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**CSR, Incorporated**  
**Request for Institutional Review Board Approval**

**PROJECT TITLE:** Census of Juveniles in Residential Placement

**PRINCIPAL INVESTIGATOR:** Janet Chiancone  
Office of Juvenile Justice and Delinquency Prevention  
810 7<sup>th</sup> Street, NW  
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**NAME & TITLE:** Janet Chiancone  
Research Coordinator

**DEPARTMENT:** Office of Juvenile Justice and Delinquency Prevention  
Office of Justice Programs  
U.S. Department of Justice

**CO-INVESTIGATOR(s):** Charlene Sebold  
**NAME & TITLE:** Chief, Criminal Justice Statistics Branch  
**DEPT. OR ORGANIZATION:** Governments Division  
U.S. Census Bureau

**FUNDER(s):** Office of Juvenile Justice and Delinquency Prevention

The information submitted herewith is complete and accurate to the best of my knowledge.

Janet Chiancone  
**PRINCIPAL INVESTIGATOR**

9/11/07  
**DATE**

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**INSTITUTIONAL APPROVAL:**

UNIT DIRECTOR _____	DATE _____
IRB PROVISIONAL (INITIALS) _____	DATE _____
IRB APPROVED (SIGNATURE) _____	DATE _____
EXECUTIVE OFFICE _____	DATE _____

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For Record—IRB Meeting \_\_\_\_\_

## ABSTRACT OF THE PROPOSED STUDY

**Describe in non-technical language the objectives, methods, procedures and duration of the study. Include anticipated risks and benefits to the individuals involved and/or society.**

The Census of Juveniles in Residential Placement (CJRP) is a biennial survey of all public and private residential facilities that hold juvenile delinquent and/or juvenile status<sup>1</sup> offenders. The census is administered by the U.S. Bureau of the Census and participation in the census is voluntary. While the primary focus of the census is on the population of resident juvenile offenders, including information about youth characteristics (age, sex, race, current offense, and state of origin, etc.), it also collects some information on the general characteristics of the residential facility. This census complements the Juvenile Residential Facility Census (JRFC), a census of the same facilities which requests information on the operations and services of the facilities and is administered in alternate years.

The data collection instrument (Attachment A: Form CJ-14) will be completed and submitted in different formats, depending on preference of the facility or agency respondent. Most facilities will manually complete the form and mail it back, others will use electronic means to submit the requested data. Office of Juvenile Justice and Delinquency Prevention (OJJDP) has been able to achieve a high response rate (96 -100 percent) for CJRP since its inception in 1997.

This census does not collect sensitive information and does not pose a risk to the respondents or underlying subjects, the youth. Procedural safeguards for maintaining the confidentiality of private persons (both individual youth and private facilities) are instituted and strictly adhered to by all parties who have access to the CJRP data.

CJRP is the sole source of information on nearly 100,000 juvenile in custody on a given day in the United States. This important statistical series reflects a considerable investment begun in 1993 by OJJDP to improve its capability to provide current, accurate and useful information on juvenile offenders in residential custody. It is utilized by researchers, policy makers and practitioners to monitor national and State trends in the juvenile custody overall. In combination with its companion survey, Juvenile Residential Facility Census (JRFC), it provides the only vehicle for examining custody practices for certain subpopulations by age, race, ethnicity, and gender.

### Background:

Since 1971, the Department of Justice has taken a strong interest in juveniles in custody, the operation of the facilities in which they are located and the services available to them while in custody. In 1971, the Department began a census of juveniles in custody known as the Children in Custody Census, CIC, (more formally: *The Census of Public and Private Juvenile Detention, Correctional, and Shelter Facilities.*) In 1974, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) took over that census. In 1993, OJJDP began a broad, long-term examination and revision of its data collection efforts covering juveniles in custody. This effort included extensive consultation with experts, interested in the data produced, input from data providers, and extensive testing of questions and methodologies. In 1997, OJJDP conducted the first Census of Juveniles in Residential Placement (CJRP), the end-product of this long-term effort.

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<sup>1</sup> Status offense are offenses that are not considered criminal for adults, such as running away, truancy, incorrigibility. Such noncriminal misbehavior is often subject to the jurisdiction of the juvenile court as children or persons in need of services.

The CJRP redesign instituted a fundamental change from the CIC census. CIC collected aggregate data on juveniles held in each facility (e.g., number of juveniles in the facility). CJRP, instead, collects an individual record on each juvenile held in the residential facility, with information on the juvenile's gender, date of birth, race, placement authority, most serious offense charged, court adjudication status, date of admission, and security status. These data were requested for all offenders under 21 years of age in the facility. Facilities also provided information on the housing of overflow detention populations, physical layout of the facility, separation of residents, counts of residents age 21 and older, and the use of locked doors and/or gates.

OJJDP is authorized to conduct this data collection under the Juvenile Justice and Delinquency Prevention Act of 1974, as amended (the JJDP Act). The JJDP Act was Reauthorized in November 2002 as part of Public Law No: 107-273 and took effect in October 2003. For purposes of this IRB request, the relevant part of the reauthorization language reads as follows:

*“(b) Statistical Analyses.--The Administrator may--*

*“(1) plan and identify the purposes and goals of all agreements carried out with funds provided under this subsection; and*

*“(2) undertake statistical work in juvenile justice matters, for the purpose of providing for the collection, analysis, and dissemination of statistical data and information relating to juvenile delinquency and serious crimes committed by juveniles, to the juvenile justice system, to juvenile violence, and to other purposes consistent with the purposes of this title and title I.*

*– 42 U.S.C. 5661*

The JJDP Act also includes a requirement that the OJJDP Administrator submit to Congress and the President an annual report on juveniles in custody. The specific language which describes the portion of this report addressed by CJRP follows:

*(1) A detailed summary and analysis of the most recent data available regarding the number of juveniles taken into custody, the rate at which juveniles are taken into custody, and the trends demonstrated by the data required by subparagraphs (A), (B), and (C). Such summary and analysis shall set out the information required by subparagraphs (A), (B), (C), and (D) separately for juvenile nonoffenders, juvenile status offenders, and other juvenile offenders. Such summary and analysis shall separately address with respect to each category of juveniles specified in the preceding sentence—*

*(A) the types of offenses with which the juveniles are charged;*

*(B) the race and gender of the juveniles;*

*(C) the ages of the juveniles;*

*(D) the types of facilities used to hold the juveniles (including juveniles treated as adults for purposes of prosecution) in custody, including secure detention facilities, secure correctional facilities, jails, and lockups....*

--42 U.S.C. 5617

The CJRP has been instrumental in responding to a significant portion of the above requirement, with the notable exception that CJRP does not include jails and lockups in its universe, which are beyond the scope of this data collection.

**Objectives:**

The most severe sanction that a juvenile court can impose entails the restriction of a juvenile's freedom through placement in a residential facility. Most often, such placement occurs after a youth has been adjudicated as a delinquent for an offense; however, a youth may also be held in detention after arrest or during court proceedings. In a few cases, jurisdiction over the youth might be transferred to criminal court, which then carries out processing and sentencing. Out-of-home placement results in a great burden both on the youth who receive this sanction and on the juvenile justice system itself. The youth experience a disruption in their normal routines, schooling, and family/social relationships. The juvenile justice system must bear the responsibility for mental health care, substance abuse treatment, and education, among other requirements.

The objectives of CJRP are to collect useful, accurate and timely data about the youth custody population not only to fulfill its statutory reporting requirements, but to enable quality information to be used for policy and program development. OJJDP annually surveys facilities that house these youth. Generally, in odd-numbered years<sup>2</sup>, OJJDP administers the Census of Juveniles in Residential Placement (CJRP). This census gathers critical information on each youth in custody, including age, race, sex, and offense. In even-numbered years, OJJDP administers the Juvenile Residential Facility Census (JRFC), which collects important information on facility services and characteristics.

The specific content of this data collection was developed through a rigorous process in which OJJDP determined precisely what data are required to routinely monitor the population of youth in custody and in what format these data are needed. This process included discussions and consultations with many prominent researchers, policy analysts, and practitioners in the field of juvenile corrections.

**Methods:**

The Census Bureau identifies juvenile residential facilities for court-involved offenders across the U.S. In late September the Census Bureau mails out a notification letter (Attachment B: 2007 Notification Letter) to all identified facilities indicating that the CJRP forms will soon arrive in the mail. The letter also indicates the reference date for the census and the type of information that will be requested. Respondents are given a contact number with the Census Bureau in case they have questions or problems.

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<sup>2</sup> Because the 2005 CJRP was delayed, the census was conducted the following February, and is referred to as CJRP2006.

In mid-October, the Bureau of the Census (Census) mails out CJRP forms to nearly 3500 identified facilities. Of these facilities, some turn out to be closed on the reference date. A few additional facilities are identified as open on the reference date after the initial mailout (through responses from facilities or other contacts) and are subsequently sent forms. Of the facilities open on the reference date, some may be temporarily out of scope (i.e., they did not hold offenders on the reference date). Some facilities may be identified as permanently out of scope (i.e., they were not able to hold juvenile offenders over night). The remaining facilities are identified as in-scope. The CJRP allows for electronic submission of the data by larger facilities and central reporters. As part of this program, Census provides data specifications to participating respondents and a spreadsheet format so that these respondents can also complete the form through common spreadsheet programs such as Lotus® or Microsoft Excel®.

Data are to be returned by the end of November. (See Attachment C: Instructions for Electronic Data Submission and Privacy and Security Controls.) . Of the in-scope facilities a small number may not send back the census forms nor respond to several phone calls from Census Bureau personnel requesting participation in the census. These facilities are designated non-respondents and the Census Bureau imputes responses for them. Using the number of in-scope facilities as a base, the CJRP facility response rate was 96% in 1997, 100% in 1999, 99% in 2001, and 100% in 2003.

In early January facilities that have not yet responded are sent a reminder notice and asked that a completed response be sent in by the end of January. Census staff members begin telephone calls to the facilities and central reports that had not responded by that time. Census closes out data collection in mid-July. Processing of the data including error checks, imputation and editing continues until the following September.

Mailed data forms are received at the Bureau of the Census facility in Jeffersonville, Indiana, where they are then shipped via Federal Express to Government Division, Bureau of the Census. The Jeffersonville Center serves only as a mail repository and no data forms are opened there. Federal Express is used in order to prevent damage to mail contents caused by post-9/11/Anthrax prevention methods used for mail going to Federal Buildings in the Washington, D.C. area.

### **Data Security and Monitoring Plan**

The Census Bureau has adopted extensive procedures and protocols for securing the data whether collected by mail or via electronic means. New more restrictive procedures are in development. A draft will be made available to the IRB for their review. The following is incorporated into the Privacy Certificate), which outlines the Bureau's procedures to preserve anonymity, storing and disposing of the data.

#### **Procedures developed to preserve anonymity:**

In general the procedures regarding confidentiality protections of any collection carried out by the Governments Division, including those collected under interagency agreements and privacy statutes, are governed by the Economic Directorate Policy Regarding Exchange of Title 13/Title 26 Respondent Information. This policy holds that:

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All exchanges of Title 13/Title 26 respondent information, Personal Identifiable Information (PII), Fact-of-Filing, etc. shall be managed securely. Incoming and outgoing electronic transmission of confidential data must be encrypted or otherwise protected at all time. A respondent cannot waive the U.S. Census Bureau's protection of his/her Title 13/Title 26 right to confidentiality. Whether or not a respondent deems it to be important, census employees are required to use secure methods to protect respondent information.

When data are received at Census Bureau data processing center or headquarters, they are sent directly to the Principal Investigators and project staff members. They are the only individuals who view the data with its identifying information. The Census Bureau further assures respondent anonymity by assigning to only this staff "rights" to check-in the computer files, review and process the data. The computers used for this project are not linked to any outside source that would make it possible for anyone outside the Census Bureau to access the identifiable data.

