program implementation and assessment.

7. Special Circumstances

Not applicable. There is no circumstance in which a respondent would respond more than once a year and provide more data than on the survey form.

8. Consultations Outside the Agency

During the development of the 2007 draft forms, numerous experts and jail administrators were consulted to improve the questionnaire and the survey overall. The survey was reviewed by the following:

Gwyn Smith-Ingley, Executive Director
American Jail Association
1135 Professional Court
Hagerstown, MD 21740
(301) 790-3930

Virginia Hutchinson, Chief
Jails Division
National Institute of Corrections
1960 Industrial Circle
Longmont, CO 80501
(303) 682-0382

Arthur Wallenstein, Director
Montgomery County Department of Corrections and Rehabilitation
51 Monroe Street, 11th Floor
Rockville, MD 20850
(240) 777-9976

Col. David Parrish
Department of Detention
Hillsborough County Sheriff's Office
P.O. Box 3371

Tampa, FL 33601
(813) 247-0200

Ronald K. Malone, Superintendent
Milwaukee County House of Corrections
8885 S. 68th St.
Franklin, WI 53132
(414) 427-4790

Lt. Randy Demory
Kent County Correctional Facility
703 Ball Avenue NE
Middleville, MI 49333
(616) 336-2103

Guillermo Rivera
Associate Director of Corrections
Office of Law Enforcement Services
Bureau of Indian Affairs
1849 C Street, NW, MS-2429
Washington, DC 20240
(202) 219-1651

Leland Johnson, Training Coordinator
Salt River Department of Corrections
10005 East Osborn
Scottsdale, AZ 85256
(480) 362-7228

Frank R. Hecht
Corrections Administrator
Tohono O'odham Detention Center
P.O. Box 189
Sells, AZ 85634
(520) 383-6431

Norena Henry, Deputy Director
American Indian/Alaska Native Desk
Office of Justice Programs
U.S. Department of Justice
810 7th Street, NW

Washington, DC 20531
(202) 616-3205

Tracy Toulou, Director
Office of Tribal Justice
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530
(202) 353-0257

9. Payment to Respondents

Participation is voluntary. The Bureau will not provide any payment or gift of any type to respondents. Respondents participate on a voluntary basis.

10. Assurance of Confidentiality

The data collected represent institutional characteristics of publicly-administered or funded facilities and are, therefore, in the public domain and not subject to confidentiality guarantees. All data, except names and personal information relating to the data respondents, are made available for public use.

11. Justification for Sensitive Questions

There are no questions of a sensitive nature. Data are collected on the number of inmates and their collective characteristics per jurisdiction.

12. Estimate of Hour Burden

There are a total of 877 respondents to the CJ-5/CJ-5A and 68 to the CJ-5B/CJ-5B Addendum.

The survey form is typically filled out by one person in each jurisdiction. The average level of a respondent is equivalent to a GS-7/01 (\$31,209 per year). The cost per survey form per hour to the respondent would be about \$15.00. For all respondents combined the cost is estimated to be \$18,225 per year.

<u>Reporting Method</u>	<u>Total Annual Responses</u>	<u>Estimated Burden Per Response</u>	<u>Total Estimated Respondent Burden (Person-Hours)</u>
CJ-5 or CJ-5A	877	75 minutes	1,096 hours

CJ-5B	68	75 minutes	85 hours
CJ-5B Addendum	68	30 minutes	34 hours
Total	1,013		1,215 hours

13. Estimate of Respondent Cost of Burden

No cost to respondent.

14. Cost to Federal Government

The total annual cost to the Federal Government for this survey is estimated at \$313,000 all to be borne by the Bureau of Justice Statistics. Cost estimates by the Census Bureau are based on estimated expenditures for the 2006 Annual Survey of Jails.

Summary of Cost Estimates

(1) Contractor Costs (Annual Survey of Jails)

Census Bureau

Salaries	\$88,000
Overhead	83,000
Benefits	46,000
Computer flat rate	5,250
Form design	1,000
Printing	1,000
Postage	<u>750</u>
Subtotal	\$225,000

(2) Contractor Cost (Survey of Jails in Indian Country)

Collection agent to be determined through competitive cooperative agreement

Subtotal	\$50,000
-----------------	-----------------

BJS Office Costs

Salaries

30% GS-12, Statistician	\$19,500
5% GS-15, Supervisory	5,400
5% GS-15, Editor	5,400
5% GS-11, Editor	2,700
Printing, disseminating postage	<u>5,000</u>
Subtotal	\$38,000
Total Cost	\$313,000

Annual cost to the Federal government has risen as a result of \$150,000 (\$50,000 annually) allocated from the National Institute of Justice in order for BJS to study the conditions of confinement in Indian country jails.

15. Reason for Change in Burden

There is an increase of 34 hours in the burden to respondents on CJ-5B Addendum. Time estimates for these collections were obtained based on reviews by jail administrators (30 minutes for the CJ-5B Addendum) and past collection experience.

16. Project Schedule

The CJ-5 and CJ-5A forms are mailed to the jurisdictions in the second week of June. The reference date of the Annual Survey of Jails is the last weekday in June. Data collection will be completed by November 1 of each year. The final report, *Prison and Jail Inmates at Midyear*, is issued annually in April/May.

The CJ-5B and CJ-5B Addendum forms are also mailed to facilities in the second week of June. BJS data collection is scheduled for the last weekday in June. An annual report is issued each June/July of the following year.

17. Reason for Not Displaying Expiration Date

Not applicable. The expiration date will be shown on the survey forms.

18. Exceptions to the Certification

Not applicable. There are no exceptions identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.