The data collection procedures included use of an administrative identifier for youth included in the census, which are provided by the facilities on the CJRP forms. These identifiers are needed solely for data editing and cleaning. The facilities themselves determine the identifiers using either their own unique codes or some other scheme (e.g. initials, their own file numbers, etc.) The Census Bureau does not have the key to match up these identifiers to names. Once the Census Bureau has closed out data collection, these identifiers are stripped from the file.

OJJDP has determined that unrestricted access to the CJRP data, even with the administrative identifiers stripped, would violate the confidential guarantees promised in the CJRP and requirements of 28 CFR Part 22. As such, OJJDP will maintain strict control over raw data files. No person will have access to the data without first entering into a transfer agreement with OJJDP. The Transfer Agreement will conform to the requirements of 28 CFR Part 22.

**Procedures for storing data:**

The Governments Division at the Census Bureau will process the Census of Juveniles in Residential Placement data files on its own secure server, in secured section within the Census complex, to which only Criminal Justice and programming staff have access. During data processing, all data are retained in a locked, secure room when not in use and when an analyst working on the data leaves the processing area, they secure the data in a locked compartment to which only they have the key. The Privacy Certificate specifies which staff members have approved access to CJRP data.

**Disposition of data will occur in the following manner:**

Upon completion of processing the data are transferred to a compact disk (CD) and will be stored in a lock-secured room at Census Bureau headquarters. All data files are purged off the serve after data are archived on CD. All Census of Juveniles in Residential Placement questionnaires are disposed of using "burn" bags or shredding upon completion of the subsequent census. In the interim they are stored in a locked file cabinet in a secure room.

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Upon completion of data collection and processing, the data file is downloaded to a CD which is then hand delivered to the OJJDP Program Manager. Anonymity of individuals is preserved since identifiers are removed from the data prior to release to the sponsor. OJJDP allows for use of the data (described below) by researchers who analyze the data and submit reports and other media to OJJDP for review, publication and distribution. (See Attachment D: Transfer Agreement with the National Center for Juvenile Justice and Attachment E: Privacy Certificate of NCJJ.)

### Use of Results:

OJJDP has developed a comprehensive system for analysis and distribution of the information collected. Under this plan, OJJDP funds a cooperative agreement to the National Center for Juvenile Justice (NCJJ) for the National Juvenile Justice Data Analysis Project (NJJJAP). The NJJJAP analyzes the CJRP data and produces standard fact sheets, bulletins, and reports for publication by OJJDP.

A primary way that the data are released is via OJJDP's online Statistical Briefing Book, located at <http://ojjdp.ncjrs.org/ojstatbb/index.html>. NCJJ developed and maintains the *Census of Juveniles in Residential Placement Databook* for OJJDP to make CJRP data available to a wide variety of users. The CJRP Databook is available at <http://ojjdp.ncjrs.org/ojstatbb/cjrp>. It contains a large set of predefined state-level tables detailing the characteristics of juvenile offenders in custody (age, sex, race/ethnicity, offense, type of facility, and placement status). Users can view custody population profiles for a single state but not for a particular county within the state. Downloaded tables can be saved and imported into spreadsheet software for further analysis. This application is periodically modified or expanded.

In addition, a page of Frequently Asked Questions (FAQs) (Attachment F: Frequently Asked Questions from the OJJDP Statistical Briefing Book) was developed to provide the latest answers to the most commonly asked questions about Juveniles in Corrections. Contained there are answers about the number and characteristics of juveniles in custody nationwide and in each state. For quick access to national facts from CJRP, the Easy Access to the Census of Juveniles in Residential Placement (EZACJRP), an online analysis tool, was developed to facilitate independent analysis of national data on the characteristics of youth held in residential placement facilities, including detailed information about the youth's age, sex, race/ethnicity, placement status, length of stay, and most serious offense. See: <http://ojjdp.ncjrs.org/ojstatbb/cjrp/default.asp>.

In 2006, OJJDP published a comprehensive report on juvenile justice entitled *Juvenile Offenders and Victims: 2006 National Report*. The report includes a full chapter on juveniles in the correctional system. Much of the information for this chapter was derived from findings of the CJRP. In addition, OJJDP is currently exploring the possibility of producing a public use data file. OJJDP is has entered into an InterAgency Agreement with the National Archive of Criminal Justice Data (part of the Inter-university Consortium for Political and Social Research at the University of Michigan) to make the CJRP data files available as restricted files to researchers. To assist in ensuring that the maximum amount of data can be released for public use without compromising privacy protections, a Disclosure Review Board will be established to assess disclosure risks and recommend to OJJDP appropriate disclosure avoidance techniques to accomplish these two objectives. OJJDP believes this effort would also promote the publication of research findings from the CJRP.

## IRB Questions

### 1. PARTICIPANTS/TREATMENTS (ages, sex, numbers per year and total, source of treatment pool or records, inclusion or exclusion characteristics)

The CJRP facility inclusion criteria are as follows: residential facilities in operation on the census reference date, residential facilities that are either publicly or privately (or tribally since 1999) operated, and residential facilities intended for juvenile offenders (although some hold adults as well). Specifically excluded are nonresidential facilities, detention centers operated as part of adult jails, facilities exclusively for drug abusers or dependent/ neglected youth, foster homes, and federal correctional facilities (e.g., Immigration and Naturalization Service, Bureau of Indian Affairs, U.S. Marshals, or Bureau of Prisons). CJRP is not sent to adult facilities or to facilities exclusively for drug or mental health treatment or for abused or neglected children. The inclusion criteria for the census are youth who are:

- Younger than 21, and
- Assigned a bed in a residential facility at the end of the day on the fourth Wednesday in October, and
- Charged with an offense or court-adjudicated for an offense, and
- In residential placement because of that offense.

While the intended subjects of the CJRP include youth who meet the basic criteria for inclusion, designated staff from the facilities in which the youth reside will report on them using the facility's or the agency's records in order to provide information requested on these youth. The youth themselves will not be interviewed or surveyed directly, nor will they be contacted by CJRP.

Table 1 (Attachment G: Tables 1- 3 regarding CJRP 1997 -2006) indicates that in 2006, a total of 2,658 facilities met the inclusion criteria for CJRP, of which more than half (1,482) were private facilities. Table 2 indicates that 104,959 youth were held in residential facilities, 88 percent (92,854) of whom were offenders, and included in the analysis file for CJRP 2006. The sex and age of young offenders in residential placement are presented in Table 3 by year of the census.

### 2. NONPARTICIPANTS/CONTROLS (ages, sex, numbers per year and total, source of treatment pool or records, inclusion or exclusion characteristics)

Because States and localities vary in their methods of providing residential care for delinquent, status offending, dependent or neglected youth and children with mental or educational handicaps, often residential facilities included in the CJRP universe serve multiple populations. While the CJRP accounts for the following by including the following "non participants" in the overall facility population count (See Section 1, Item 14 a.), they are not included in the Section II of the questionnaire, and no information about their individual characteristics is collected. Youth residents meeting the following criteria are excluded from the census:

- Persons under age 21 assigned beds here for NON-OFFENSE REASONS such as neglect, abuse, dependency, abandonment, or another NON-OFFENSE reason.



- Persons under age 21 assigned beds here because of mental health problems UNLESS THE OFFENSE THEY COMMITTED REQUIRED TREATMENT AS PART OF THE COURT ORDER.
- Persons under age 21 who have run away, been truant or incorrigible, or violated curfew, IF THESE BEHAVIORS ARE NOT CONSIDERED ILLEGAL IN YOUR STATE.
- Persons assigned beds here due to voluntary or non-offense related admissions.

In CJRP 2006, 411 facilities that received questionnaires were not included in the census because they did not hold any youth who met all of the eligibility criteria for inclusion in the census. See Table 1, Attachment G. Within the eligible CJRP facilities, there were more than 12,000 non-offender residents on whom detailed CJRP information were not collected.

**3. SPECIAL POPULATIONS (if applicable, name and justify the use of any special population—e.g., pregnant teens, institutionalized persons, etc.)**

The scope of the research requires the collection of information about special populations, juveniles in residential placement.

**4. RECRUITMENT:**

**DETAIL HOW PARTICIPANTS WILL BE NOTIFIED OF THE STUDY AND INVITED TO PARTICIPATE.**

As an integral part of maintaining the address list of potential respondents to OJJDP's juvenile correctional censuses, the Governments Division of the Census Bureau develops and refreshes the Justice Agencies list to determine in advance of the CJRP whether the facility is in-scope. Upon completion of the list that is developed through public sources and previous contacts within states who are knowledgeable about the juvenile justice system, a Notification Letter (Attachment B) is sent out about a month before the reference date to prospective respondents.

**5. INFORMED CONSENT. (Indicate yes or no, and whether consent will be written or oral. Provide justification for why consent will not be obtained or why consent will be oral.)**

No informed consent is obtained in the course of conducting the CJRP. Obtaining consent from each juvenile, who is the subject of the record from which data are being recorded, would not be feasible from both logistical and financial standpoints. Because it is a one-day census, for those facilities not using *in loco parentis*, there would not be adequate time to get parental consent for youth who may be gone before the legal guardian is located and permission granted.

The cover letter (Attachment H: Cover Letter 2007 CJRP) accompanies the CJRP form and clearly outlines the voluntary nature of the facility's participation and indicates that the privacy and confidentiality of the data will be protected under the Federal statutes that govern such collections. See Attachment I: Title 42, United States Code Section 3789(g) (Confidentiality) and OJP Confidentiality Regulations (28 CFR Part 22). To change the existing procedures by having the respondents sign a consent form would raise concerns about how this collection is different from previous one, and what issues should they now be concerned about that were not an issue before. There is ample history with CJRP and opportunity for respondents to contact OJJDP or the Census Bureau should they have questions about participation. Their submission of data is considered consent to participate.

**6. ASSENT. (Indicate yes or no, and whether consent will be written or oral. Provide justification for why consent will not be obtained or why consent will be oral.)**

See response to question 5, above.

**7. WHO WILL GIVE CONSENT. (Indicate whether consent will be given by the participants or by a legally authorized representative, and provide reason.)**

See response to question 5, above.

**8. TRANSLATIONS. (Indicate whether translations will be made and into which languages.)**

No translations will be made.

**9. RISKS.**

**WHAT ARE THE RISKS (PHYSICAL, PSYCHOLOGICAL, SOCIAL, LEGAL OR OTHER) WHICH COULD ARISE FROM PARTICIPATION? PLEASE ESTIMATE THE LIKELIHOOD OF OCCURRENCE.**

The risks to the youth included in the survey are minimal; however, given that some identifying information is collected for administrative purposes and for research purposes (i.e., date of birth) there is the risk of data disclosure. OJJDP has take steps to reduce that risk. By statute and regulation, OJJDP must protect the privacy of individuals included in its surveys. In the case of CJRP, OJJDP must assure that no juvenile can be identified from publicly available data, either tabular or electronic. To comply with this requirement, OJJDP had adopted a policy that required all published table cells be rounded to the nearest multiple of three. The table cells are rounded after the table has been produced from the underlying data. Each cell is rounded independently, without consideration to row or column totals. As a result, in many tables the internal cells will not add to the marginal totals. Rates and percentages presented from CJRP are based on rounded totals as well. More detail on OJJDP's privacy protection policy is available in "[Disclosure Control in the Census of Juveniles in Residential Placement](#)" prepared by Joseph Moone, OJJDP Program Manager. <http://www.ojjdp.ncjrs.gov/ojstatbb/cjrp/pdf/cjrpprot.pdf>.

More recently, however, OJJDP determined that the rounding rule did not need to be applied to the U.S./national level data, only to state-level displays. This new rule has been applied to the CJRP Databook (state tables) and any publications or data analyses released to individuals out side of NJJDAP project staff. The EZACJRP currently presents only national data, so no rounding rule is applied. A State-level EZACJRP has been developed and will tested on a secure site that will have confidentiality agreement "signature" requirement for authorized testers. This rounding policy will be re-evaluated by the Disclosure Review Board, which is being established for all OJJDP data files held at the National Archive of Criminal Justice Data will review disclosure risks and recommend solutions for all OJJDP data set in which subjects' identity is vulnerable to disclosure. If alternative disclosure methods are identified that meet the privacy restrictions, they will be considered for use.

There is also a risk that the residential facility could be identified by virtue of selected characteristics. This risk is heightened by the fact that data from the companion survey, Census of Juvenile Residential Facilities, maintain the same facility identifier. However, over the 35 years that CJRP and its predecessor, Children in Custody, have been fielded no facility's data has been revealed by OJJDP or researchers analyzing the data.

**10. BENEFITS.**

**WHAT ARE THE BENEFITS (DIRECT OR INDIRECT) TO BE DERIVED BY PARTICIPANTS OR SOCIETY AT LARGE?**

The youth included in the census will see few benefits directly from the CJRP. Generally, the benefits will accrue to society at large as represented by policy makers, juvenile justice researchers, and other interested individual. Information on youth in custody for analyzing new policy initiatives, identifying needs for programming and assessing the effects of policy changes or the differences in policy alternatives. Such information is critical to understanding and improving policy alternatives.

Given the minimum risks to the subjects and respondents, the efforts taken by OJJDP to minimize these risks and the larger social benefits derived from this program, the benefits outweigh the risks.

**11. REFERENCES**

Moone, J. Office of Juvenile Justice and Delinquency Prevention. (2000) Disclosure Control in the Census of Juveniles in Residential Placement  
<http://www.ojjdp.ncjrs.gov/ojstatbb/cjrp/pdf/cjrpprot.pdf>

Sickmund, M. and Sladky, T.J. 2007. Special analysis of Census of Juveniles in Residential Placement 1997, 1999, 2001, 2003, and 2006.

## LIST OF ATTACHMENTS

- Attachment A:** Form CJ-14
- Attachment B:** 2007 Notification Letter
- Attachment C:** Instructions for Electronic Data Submission and Privacy and Security Controls (Reserved)
- Attachment D:** Transfer Agreement with the National Center for Juvenile Justice (Reserved)
- Attachment E:** Privacy Certificate of NCJJ
- Attachment F:** Frequently Asked Questions from the OJJDP Statistical Briefing Book
- Attachment G:** Tables 1 – 3 regarding CJRP 1997 -2006
- Attachment H:** Cover Letter 2007 CJRP
- Attachment I:** Title 42, United States Code Section 3789(g) (Confidentiality) and OJP Confidentiality Regulations (28 CFR Part 22)

# Attachment A



Conducted by  
 U.S. DEPARTMENT OF COMMERCE  
 Economics and Statistics Administration  
 U.S. CENSUS BUREAU  
 FOR  
 OFFICE OF JUVENILE JUSTICE AND  
 DELINQUENCY PREVENTION  
 U.S. DEPARTMENT OF JUSTICE

# Census of Juveniles in Residential Placement



*(Please correct any error in name, mailing address, and ZIP Code above)*

**This questionnaire asks about persons who had assigned  
 beds in this facility on Wednesday, February 22, 2006**

**PLEASE COMPLETE AND MAIL THIS FORM IN THE ENCLOSED  
 ENVELOPE BY MARCH 29, 2006**

**Return the completed form to: U.S. Census Bureau  
 P.O. Box 5000  
 Jeffersonville, IN 47199-5000  
 GOVS/CJRP  
 WEBSITE: <http://harvester.census.gov/cjrp>  
 Fax: 1-888-891-2099  
 EMAIL: [govs.CJRP@census.gov](mailto:govs.CJRP@census.gov)**

**If you have any questions, call Regina Yates or Art Ciampa,  
 U.S. Census Bureau, 1-800-352-7229.**

## PERSON COMPLETING THIS QUESTIONNAIRE

Name			E-mail address		
Title					
Business address – Number and street/or P.O. Box/Route number			Telephone		
			Area code	Number	Extension
			Fax Number		
City	State	ZIP Code	Area code	Number	

## Section I – GENERAL INFORMATION

### IMPORTANT INSTRUCTIONS

Complete this questionnaire for just the one facility listed on the cover. If additional questionnaires are needed for other facilities for which you report, call 1-800-352-7229 to request more forms.

#### 1a. Is this facility part of a larger agency?

01  Yes

02  No → **SKIP to Question 2**

#### 1b. What is the name of this agency?

#### 2a. Does this facility provide ON-SITE RESIDENTIAL TREATMENT?

01  Yes

02  No → **SKIP to Question 3**

#### 2b. What kind of treatment is provided INSIDE this facility? Mark (X) those that apply.

01  Mental health treatment

02  Substance abuse treatment

03  Sex offender treatment

04  Treatment for arsonists

05  Treatment specifically for violent offenders

06  Other – Specify ↴

#### 3. Does this facility provide foster care?

01  Yes, for all young persons

02  Yes, for some but not all young persons

03  No

#### 4. Does this facility provide independent living arrangements for any young persons?

01  Yes

02  No

#### 5. What type of residential facility is the one listed on the front cover? Mark (X) those that apply.

01  Detention center

02  Training school/Long-term secure facility

03  Reception or diagnostic center

04  Group home/Halfway house

05  Residential treatment center

06  Boot camp

07  Ranch, forestry camp, wilderness or marine program, or farm

08  Runaway and homeless shelter

09  Other type of shelter

10  Other – Specify ↴

#### 6. On Wednesday, February 22, 2006, did this facility house any overflow detention population? "Overflow detention population" refers to those young persons who, because of the unavailability of beds in a detention center, are placed temporarily in a non-detention facility.

If this facility is a detention center, answer **NO**.

01  Yes

02  No

## Section I – GENERAL INFORMATION – Continued

**7a. Are ANY young persons in this facility locked into their sleeping rooms by staff at ANY time to confine them?**

01  Yes

02  No → **Go to Question 8 below**

**7b. When are young persons in this facility locked into their sleeping rooms by staff?**

*Mark (X) all that apply.*

01  When they are out of control

02  When they are suicidal

03  Rarely, no set schedule

04  During shift changes

05  Whenever they are in their sleeping rooms

06  At night

07  Part of each day

08  Most of each day

09  All of each day

10  Other – *Specify* ↗

**8. Does this facility have any of the following features intended to confine young persons within specific areas?**

*Mark (X) all that apply.*

01  Doors for secure day rooms that are locked by staff to confine young persons within specific areas

02  Wing, floor, corridor, or other internal security doors that are locked by staff to confine young persons within specific areas

03  Outside doors that are locked by staff to confine young persons within specific buildings

04  External gates in fences or walls WITHOUT razor wire that are locked by staff to confine young persons

05  External gates in fences or walls WITH razor wire that are locked to confine young persons

06  Other – *Specify* ↗

07  The facility has NONE of the above features

**9a. Are outside doors to any buildings with living/sleeping units in this facility ever locked?**

01  Yes

02  No → **Go to Question 10a on page 4**

**9b. Why are outside doors to buildings with living/sleeping units in this facility locked?**

*Mark (X) all that apply.*

01  To keep intruders out

02  To keep young persons inside this facility

**9c. WHEN are outside doors to buildings with living/sleeping units in this facility locked?**

*Mark (X) all that apply.*

01  Rarely, no set schedule

02  At night

03  Part of each day

04  Most of each day

05  All of each day

06  When the facility is unoccupied

07  Other – *Specify* ↗



## Section I – GENERAL INFORMATION – Continued

### IMPORTANT INSTRUCTIONS

The following items ask you to use your records to provide counts of persons who had assigned beds in this facility at the end of the day on Wednesday, February 22, 2006. This date has been chosen carefully to give a standardized count of persons in facilities like yours across the country. You will be asked to classify your facility population into two age groups:

1. those persons under age 21; and
2. those persons age 21 and older.

You will then be asked to classify each person UNDER THE AGE OF 21 into one of the two following categories:

1. those here because they have been charged with or court-adjudicated for an offense. An offense is any behavior that is illegal in your state for underage persons alone or for both underage persons and adults.
2. those here for reasons other than offenses

Please classify each person under age 21 into just one of these categories. Detailed descriptions of the above categories are provided in the questions themselves and on the Offense Codes on Pages 19 and 20.

Please use your records for February 22, 2006, to answer the following questions.

**10a. According to your records, at the end of the day on February 22, 2006, did ANY persons have assigned beds in this facility?** Include persons who were temporarily away, but had assigned beds on February 22. Do NOT include staff.

01  Yes

02  No → **STOP HERE** and mail this form ONLY if there were **NO PERSONS IN YOUR FACILITY OR THE FACILITY WAS CLOSED** (permanently or temporarily) on this date. Indicate the reason in the COMMENTS Section on Page 6.

**10b. According to your records, at the end of the day on February 22, 2006, how many persons had assigned beds in this facility?**

Persons

**11. How many of the persons who had assigned beds at the end of the day on Wednesday, February 22, 2006 were AGE 21 or older?**

Include persons who were temporarily away, but had assigned beds on February 22.

Do NOT include staff. Please write "0" if there are NO persons age 21 or older.

Persons 21 or older

**12a. At the end of the day on Wednesday, February 22, 2006, did ANY persons UNDER AGE 21 have assigned beds in this facility?**

INCLUDE juveniles being tried as adults in criminal court. Do NOT include staff.

01  Yes

02  No → **STOP HERE** and mail this form ONLY if there were NO persons under 21 in your facility on this date. Indicate the reason in the COMMENTS Section on Page 6.

**12b. According to your records at the end of the day on Wednesday, February 22, 2006, how many persons UNDER AGE 21 had assigned beds in this facility?** Include persons who were temporarily away but had assigned beds on February 22. Do NOT include staff.

Persons under the age of 21

**NOTE: As a check, the sum of question 11 (persons 21 and older) and 12b (persons under age 21) should equal the sum reported in question 10b (number of persons assigned beds in the facility).**

**13a. At the end of the day on Wednesday, February 22, 2006, did ANY of the persons UNDER AGE 21 have assigned beds in this facility SPECIFICALLY BECAUSE they were CHARGED WITH OR COURT-ADJUDICATED FOR AN OFFENSE?** An offense is any behavior that is illegal in your state for underage persons alone or for both underage persons and adults. See the Offense Codes on Page 19 and 20.

**INCLUDE in your count persons UNDER AGE 21 here BECAUSE THEY WERE CHARGED WITH OR ADJUDICATED FOR:**

- ANY offense that is illegal for both adults and underage persons.

## Section I – GENERAL INFORMATION – Continued

- AN offense that is **ILLEGAL IN YOUR STATE** for underage persons but not for adults. Examples are running away, truancy, incorrigibility, curfew violation, and underage liquor violations. Count persons with these behaviors here **ONLY IF THE BEHAVIORS ARE ILLEGAL IN YOUR STATE**. This includes those CHINS (Children in Need of Services) and PINS (Persons in Need of Services) who are here **BECAUSE** of an offense.
- ANY offense being adjudicated in juvenile or criminal court, including a probation or parole violation.

### **DO NOT INCLUDE here:**

- Persons under age 21 who have committed one or more offenses in the past, **BUT HAVE ASSIGNED BEDS ON FEBRUARY 22 FOR REASONS OTHER THAN OFFENSES** such as neglect, abuse, dependency, abandonment, or another **NON-OFFENSE** reason.
- Persons under age 21 assigned beds here because of mental health problems, substance abuse problems, etc. **UNLESS THE OFFENSE THEY COMMITTED REQUIRED TREATMENT AS PART OF THE COURT ORDER**.
- Persons under age 21 who have run away, been truant or incorrigible, or violated curfew, **IF THESE BEHAVIORS ARE NOT CONSIDERED ILLEGAL IN YOUR STATE**. These persons will be counted in questions 14a and 14b.
- Those persons who are PINS (Persons in Need of Services) or CHINS (Children in Need of Services) who have assigned beds because of **REASONS OTHER THAN OFFENSES**.

01  Yes

02  No → **SKIP to Question 14a**

### **13b. According to your records at the end of the day on Wednesday, February 22, 2006, HOW MANY PERSONS UNDER AGE 21 had assigned beds in the facility SPECIFICALLY BECAUSE they were CHARGED WITH OR COURT-ADJUDICATED FOR AN OFFENSE, as defined in question 13a?**

Later you will be asked to provide information about each of these persons. Include persons who were temporarily away but had assigned beds on February 22. Do NOT include staff.

Persons under age 21 here because they were charged with or court-adjudicated for an offense.

### **14a. At the end of the day on Wednesday, February 22, 2006, did ANY of the persons UNDER AGE 21 have assigned beds in this facility FOR REASONS OTHER THAN OFFENSES? Do NOT include staff.**

#### **INCLUDE here:**

- Persons under age 21 assigned beds here for **NON-OFFENSE REASONS** such as neglect, abuse, dependency, abandonment, or another **NON-OFFENSE** reason.
- Persons under age 21 assigned beds here because of mental health problems **UNLESS THE OFFENSE THEY COMMITTED REQUIRED TREATMENT AS PART OF THE COURT ORDER**.
- Persons under age 21 who have run away, been truant or incorrigible, or violated curfew, **IF THESE BEHAVIORS ARE NOT CONSIDERED ILLEGAL IN YOUR STATE**.
- Persons assigned beds here due to voluntary or non-offense related admissions.

#### **DO NOT INCLUDE here:**

- Persons assigned beds here **BECAUSE THEY WERE CHARGED WITH OR COURT-ADJUDICATED FOR AN OFFENSE**. These persons are counted in questions 13a and 13b.

01  Yes

02  No → **SKIP to note below**

### **14b. According to your records at the end of the day on Wednesday, February 22, 2006, HOW MANY PERSONS UNDER AGE 21 had assigned beds in this facility FOR REASONS OTHER THAN OFFENSES, as defined in question 14a?**

Include persons who were temporarily away but had assigned beds on February 22. Do NOT include staff.

Persons under age 21 here because of non-offense reasons.

**NOTE: As a check, the sum of questions 13b (persons under 21 with offenses) and 14b (persons under 21 with reasons other than offenses) should equal 12b (the number of persons under age 21)**

**COMMENTS**

**IMPORTANT INSTRUCTIONS  
FOR SECTION II**

- 1.** Record individual-level information in Section II on the persons under age 21 you included in **Section I, question 13b.**
- 2.** You may choose one of the following ways to record this information:
  - a.** Continue to write information on this form.
  - b.** Provide a data file which conforms to the CJRP record layout. The acceptable formats are text file, spreadsheet, or data base file.

Please send to:

U.S. Census Bureau  
P.O. Box 5000  
Jeffersonville, IN 47199-5000  
GOVS/CJRP

**or**

E-mail: [govs.CJRP@census.gov](mailto:govs.CJRP@census.gov)

- c.** Download an excel spreadsheet by going to our website at <http://harvester.census.gov/cjrp>  
**Do not type "www" as a prefix.**  
Additional information is also available on this website by clicking on General Guidelines. The spreadsheet can be submitted by e-mail to the following: [govs.CJRP@census.gov](mailto:govs.CJRP@census.gov)

**3. BE SURE TO KEEP COPIES OF THE  
DATA YOU SUBMIT.**

**Section II – PERSON LEVEL DATA**

**START HERE**  Please **COMPLETE** a **LINE** on the table below for **EACH** person who on February 22, 2006, was 

**List below ONLY THOSE PERSONS WHO FULFILL ALL 4 REQUIREMENTS ABOVE (A, B, C, AND D).** →

Line number	1. Enter an identifying number or first name and last initial for all persons meeting ALL 4 requirements above. Use an identifier that will allow YOU to reidentify each person 6 months from now, if a callback is needed.	2. What is this person's sex? Enter the code on the line. 1 – Male 2 – Female	3. What is this person's date of birth?			4. What is this person's race? Enter the code on the line. 1 – White, not of Hispanic origin 2 – Black or African American, not of Hispanic origin 3 – Hispanic or Latino (i.e., Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin), regardless of race 4 – American Indian/Alaska Native, not of Hispanic origin 5 – Asian, not of Hispanic origin 6 – Native Hawaiian or other Pacific Islander, not of Hispanic origin 7 – Two or More Races, not of Hispanic origin – <i>Specify</i>  <i>For definitions of these categories, please refer to Page 18.</i>	5. Which one of the following placed this person at this facility? Enter the code on the line. 1 – Court, probation agency, or law enforcement agency 2 – Corrections or other justice agency not included in 1 3 – Social services agency 4 – School official, parent or guardian, or young person him/herself 5 – Other – <i>Specify</i>		Line number
	Code	Mo.	Day	Yr.	Code	<i>Specify Other only</i>	Code	<i>Specify Other only</i>	
EX	2071	1	02	14	1987	3		1	EX
01									01
02									02
03									03
04									04
05									05
06									06
07									07
08									08
09									09
10									10
11									11
12									12

**Section II – PERSON LEVEL DATA**

- A.** UNDER age 21; **AND**
- B.** assigned a bed in this facility at the end of the day on Wednesday, February 22, 2006; **AND**
- C.** charged with an offense or court-adjudicated for an offense; **AND**
- D.** assigned a bed here BECAUSE OF THE OFFENSE.

**Do NOT list persons assigned beds here for reasons other than offenses, as described in Section I, 14a.**

Line number	6. Is the court, probation or law enforcement agency, or other agency referred to in question 5 at the federal, tribal, state, county, or municipal level?  1 – Federal 2 – A Native American Tribal Government 3 – State 4 – County 5 – Municipal (includes Washington, DC) 6 – Other – Specify		7. What was the most serious offense for which this person was assigned a bed here on February 22? Enter the code for the most serious offense resulting in this placement.  If this person was assigned a bed for reasons other than offenses, ENTER code 00 below and SKIP to next line for next person.  <b>See Offense Codes on Page 19 and 20.</b>		8. In which state did this person commit the offense? State name may be abbreviated.  If state is not known, enter code 99 in the box below.		9. On February 22, what was this person's court adjudication status for the offense listed in question 7? "Adjudication" is the court process which determines whether or not the person committed the offense.  01 – Agreement not to adjudicate (diversion) 02 – Awaiting adjudication hearing in juvenile court 03 – Adjudicated, awaiting disposition by juvenile court 04 – Adjudicated and disposed in juvenile court and awaiting placement elsewhere 05 – Adjudicated and disposed in juvenile court, in placement here 06 – Awaiting transfer hearing to adult criminal court 07 – Awaiting hearing or trial in adult criminal court 08 – Convicted in adult criminal court 09 – Don't know 10 – Other – Specify		10. On what date was this person admitted to this facility for the offense listed in question 7? If more than one date applies, enter the earliest one for the offense listed in question 7.			Line number
	Code	Specify Other only	Code	State	Code	Specify Other only	Mo.	Day	Yr.			
EX	4		25	Vt.	04		01	15	2006	EX		
01										01		
02										02		
03										03		
04										04		
05										05		
06										06		
07										07		
08										08		
09										09		
10										10		
11										11		
12										12		

Line number	1. Enter an identifying number or first name and last initial for all persons meeting ALL 4 requirements above. Use an identifier that will allow YOU to reidentify each person 6 months from now, if a callback is needed.	2. What is this person's sex? Enter the code on the line. 1 – Male 2 – Female	3. What is this person's date of birth?			4. What is this person's race? Enter the code on the line. 1 – White, not of Hispanic origin 2 – Black or African American, not of Hispanic origin 3 – Hispanic or Latino (i.e., Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin), regardless of race 4 – American Indian/Alaska Native, not of Hispanic origin 5 – Asian, not of Hispanic origin 6 – Native Hawaiian or other Pacific Islander, not of Hispanic origin 7 – Two or More Races, not of Hispanic origin – <i>Specify</i>  <i>For definitions of these categories, please refer to Page 18.</i>	5. Which one of the following placed this person at this facility? Enter the code on the line. 1 – Court, probation agency, or law enforcement agency 2 – Corrections or other justice agency not included in 1 3 – Social services agency 4 – School official, parent or guardian, or young person him/herself 5 – Other – <i>Specify</i>	Line number
	Code	Mo.	Day	Yr.	Code	<i>Specify Other only</i>	Code	
13								13
14								14
15								15
16								16
17								17
18								18
19								19
20								20
21								21
22								22
23								23
24								24
25								25
26								26
27								27
28								28
29								29
30								30

Line number	6. Is the court, probation or law enforcement agency, or other agency referred to in question 5 at the federal, tribal, state, county, or municipal level?  1 – Federal 2 – A Native American Tribal Government 3 – State 4 – County 5 – Municipal (includes Washington, DC) 6 – Other – <i>Specify</i>		7. What was the most serious offense for which this person was assigned a bed here on February 22? Enter the code for the most serious offense resulting in this placement.  If this person was assigned a bed for reasons other than offenses, <i>ENTER</i> code 00 below and <i>SKIP</i> to next line for next person.  <b>See Offense Codes on Page 19 and 20.</b>		8. In which state did this person commit the offense? State name may be abbreviated.  If state is not known, enter code 99 in the box below.		9. On February 22, what was this person's court adjudication status for the offense listed in question 7? "Adjudication" is the court process which determines whether or not the person committed the offense.  01 – Agreement not to adjudicate (diversion) 02 – Awaiting adjudication hearing in juvenile court 03 – Adjudicated, awaiting disposition by juvenile court 04 – Adjudicated and disposed in juvenile court and awaiting placement elsewhere 05 – Adjudicated and disposed in juvenile court, in placement here 06 – Awaiting transfer hearing to adult criminal court 07 – Awaiting hearing or trial in adult criminal court 08 – Convicted in adult criminal court 99 – Don't know 10 – Other – <i>Specify</i>			10. On what date was this person admitted to this facility for the offense listed in question 7? If more than one date applies, enter the earliest one for the offense listed in question 7.			Line number
	Code	<i>Specify Other only</i>	Code	State	Code	<i>Specify Other only</i>	Mo.	Day	Yr.				
13												13	
14												14	
15												15	
16												16	
17												17	
18												18	
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24												24	
25												25	
26												26	
27												27	
28												28	
29												29	
30												30	



Line number	1. Enter an identifying number or first name and last initial for all persons meeting ALL 4 requirements above. Use an identifier that will allow YOU to reidentify each person 6 months from now, if a callback is needed.	2. What is this person's sex? Enter the code on the line. 1 – Male 2 – Female	3. What is this person's date of birth?			4. What is this person's race? Enter the code on the line. 1 – White, not of Hispanic origin 2 – Black or African American, not of Hispanic origin 3 – Hispanic or Latino (i.e., Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin), regardless of race 4 – American Indian/Alaska Native, not of Hispanic origin 5 – Asian, not of Hispanic origin 6 – Native Hawaiian or other Pacific Islander, not of Hispanic origin 7 – Two or More Races, not of Hispanic origin – <i>Specify</i>  <i>For definitions of these categories, please refer to Page 18.</i>	5. Which one of the following placed this person at this facility? Enter the code on the line. 1 – Court, probation agency, or law enforcement agency 2 – Corrections or other justice agency not included in 1 3 – Social services agency 4 – School official, parent or guardian, or young person him/herself 5 – Other – <i>Specify</i>	Line number
	Code	Mo.	Day	Yr.	Code	<i>Specify Other only</i>	Code	
31								31
32								32
33								33
34								34
35								35
36								36
37								37
38								38
39								39
40								40
41								41
42								42
43								43
44								44
45								45
46								46
47								47
48								48

Line number	6. Is the court, probation or law enforcement agency, or other agency referred to in question 5 at the federal, tribal, state, county, or municipal level? 1 – Federal 2 – A Native American Tribal Government 3 – State 4 – County 5 – Municipal (includes Washington, DC) 6 – Other – Specify		7. What was the most serious offense for which this person was assigned a bed here on February 22? Enter the code for the most serious offense resulting in this placement.  If this person was assigned a bed for reasons other than offenses, ENTER code 00 below and SKIP to next line for next person.  <b>See Offense Codes on Page 19 and 20.</b>		8. In which state did this person commit the offense? State name may be abbreviated.  If state is not known, enter code 99 in the box below.		9. On February 22, what was this person's court adjudication status for the offense listed in question 7? "Adjudication" is the court process which determines whether or not the person committed the offense. 01 – Agreement not to adjudicate (diversion) 02 – Awaiting adjudication hearing in juvenile court 03 – Adjudicated, awaiting disposition by juvenile court 04 – Adjudicated and disposed in juvenile court and awaiting placement elsewhere 05 – Adjudicated and disposed in juvenile court, in placement here 06 – Awaiting transfer hearing to adult criminal court 07 – Awaiting hearing or trial in adult criminal court 08 – Convicted in adult criminal court 99 – Don't know 10 – Other – Specify			10. On what date was this person admitted to this facility for the offense listed in question 7? If more than one date applies, enter the earliest one for the offense listed in question 7.			Line number
	Code	Specify Other only	Code	State	Code	Specify Other only	Mo.	Day	Yr.				
31												31	
32												32	
33												33	
34												34	
35												35	
36												36	
37												37	
38												38	
39												39	
40												40	
41												41	
42												42	
43												43	
44												44	
45												45	
46												46	
47												47	
48												48	

Line number	1. Enter an identifying number or first name and last initial for all persons meeting ALL 4 requirements above. Use an identifier that will allow YOU to reidentify each person 6 months from now, if a callback is needed.	2. What is this person's sex? Enter the code on the line. 1 – Male 2 – Female	3. What is this person's date of birth?			4. What is this person's race? Enter the code on the line. 1 – White, not of Hispanic origin 2 – Black or African American, not of Hispanic origin 3 – Hispanic or Latino (i.e., Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin), regardless of race 4 – American Indian/Alaska Native, not of Hispanic origin 5 – Asian, not of Hispanic origin 6 – Native Hawaiian or other Pacific Islander, not of Hispanic origin 7 – Two or More Races, not of Hispanic origin – <i>Specify</i>  <i>For definitions of these categories, please refer to Page 18.</i>	5. Which one of the following placed this person at this facility? Enter the code on the line. 1 – Court, probation agency, or law enforcement agency 2 – Corrections or other justice agency not included in 1 3 – Social services agency 4 – School official, parent or guardian, or young person him/herself 5 – Other – <i>Specify</i>	Line number
	Code	Mo.	Day	Yr.	Code	<i>Specify Other only</i>	Code	
49								49
50								50
51								51
52								52
53								53
54								54
55								55
56								56
57								57
58								58
59								59
60								60
61								61
62								62
63								63
64								64
65								65
66								66

Line number	6. Is the court, probation or law enforcement agency, or other agency referred to in question 5 at the federal, tribal, state, county, or municipal level?  1 – Federal 2 – A Native American Tribal Government 3 – State 4 – County 5 – Municipal (includes Washington, DC) 6 – Other – Specify		7. What was the most serious offense for which this person was assigned a bed here on February 22? Enter the code for the most serious offense resulting in this placement.  If this person was assigned a bed for reasons other than offenses, ENTER code 00 below and SKIP to next line for next person.  <b>See Offense Codes on Page 19 and 20.</b>		8. In which state did this person commit the offense? State name may be abbreviated.  If state is not known, enter code 99 in the box below.		9. On February 22, what was this person's court adjudication status for the offense listed in question 7? "Adjudication" is the court process which determines whether or not the person committed the offense.  01 – Agreement not to adjudicate (diversion) 02 – Awaiting adjudication hearing in juvenile court 03 – Adjudicated, awaiting disposition by juvenile court 04 – Adjudicated and disposed in juvenile court and awaiting placement elsewhere 05 – Adjudicated and disposed in juvenile court, in placement here 06 – Awaiting transfer hearing to adult criminal court 07 – Awaiting hearing or trial in adult criminal court 08 – Convicted in adult criminal court 99 – Don't know 10 – Other – Specify			10. On what date was this person admitted to this facility for the offense listed in question 7? If more than one date applies, enter the earliest one for the offense listed in question 7.			Line number
	Code	Specify Other only	Code	State	Code	Specify Other only	Mo.	Day	Yr.				
49											49		
50											50		
51											51		
52											52		
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Line number	1. Enter an identifying number or first name and last initial for all persons meeting ALL 4 requirements above. Use an identifier that will allow YOU to reidentify each person 6 months from now, if a callback is needed.	2. What is this person's sex? Enter the code on the line. 1 – Male 2 – Female	3. What is this person's date of birth?			4. What is this person's race? Enter the code on the line. 1 – White, not of Hispanic origin 2 – Black or African American, not of Hispanic origin 3 – Hispanic or Latino (i.e., Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin), regardless of race 4 – American Indian/Alaska Native, not of Hispanic origin 5 – Asian, not of Hispanic origin 6 – Native Hawaiian or other Pacific Islander, not of Hispanic origin 7 – Two or More Races, not of Hispanic origin – <i>Specify</i>  <i>For definitions of these categories, please refer to Page 18.</i>	5. Which one of the following placed this person at this facility? Enter the code on the line. 1 – Court, probation agency, or law enforcement agency 2 – Corrections or other justice agency not included in 1 3 – Social services agency 4 – School official, parent or guardian, or young person him/herself 5 – Other – <i>Specify</i>		Line number
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	Code	Specify Other only	Code	State	Code	Specify Other only	Mo.	Day	Yr.					

The Federal Government uses the following definitions for the various racial categories.

**White** – A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

**Black or African American** – A person having origins in any of the black racial groups of Africa.

**Hispanic or Latino** – A person of Cuban, Mexican, Puerto Rican, South or Central American or other Spanish culture or origin, regardless of race.

**American Indian or Alaska Native** – A person having origins in any of the original peoples of North America and South America (including Central America) and who maintains tribal affiliations or community attachment.

**Asian** – A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

**Native Hawaiian or other Pacific Islander** – A person having origins in any of the original peoples of Hawaii, Guam, Samoa or other Pacific Islands.

**Two or More Races, not of Hispanic origin** – Refers to combinations of two or more of the following race categories: White, Black or African American, American Indian/Alaska Native, Asian, Native Hawaiian or other Pacific Islander. In cases of Hispanic origin, regardless of race(s), mark "Hispanic or Latino".

Thank you for completing this questionnaire. If you would like to give us any comments on this form, please write them on Page 6.

Please make copies for your own records of this completed questionnaire, so that if we need to call you about an answer, you will be able to refer to your copies.

**Please mail the completed form in the enclosed envelope to:**

**U.S. Census Bureau  
P.O. Box 5000  
Jeffersonville, IN 47199-5000  
GOVS/CJRP**

# OFFENSE CODES

## Census of Juveniles in Residential Placement

These Offense Codes are divided into two main categories: (1) offenses for both underage persons and for adults, and (2) possible offenses for underage persons only. Information on these codes may make it easier for you to classify persons placed in the facility because of an offense.

In Section II, question 7, you are again referred to these offense codes. There, you are asked to match each young person's offense to the category and type of offense listed below. Note the two-digit code number, and write that number in Section II, question 7, on the line for that person. Please record the most serious offense for which this person had an assigned bed here on February 22, 2006.

Attempted offenses should be coded as if they were actual offenses, except for attempted murder which should be coded as 20 (assault, aggravated).

Definitions of the offenses are provided on Page 20.

### OFFENSES FOR BOTH UNDERAGE PERSONS AND ADULTS

#### OFFENSES AGAINST PROPERTY

- 10 Arson
- 11 Auto theft, unauthorized use of auto, joyriding
- 12 Burglary, breaking and entering, household larceny
- 13 Theft, non-household larceny
- 14 Property damage, vandalism
- 19 Other property offense

#### OFFENSES AGAINST PERSONS

- 20 Assault, aggravated (include attempted murder)
- 21 Assault, simple
- 22 Kidnapping
- 23 Murder, manslaughter, negligent homicide
- 24 Violent sexual assault including forcible rape
- 25 Robbery
- 29 Other person offense

#### DRUG-RELATED OFFENSES

- 30 Drugs or narcotics, trafficking
- 31 Drugs or narcotics, possession
- 39 Other drug-related offense

#### OFFENSES AGAINST THE PUBLIC ORDER

- 40 Alcohol or drugs, driving under the influence of
- 41 Obstruction of justice
- 42 Non-violent sex offense, statutory rape
- 43 Weapons-related offenses
- 49 Other public order offense

#### PROBATION OR PAROLE VIOLATION

- 50 Probation or parole violation, violation of a valid court order

### POSSIBLE OFFENSES FOR UNDERAGE PERSONS ONLY

The behaviors identified below are considered offenses in this census ONLY IF THEY ARE ILLEGAL in your state for underage persons:

- 60 Curfew violation
- 61 Incurable, ungovernable
- 62 Running away
- 63 Truancy
- 64 Alcohol: underage use, possession or consumption of
- 69 Other offense that is illegal for underage persons only

### UNKNOWN OFFENSES

- 97 Unknown offense for both underage persons and adults
- 98 Unknown offense for underage persons only
- 99 Unknown offense



## DEFINITIONS OF OFFENSES

**Alcohol or drugs, driving under the influence of** – Driving or operating a motor vehicle while under the influence of alcohol, a drug or controlled substance. Code **40**.

**Alcohol: underage use, possession, or consumption of** – Possession, use, or consumption of alcohol by a minor. Code **64**.

**Arson** – Actual or attempted intentional damaging or destroying of property by fire or explosion, without the owner's consent. Code **10**.

**Assault, aggravated** – An actual, attempted, or threatened physical attack on a person that 1) involves the use of a weapon or 2) causes serious physical harm. Include attempted murder. Code **20**. *For assaults with less than serious harm and without use of a weapon – See Assault, simple.*

**Assault, simple** – An actual, attempted, or threatened physical attack on a person that causes less than serious physical harm and without a weapon. Include non-physical attacks causing the fear of an attack. Code **21**.

**Auto theft, unauthorized use of auto, joyriding** – Actual or attempted unauthorized taking or use of a motor vehicle, intending to deprive the owner of it temporarily or permanently. Include joyriding and grand theft auto. Code **11**.

**Burglary, breaking and entering, household larceny** – Actual or attempted unlawful entry of a building, structure, or vehicle with intent to commit larceny or another crime. Code **12**.

**Curfew violation** – Violation of an ordinance forbidding persons below a certain age from being in public places during set hours. Code **60**.

**Drugs or narcotics, possession** – Actual or attempted purchase, possession or use of any illegal drug or substance, excluding alcohol. Code **31**.

**Drugs or narcotics, trafficking** – Actual or attempted making, selling, or distributing of a controlled or illegal drug or substance. Code **30**.

**Incorrigible, ungovernable** – Being beyond the control of parents, guardians, or custodians. Code only if this is considered an offense in your state. Code **61**.

**Kidnapping** – Actual or attempted unlawful transportation or confinement of a person without his/her consent (or, if a minor, consent of a guardian). Code **22**.

**Murder/manslaughter/negligent homicide** – Causing the death of a person without legal justification. Code **23**. *For attempted murder/manslaughter – See Assault, aggravated.*

**Non-violent sex offense, statutory rape** – Actual or attempted offenses with a sexual element, without violence. Include consensual sex with an underaged person, prostitution, solicitation, indecent exposure, pornography, and obscenity. Code **42**. *For sexual abuse by a minor against another minor – See Violent sexual assault.*

**Obstruction of justice** – Any act that intentionally impedes the enforcement of a law or court order. Examples: Escape from confinement, contempt of court, perjury, failing to report a crime, nonviolently resisting arrest, and bribery. Code **41**. *See Probation/parole violation.*

**Other drug-related offense** – Use this code if the drug offense is not specifically listed on the offense codes or definitions. Examples include: possession of drug paraphernalia, visiting a place where drugs are found, etc. Code **39**.

**Other offense that is illegal for underage persons only** – Use this code if the drug offense is not illegal for adults and is not specifically listed on the offense codes or definitions. Examples include: underage smoking, unruliness in school, etc. Code **69**.

**Other person offense** – Use this code if the person offense is not specifically listed on the offense codes or definitions. Examples include: harassment, coercion, reckless endangerment, etc. Code **29**.

**Other property offense** – Use this code if the property offense is not specifically listed on the offense codes or definitions. Examples include: trespassing, selling stolen property, possession of burglar's tools, fraud, etc. Code **19**.

**Other public order offense** – Use this code if the public order offense is not specifically listed on the offense codes or definitions. Examples include: cruelty to animals, disorderly conduct, traffic offenses, etc. Code **49**.

**Probation or parole violation, violation of valid court order** – Acts that disobey or go against the conditions of probation or parole. Examples: failure to participate in a specific program, failure to appear for drug tests or meetings, and failure to pay restitution. Code **50**.

**Property damage, vandalism** – Actual or attempted damaging or destroying of property of a person or public property. Code **14**. *For destroying or damaging by fire or explosion – See Arson.*

**Robbery** – Actual or attempted unlawful taking of property in the direct possession of a person by force or threat of force. Include purse snatching with force and carjacking. Code **25**. *For purse snatching without force – See Theft/non-household larceny.*

**Running away** – Leaving the custody and home of parents or guardians without permission and failing to return within a reasonable length of time. Code only if this is considered an offense in the state in which it occurred. Code **62**. *For running away from a facility – See Obstruction of justice.*

**Theft, non-household larceny** – Actual or attempted taking of property (other than an auto) from a person without force or deceit. Include shoplifting, pickpocketing, and purse snatching without force. Code **13**.

- *For purse snatching with force – See Robbery.*
- *For theft using deceit – See Other property offense.*
- *For household larceny – See Burglary, breaking and entering, household larceny.*

**Truancy** – Violation of a compulsory school attendance law. Code only if this is considered an offense in your state. Code **63**.

**Violent sexual assault including forcible rape** – Actual or attempted sexual intercourse or sexual assaults against a person against her/his will by force or threat of force. Includes incest, sodomy, and sexual abuse by a minor against another minor. Code **24**. *See also Non-violent sex offense, statutory rape.*

**Weapons-related offenses** – Actual or attempted illegal sale, distribution, manufacture, alteration, transportation, possession, or use of a deadly or dangerous weapon or accessory. Code **43**.

# Attachment B

## ATTACHMENT: 2007 Notification Letter

September 19, 2007

Dear Facility Administrator:

This letter is to request your participation in the upcoming *2007 Census of Juveniles in Residential Placement* (CJRP), a continuing data collection effort being undertaken by the Office of Juvenile Justice and Delinquency Prevention (OJJDP). As always, your participation is voluntary and you do not have to participate. The CJRP asks for information on persons housed in your facility or in facilities owned or operated by your agency.

The CJRP provides a broad range of information on the youth in residential facilities. You can access the results of previous surveys online at OJJDP's Statistical Briefing Book <http://ojjdp.ncjrs.gov/ojstatbb/index.html>. There you can download or view Chapter 7 of the *Juvenile Offenders and Victims: 2006 National Report*, which provides an easy to read summary of data from CJRP and other data sources on youth offenders in residential placement. Also, a new data analysis tool has been added to the Briefing Book, the *Easy Access to the Census of Juveniles in Residential Placement*. This easy to use tool allows you to view the characteristics of youth held in residential placement facilities nationwide, including detailed information about the youth's age, sex, race/ethnicity, placement status, length of stay, and most serious offense. Your continued participation in CJRP is essential to assure accurate and complete information on these young persons.

The U.S. Census Bureau will perform data collection operations for OJJDP. The reference date will be Wednesday, October 24, 2007. You should receive reporting materials for this census approximately two weeks before that date. Please review them so that you can answer the questions on or shortly after October 24. If you have any questions or if you do not receive the CJRP materials, please call Regina Yates or Art Ciampa of the U.S. Census Bureau on 1-800-352-7229.

I trust we can count on your support as we have in the past. I want to thank you in advance for your time and effort in this endeavor.

Sincerely,

Janet Chiancone  
Research Coordinator

# Attachment E

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## PRIVACY CERTIFICATE FACE SHEET

Title of Project: National Juvenile Justice Data Analysis Project

Applicant/Grantee: National Council of Juvenile and Family Court Judges

Address: P.O. Box 8970  
Reno, NV 89507

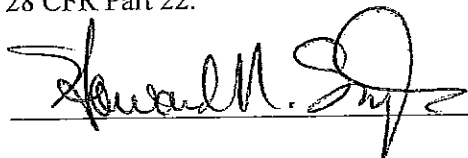
Principal Investigator(s)/Project Director: Howard N. Snyder, Ph.D.

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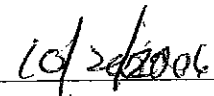
Grantee and Principal Investigator(s)/Project Director certify that:

1. Data identifiable to a private person will not be used or revealed, except as authorized under 28 CFR § 22.21 and § 22.22;
2. Access to the data will be limited to those employees having a need for such data and that such employees shall be advised of and agree in writing to comply with the regulations in 28 CFR Part 22;
3. All contractors, subcontractors, and consultants requiring access to data identifiable to a private person will agree, through conditions in their subcontract or consultant agreement, to comply with the requirements of 28 CFR § 22.24, regarding Information Transfer Agreements and the Office of Juvenile Justice and Delinquency Prevention (OJJDP) will be provided copies of all Information Transfer Agreements before such Agreements are executed;
4. If applicable, Grantee will maintain a log indicating that data identifiable to a private person has been transferred to persons or entities other than OJJDP or other OJP bureaus, or to Grantee, contractor, or subcontractor staff, and whether the data has been returned or if there is an alternative arrangement for the future maintenance of such data;
5. Grantee will take adequate precautions to ensure the administrative and physical security of data identifiable to a private person; and
6. Grantee will design project plans in a manner that will preserve the anonymity of private persons participating in this project;
7. Project findings and reports prepared for dissemination will not contain information which can reasonably be expected to be identifiable to a private person;
8. Upon completion of the project, the security of research or statistical information will be protected.
9. The Grantee has attached a document containing all required elements of a privacy certificate as provided in 28 CFR Part 22.

Signature(s):

  
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Date:

  
\_\_\_\_\_

Date: \_\_\_\_\_

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## Attachment for Privacy Certificate

1. Brief description of the project, as required by 28 CFR § 22.23(b):

The stated goal of the National Juvenile Justice Data Analysis Project is to provide OJJDP with a single, dedicated source of statistical data and analyses that will inform the juvenile justice field on issues of current and future importance. National Center for Juvenile Justice (NCJJ) has assembled a team of researchers with expertise in a wide range of content areas, a knowledge of existing national and subnational data systems, the technical skills to manipulate these data bases, and the ability to communicate findings to various audiences using a variety of dissemination modalities.

Data sets that are anticipated to be used by the National Juvenile Justice Data Analysis Project include:

- ◆ 1997, 1999, 2001, 2003, 2005 Census of Juveniles in Residential Placement
- ◆ 2000, 2002, 2004, and 2006 Juvenile Residential Facility Census
- ◆ 1992–2003 National Corrections Reporting Program
- ◆ 1991–2003 National Incident-Based Reporting System (NIBRS), FBI
- ◆ 1991–1995 Children in Custody
- ◆ The first five waves of the National Longitudinal Survey of Youth 1997
- ◆ 1980–2005 National Crime Victimization Survey
- ◆ 1980–2005 Supplemental Homicide Reports
- ◆ 1980–2005 Residential Population, Bureau of the Census
- ◆ 1980–2005 Uniform Crime Reporting Program (UCR), FBI
- ◆ 1990–2005 National Juvenile Court Data Archive

At present, the only research planned under the National Juvenile Justice Data Analysis Project that involves identifiable information to staff is the work using data from the Census of Juveniles in Residential Placement. Thus, this Privacy Certificate is necessary. However, since the needs of OJJDP and the juvenile justice community will require the National Juvenile Justice Data Analysis Project to initiate other (unplanned) research tasks, NCJJ will complete and submit additional Privacy Certificates as necessary.

2. Procedures to notify participants, as required by 28 CFR § 22.23(b)(4), or, if notification is to be waived, pursuant to 28 CFR § 22.27(c), justification for waiver, pursuant to 28 CFR § 22.27:

Information about juveniles in residential placement is obtained from the Bureau of the Census, pursuant to the direction of OJJDP. Thus, notification to all individuals providing data would be extremely impractical.

3. Procedures for data collection and storage, as required by 28 CFR § 22.23(b)(5) and § 22.23(b)(7):

*Administrative Security*

- ◆ NCJJ research staff have developed a draft of a *Manual of Policies and Procedures for Data Confidentiality*, which is under review by OJJDP and is available to NCJJ staff, subcontractors, subgrantees, individuals, and organizations requesting data files that contain identifiable
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information for research and statistical activities. The *Manual* was created to explain the federal regulations regarding research and statistical activities involving confidential information and describe NCJJ procedures for monitoring the receipt, access, security, use, dissemination, transfer and return of data involving identifying information. Finally, the *Manual* guides NCJJ staff, subcontractors, subgrantees, individuals, and organizations seeking access to identifiable information through the NCJJ application process.

- ◆ Each NCJJ staff assigned to the National Juvenile Justice Data Analysis Project will be given a copy of the *Manual of Policies and Procedures for Data Confidentiality* for their review.
- ◆ NCJJ staff assigned to the National Juvenile Justice Data Analysis project will review and sign Data Access Agreements.

#### *Physical Security*

- ◆ Access to data will be limited to those individuals having a need for the data in connection with project responsibilities as described in the grant application.
- ◆ Electronic copies of identifiable data used in the National Juvenile Justice Data Analysis project will be stored in a locked file cabinet with limited access to cabinet key/lock combination.
- ◆ Data files may also be stored on a stand-alone computer, which is not connected to the internal computer network at NCJJ. Access to the stand-alone computer is limited to the Center's technical staff.

#### *Technical Staff Training*

- ◆ NCJJ technical staff will attend seminars, conferences, or other events designed to provide information and discussion about new and emerging issues related to technical aspects of data access, use, storage, transfer, etc.
- ◆ NCJJ technical staff will obtain print and electronic resources available to data processing professionals in the fields of data collection and analysis in order to keep aware of current topics regarding confidentiality of information.
- ◆ NCJJ technical staff will seek opportunities for on-going training regarding maintenance of secure computer network systems.

#### 4. Procedures for disposition of data, as required by 28 CFR § 22.23(c) and § 22.25:

Through the National Juvenile Justice Data Analysis Project (NJJDAP), the Office of Juvenile Justice and Delinquency Prevention (OJJDP) has created its own statistical analysis center, a program taking advantage of the information potential of existing databases and responsive to the information needs of the Office and the juvenile justice community. Thus, complete physical destruction of all copies of the materials or the identifiable portion of such materials after a three-year required retention period is inappropriate. However, pursuant to 28 CFR § 22.25, all data and information used for the National Juvenile Justice Data Analysis project will be maintained in a secure location.

At this time, NCJJ utilizes the services of a business record management company to store information off-site. The company provides supervised, secure storage for NCJJ records.

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5. Procedures developed to preserve and protect the anonymity of private persons, as required by 28 CFR § 22.23(b)(8) and § 22.22:

The Grant Monitor to the National Juvenile Justice Data Analysis Project informed NCJJ that in working with the Disclosure Review Committee, which oversees release of all Census Bureau data, OJJDP has developed a rule for the release of tabular data from the Census of Juveniles in Residential Placement, called the *Tabular Data Rounding Rule*. According to the *Rule*, for all representations of bivariate or multivariate counts (i.e., counts that represent more than one variable such as age by sex by race) all cells must be rounded to the nearest multiple of three. As a result, each cell will have one added to it, one subtracted from it, or be left alone. The reader will not have information on what action was taken with that particular cell, which will prevent the identification of a unique individual, as well as the use of linear methods to determine the attributes of one individual through combinations of cells and totals. Consequently, the need to suppress cells because of confidentiality and privacy concerns is eliminated.

6. List of persons having access to data, as required by 28 CFR § 22.23(b)(2):

The following persons are employees of the National Center for Juvenile Justice:

Principal Investigator(s): Howard Snyder, Ph.D.

Project Staff: Melissa Sickmund, Senior Researcher  
Charles Puzzanchera, Research Associate  
Anne Stahl, Research Associate  
Sarah Livsey, Senior Research Assistant  
Anthony Sladky, Computer Programmer  
Brian Sabotta, Computer Programmer  
Terrence Finnegan, Sr. Computer Programmer  
Dennis Sullivan, Computer Programmer  
Wei Kang, Computer Programmer  
Jason Smith, Computer Programmer

NCJJ staff can be contacted as follows:

National Center for Juvenile Justice  
3700 S. Water St., Suite 200  
Pittsburgh, PA 15203  
Telephone: (412) 227-6950  
FAX: (412) 227-6955

Subcontractors: Currently, there are no subcontractors for the National Juvenile Court Data Archive during this grant period.

7. Method for transfer of identifiable data to persons other than project staff and OJP staff, pursuant to Information Transfer Agreements, as required by 28 CFR § 22.23(b)(6), § 22.24, and § 22.26:
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Although there are no current plans to do so, if NCJJ lends data sets to a private person it will do so only to qualified individuals or organizations involved in research and statistical activities. To qualify, an individual or organization must submit:

- ◆ A written *Request for Transfer of Information*
- ◆ A signed *Information Transfer Agreement*
- ◆ Executed *Data Access Agreements*

Pursuant to 28 CFR § 22.26, any requests for transfer of information must be submitted to NCJJ. The request must describe the general objectives of the project, justify the need for such information in identifiable form, and support the conclusion that the conduct of the project will not cause tangible or intangible harm to individuals whose identifying information is transferred.

NCJJ will transfer data and information using whatever type of medium is most practical (e.g., diskette, CD-ROM). NCJJ will send the information using registered mail, in order to guarantee that only the person who is named in the Information Transfer Agreement will be able to receive it.

NCJJ will maintain a *Data Transfer Log* indicating that identifiable information has been transferred to persons other than OJJDP or NCJJ/contractor staff or subcontractors pursuant to an Information Transfer Agreement. The Data Transfer Log will indicate the NCJJ staff member who transferred the data, contact information for the recipient of the data, a description of the data, and when such data are scheduled to be returned or whether alternative arrangements have been agreed upon for future maintenance of such data.

8. Explanation of conditions that require waiver of an element of the Privacy Certificate, if necessary:

It is not necessary to waive any element of the Privacy Certificate for this project.

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# Attachment F

## Attachment F

### Frequently Asked Questions from the OJJDP Statistical Briefing Book

#### Custody Data (1997-Present)

##### Demographics

- How many juveniles are held in residential placement on a given day in the U.S.? [\[Answer\]](#)
- What is the female proportion of juveniles in custody? [\[Answer\]](#)
- How do custody rates vary by race? [\[Answer\]](#)
- How old are most juveniles in residential placement? [\[Answer\]](#)
- Does the race/ethnicity profile of juvenile offenders in residential placement vary by offense? [\[Answer\]](#)
- Does the race/ethnicity profile of juveniles in residential placement vary by offense and gender? [\[Answer\]](#)
- Does the minority proportion of juvenile offenders in residential placement vary by state and placement status? [\[Answer\]](#)
- What is the female proportion of minority juveniles in residential placement? [\[Answer\]](#)
- What is the minority proportion of females in residential placement? [\[Answer\]](#)
- How do female custody rates vary by race/ethnicity and State? [\[Answer\]](#)
- How do male custody rates vary by race/ethnicity and State? [\[Answer\]](#)

##### Offenses

- Does the offense profile of juveniles held in residential placement vary by State? [\[Answer\]](#)
- Does the race/ethnicity profile of juvenile offenders in residential placement vary by offense? [\[Answer\]](#)
- How does the type of offense resulting in placement vary by race/ethnicity? [\[Answer\]](#)
- How does the type of offense resulting in placement vary by sex? [\[Answer\]](#)
- Does the offense profile of detained juveniles in residential placement vary by state? [\[Answer\]](#)
- Does the offense profile of committed juveniles in residential placement vary by state? [\[Answer\]](#)

##### Time in Placement

- Does time in placement vary for detained juveniles and committed juveniles? [\[Answer\]](#)
- Does time in placement vary by sex? [\[Answer\]](#)
- Does time in placement vary by race/ethnicity? [\[Answer\]](#)
- Does time in placement vary by type of offense for committed offenders? [\[Answer\]](#)
- How long did juveniles stay in juvenile residential placement facilities in 1997? [\[Answer\]](#)
- Does time in placement vary by type of offense for detained offenders? [\[Answer\]](#)

##### Facility Characteristics

- Were most juvenile offenders held in small facilities in 1997? [\[Answer\]](#)
- Do public facilities hold more juveniles than private facilities? [\[Answer\]](#)
- Did private facilities hold mostly girls in 1997? [\[Answer\]](#)
- How many juvenile residential placement facilities held female offenders in 1997? [\[Answer\]](#)

- Were minorities overrepresented in the juvenile offender population in public and private facilities in 1997? [\[Answer\]](#)
- Did any juvenile residential placement facilities hold more minority than nonminority youth in 1997? [\[Answer\]](#)
- Were very young juvenile offenders more likely to be held in public or private facilities in 1997? [\[Answer\]](#)
- Did residential placement facilities hold both juvenile offenders younger than age 13 and older teen offenders in 1997? [\[Answer\]](#)
- Did residential placement facilities hold both violent juvenile offenders and nonviolent offenders in 1997? [\[Answer\]](#)
- Were private facilities used to detain juvenile offenders in 1997? [\[Answer\]](#)
- Were most juvenile offenders held in secure facilities in 1997? [\[Answer\]](#)
- How did the use of security in residential placement facilities vary by offense in 1997? [\[Answer\]](#)
- How did the security status of juvenile offenders in residential placement vary by race/ethnicity in 1997? [\[Answer\]](#)
- How did the security status of juvenile offenders in residential placement vary by age in 1997? [\[Answer\]](#)
- How did the security status of juveniles in residential placement vary by their placement status in 1997? [\[Answer\]](#)
- Did detention centers hold more residents in 1997 than in 1995? [\[Answer\]](#)
- How long did juveniles stay in juvenile residential placement facilities in 1997? [\[Answer\]](#)

## State Comparisons

- How do custody rates vary by State? [\[Answer\]](#)
- What factors influenced State custody rates in 1997? [\[Answer\]](#)
- How did States vary in their use of private facilities in 1997? [\[Answer\]](#)
- How did States vary in their use of security in juvenile residential facilities in 1997? [\[Answer\]](#)
- When is secure detention used? [\[Answer\]](#)
- Does the offense profile of juveniles held in residential placement vary by State? [\[Answer\]](#)
- What is the female proportion of juveniles in custody? [\[Answer\]](#)
- How do custody rates vary by race? [\[Answer\]](#)
- How do female custody rates vary by race/ethnicity and State? [\[Answer\]](#)
- How do male custody rates vary by race/ethnicity and State? [\[Answer\]](#)

# Attachment G

**Residential placement facilities included in analysis of CJRP data:**

Type of facility	Number					Percent of total				
	1997	1999	2001	2003	2006	1997	1999	2001	2003	2006
All facilities	2,842	2,936	2,980	2,861	2,658	100%	100%	100%	100%	100%
Public	1,106	1,133	1,197	1,170	1,167	39	39	40	41	44
State	508	532	533	501	498	18	18	18	18	19
Local	598	601	664	669	669	21	20	22	23	25
Private	1,736	1,794	1,774	1,682	1,482	61	61	60	59	56
Tribal		9	9	9	9	0	0	0	0	0

Note: In each wave of CJRP data there are several hundred facilities excluded from the analyses because they held no juvenile offenders on the census date.

Facilities excluded from analyses:

	1997	1999	2001	2003	2006
Number of facilities	587	739	600	612	411

Note: Respondents are not required to conform to any particular definition of "facility." Data reported as a single facility by one respondent might have been reported as more than one facility by another respondent, and vice versa.

Suggested citation: Sickmund, M. and Sladky, T.J. 2007. *Special analysis of Census of Juveniles in Residential Placement 1997, 1999, 2001, 2003, and 2006*. Pittsburgh, PA: National Center for Juvenile Justice.

Data Source: Office of Juvenile Justice and Delinquency Prevention. *Census of Juveniles in Residential Placement, 1997, 1999, 2001, 2003, and 2006* [machine-readable data files]. Washington, D.C. Office of Juvenile Justice and Delinquency Prevention

**One day count of juveniles in residential placement facilities, 1997-2003**

**Table 2. Number of Residents in all Juvenile Facilities, including Public, Private and Tribal Facilities: 1997 -2006**

	Number					Percent of total				
	1997	1999	2001	2003	2006	1997	1999	2001	2003	2006
<b>All facilities</b>										
<b>Total all residents</b>	116,701	120,742	118,008	109,225	104,959	100%	100%	100%	100%	100%
Juvenile offenders	105,055	107,667	104,413	96,655	92,854	90	89	88	88	88
Other residents*	11,646	13,075	13,595	12,570	12,105	10	11	12	12	12
<b>Juvenile offenders in</b>										
<b>Public facilities</b>	75,600	76,222	73,328	66,210	64,163	65	63	62	61	61
State facilities	46,516	47,347	43,669	37,335	34,658	40	39	37	34	33
Local facilities	29,084	28,875	29,659	28,875	29,505	25	24	25	26	28
<b>Private facilities</b>	29,455	31,271	30,891	30,321	28,558	25	26	26	28	27
<b>Tribal facilities</b>	na	174	194	124	133	0	0	0	0	0

Note: \*Other residents include youth age 21 or older and those held in the facility but not charged with or adjudicated for an offense.

Suggested citation: Sickmund, M. and Sladky, T.J. 2007. *Special analysis of Census of Juveniles in Residential Placement 1997, 1999, 2001, 2003, and 2006*. Pittsburgh, PA: National Center for Juvenile Justice.

Data Source: Office of Juvenile Justice and Delinquency Prevention. *Census of Juveniles in Residential Placement, 1997, 1999, 2001, 2003, and 2006* [machine-readable data files]. Washington, D.C. Office of Juvenile Justice and Delinquency Prevention

**Table 3. Age on Census Date by Sex for Juvenile Offenders in the United States 1997-2006**

2006			
Age	Total	Male	Female
Total	92,854	78,911	13,943
12 & younger	1,207	1,011	196
13	3,424	2,714	710
14	9,127	7,329	1,798
15	17,574	14,424	3,150
16	24,646	20,769	3,877
17	23,761	20,588	3,173
18 & older	13,115	12,076	1,039

2003			
Age	Total	Male	Female
Total	96,655	82,065	14,590
12 & younger	1,671	1,406	265
13	4,088	3,221	867
14	9,890	7,850	2,040
15	18,363	14,874	3,489
16	24,809	20,872	3,937
17	23,993	21,005	2,988
18 & older	13,841	12,837	1,004

2001			
Age	Total	Male	Female
Total	104,413	89,271	15,142
12 & younger	1,852	1,564	288
13	4,448	3,491	957
14	10,499	8,204	2,295
15	19,565	15,824	3,741
16	26,992	23,061	3,931
17	24,988	22,132	2,856
18 & older	16,069	14,995	1,074

1999			
Age	Total	Male	Female
Total	107,667	93,114	14,553
12 & younger	3,933	3,323	610
13	6,474	5,239	1,235
14	13,050	10,618	2,432
15	20,959	17,419	3,540
16	26,169	22,638	3,531
17	23,653	21,203	2,450
18 & older	13,407	12,654	753



1997

Age	Total	Male	Female
Total	105,055	90,771	14,284
12 & younger	2,178	1,797	381
13	4,648	3,668	980
14	11,578	9,158	2,420
15	21,237	17,558	3,679
16	28,201	24,376	3,825
17	24,564	22,177	2,387
18 & older	12,649	12,037	612

Note: Totals may include offenders whose age was not reported.

Suggested citation: Sickmund, M. and Sladky, T.J. 2007. *Special analysis of Census of Juveniles in Residential Placement 1997, 1999, 2001, 2003, and 2006*. Pittsburgh, PA: National Center for Juvenile Justice.

Data Source: Office of Juvenile Justice and Delinquency Prevention. *Census of Juveniles in Residential Placement, 1997, 1999, 2001, 2003, and 2006* [machine-readable data files]. Washington, D.C. Office of Juvenile Justice and Delinquency Prevention

# Attachment H

October 10, 2007

Dear Facility Administrator:

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) is again sponsoring the *Census of Juveniles in Residential Placement* (CJRP). The U.S. Census Bureau is the data collection agent and we request your cooperation in completing and returning your census information to the U.S. Census Bureau. While you are not legally required to respond to this census, we rely on your cooperation to present a clear picture of the state of juvenile justice placement in this country. The confidentiality of the information you provide on this questionnaire is guaranteed by Title 42, Section 3789 of the United States Code and will only be revealed or used for research purpose. Your participation is entirely voluntary and you may decline participation at any time. Since CJRP was first conducted in 1997, we have achieved close to a 100 percent response rate. Without your participation we will have a less than complete picture on young offenders in residential placement. Your response is important to the success of this effort.

The reference date for this survey is October 24, 2007. Please complete the 2007 CJRP on or shortly after that day and mail or fax the completed form by November 28, 2007. Alternatively, you may report your data to the Census Bureau electronically, via a secure, password protected website (<http://harvester.census.gov/cjrp>). The attached ***Instructions Sheet for Electronic Submission*** explains how to complete the survey electronically, including how to get started, complete the forms and submit your data. On the reverse side of this letter is a statement regarding confidentiality protections and an estimate of the time it will take to complete the census.

I trust that we can count on your support as we have in the past. If you have any questions, please call Regina Yates or Art Ciampa of the U.S. Census Bureau on the toll free number, 1-800-352-7229. Thank you for your time and efforts in this important data collection effort.

Sincerely,

J. Robert Flores  
Administrator

Attachments

The Juvenile Justice and Delinquency Prevention Act of 1974, as amended (Title 42, Section 5661 of the United States Code), provides the authority for conducting this data collection. While you are not legally required to respond to this census, we rely on your cooperation to present a clear picture of the state of juvenile justice placement in this country. The confidentiality of the information you provide on this questionnaire is guaranteed by Title 42, Section 3789 of the United States code. This law requires both the Department of Justice and the U.S. Census Bureau hold strictly confidential any information that could identify individuals or private facilities. The penalty for anyone violating this confidentiality is \$11,000. The information collected for the Census in Residential Placement (CJRP) will only be used or revealed for research or statistical purposes; and your compliance with the request for information is entirely voluntary and may be terminated at any time. If you would like more information concerning this authorization or the confidentiality guarantee, please write to Janet Chiancone at the address below.

Under the paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. We estimate that it will take between 45 to 480 minutes to complete this questionnaire with 180 minutes being the average. The time needed to complete the form will vary depending on several factors including the number of residents, the reasons for placement in this facility, and whether the facility records are computerized. This estimate includes time for reviewing the instructions, searching for and gathering the data, completing the form and reviewing answers. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to:

Janet Chiancone  
Research Coordinator  
Office of Juvenile Justice and Delinquency Prevention  
U.S. Department of Justice  
Washington, DC 20531

# Attachment I

## ATTACHMENT I

### **Title 42, United States Code Section 3789(g) (Confidentiality) and OJP Confidentiality Regulations (28 CFR Part 22)**

#### **TITLE 42 - THE PUBLIC HEALTH AND WELFARE CHAPTER 46 - JUSTICE SYSTEM IMPROVEMENT SUBCHAPTER VIII - ADMINISTRATIVE PROVISIONS**

*42 U.S.C. 3789g*

#### **Confidentiality of information**

- (a) **Research or statistical information; immunity from process; prohibition against admission as evidence or use in any proceedings**

Except as provided by Federal law other than this chapter, no officer or employee of the Federal Government, and no recipient of assistance under the provisions of this chapter shall use or reveal any research or statistical information furnished under this chapter by any person and identifiable to any specific private person for any purpose other than the purpose for which it was obtained in accordance with this chapter. Such information and copies thereof shall be immune from legal process, and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial, legislative, or administrative proceedings.

- (b) **Criminal history information; disposition and arrest data; procedures for collection, storage, dissemination, and current status; security and privacy; availability for law enforcement, criminal justice, and other lawful purposes; automated systems: review, challenge, and correction of information**

All criminal history information collected, stored, or disseminated through support under this chapter shall contain, to the maximum extent feasible, disposition as well as arrest data where arrest data is included therein. The collection, storage, and dissemination of such information shall take place under procedures reasonably designed to insure that all such information is kept current therein; the Office of Justice Programs shall assure that the security and privacy of all information is adequately provided for and that information shall only be used for law enforcement and criminal justice and other lawful purposes. In addition, an

individual who believes that criminal history information concerning him contained in an automated system is inaccurate, incomplete, or maintained in violation of this chapter, shall, upon satisfactory verification of his identity, be entitled to review such information and to obtain a copy of it for the purpose of challenge or correction.

**(c) Criminal intelligence systems and information; prohibition against violation of privacy and constitutional rights of individuals**

All criminal intelligence systems operating through support under this chapter shall collect, maintain, and disseminate criminal intelligence information in conformance with policy standards which are prescribed by the Office of Justice Programs and which are written to assure that the funding and operation of these systems furthers the purpose of this chapter and to assure that such systems are not utilized in violation of the privacy and constitutional rights of individuals.

**(d) Violations; fine as additional penalty**

Any person violating the provisions of this section, or of any rule, regulation, or order issued thereunder, shall be fined not to exceed \$10,000, in addition to any other penalty imposed by law.

(Pub. L. 90-351, title I, Sec. 812, formerly Sec. 818, as added Pub. L. 96-157, Sec. 2, Dec. 27, 1979, 93 Stat. 1213; renumbered Sec. 812 and amended Pub. L. 98-473, title II, Sec. 609B(f), (k), Oct. 12, 1984, 98 Stat. 2093, 2096.)

**PRIOR PROVISIONS**

A prior section 812 of Pub. L. 90-351 was classified to section 3789a of this title prior to repeal by section 609B(e) of Pub. L. 98-473.

**AMENDMENTS**

1984 - Subsecs. (b), (c). Pub. L. 98-473, 609B(k), substituted "Office of Justice Programs" for "Office of Justice Assistance, Research, and Statistics".

**EFFECTIVE DATE OF 1984 AMENDMENT**

Amendment by section 609B(k) of Pub. L. 98-473 effective Oct. 12, 1984, see section 609AA(a) of Pub. L. 98-473, set out as an Effective Date note under section 3711 of this title.



From: [http://www.access.gpo.gov/nara/cfr/waisidx\\_04/28cfr22\\_04.html](http://www.access.gpo.gov/nara/cfr/waisidx_04/28cfr22_04.html)

TITLE 28--JUDICIAL ADMINISTRATION

CHAPTER I--DEPARTMENT OF JUSTICE

PART 22\_CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION--Table of Contents

Sec.

22.1 Purpose.

22.2 Definitions.

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22.26 Requests for transfer of information.

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22.28 Use of data identifiable to a private person for judicial, legislative or administrative purposes.

22.29 Sanctions.

Authority: Secs. 801(a), 812(a), Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3701, et seq., as amended (Pub. L. 90-351, as amended by Pub. L. 93-83, Pub. L. 93-415, Pub. L. 94-430, Pub. L. 94-503, Pub. L. 95-115, Pub. L. 96-157, and Pub. L. 98-473); secs. 262(b), 262(d), Juvenile Justice and Delinquency Prevention Act of 1974, 42 U.S.C. 5601, et seq., as amended (Pub. L. 93-415, as amended by Pub. L. 94-503, Pub. L. 95-115, Pub. L. 99-509, and Pub. L. 98-473); and secs. 1407(a) and 1407(d) of the Victims of Crime Act of 1984, 42 U.S.C. 10601, et seq., Pub. L. 98-473; Pub. L. 101-410, 104 Stat. 890, as amended by Pub. L. 104-134, 110 Stat. 1321.

Source: 41 FR 54846, Dec. 15, 1976, unless otherwise noted.

22.1 Purpose

The purpose of these regulations is to:

(a) Protect privacy of individuals by requiring that information identifiable to a private person obtained in a research or statistical program may only be used and/or revealed for the purpose for which obtained;

(b) Insure that copies of such information shall not, without the consent of the person to whom the information pertains, be admitted as evidence or used for any purpose in any judicial or administrative proceedings;

(c) Increase the credibility and reliability of federally-supported research and statistical findings by minimizing subject concern over subsequent uses of identifiable information;

(d) Provide needed guidance to persons engaged in research and statistical activities by clarifying the purposes for which identifiable information may be used or revealed; and

(e) Insure appropriate balance between individual privacy and essential needs of the research community for data to advance the state of knowledge in the area of criminal justice.

(f) Insure the confidentiality of information provided by crime victims to crisis intervention counselors working for victim services programs receiving funds provided under the Crime Control Act, and Juvenile Justice Act, and the Victims of Crime Act.

[41 FR 54846, Dec. 15, 1976, as amended at 51 FR 6400, Feb. 24, 1986]

Sec. 22.2 Definitions.

(a) Person means any individual, partnership, corporation, association, public or private organization or governmental entity, or combination thereof.

(b) Private person means any person defined in Sec. 22.2(a) other than an agency, or department of Federal, State, or local government, or any component or combination thereof. Included as a private person is an individual acting in his or her official capacity.

(c) Research or statistical project means any program, project, or component thereof which is supported in whole or in part with funds appropriated under the Act and whose purpose is to develop, measure, evaluate, or otherwise advance the state of knowledge in a particular area. The term does not include ``intelligence'' or other information-gathering activities in which information pertaining to specific individuals is obtained for purposes directly related to enforcement of the criminal laws.

(d) Research or statistical information means any information which is collected during the conduct of a research or statistical project and which is intended to be utilized for research or statistical purposes. The term includes information which is collected directly from the individual or obtained from any agency or individual having possession, knowledge, or control thereof.

(e) Information identifiable to a private person means information which either--

(1) Is labelled by name or other personal identifiers, or

(2) Can, by virtue of sample size or other factors, be reasonably interpreted as referring to a particular private person.

(f) Recipient of assistance means any recipient of a grant, contract, interagency agreement, subgrant, or subcontract under the Act and any person, including subcontractors, employed by such recipient in connection with performances of the grant, contract, or interagency agreement.

(g) Officer or employee of the Federal Government means any person employed as a regular or special employee of the U.S. (including experts, consultants, and advisory board members) as of July 1, 1973, or at any time thereafter.

(h) The act means the Omnibus Crime Control and Safe Streets Act of 1968, as amended.

(i) Applicant means any person who applies for a grant, contract, or subgrant to be funded pursuant to the Act.

(j) The Juvenile Justice Act means the ``Juvenile Justice and Delinquency Prevention Act of 1974, as amended.''

(k) The Victims of Crime Act means the Victims of Crime Act of 1984.

[41 FR 54846, Dec. 15, 1976, as amended at 43 FR 16974, Apr. 21, 1978; 51 FR 6400, Feb. 24, 1986]

Sec. 22.20 Applicability.

(a) These regulations govern use and revelation of research and statistical information obtained, collected, or produced either directly by BJA, OJJDP, BJS, NIJ, or OJP or under any interagency agreement, grant, contract, or subgrant awarded under the Crime Control Act, the Juvenile Justice Act, and the Victims of Crime Act.

(b) The regulations do not apply to any records from which identifiable research or statistical information was originally obtained; or to any records which are designated under existing statutes as public; or to any information extracted from any records designated as public.

(c) The regulations do not apply to information gained regarding future criminal conduct.

[41 FR 54846, Dec. 15, 1976, as amended at 43 FR 16974, Apr. 21, 1978; 51 FR 6400, 6401, Feb. 24, 1986]

#### Sec. 22.21 Use of identifiable data.

Research or statistical information identifiable to a private person may be used only for research or statistical purposes.

#### Sec. 22.22 Revelation of identifiable data.

(a) Except as noted in paragraph (b) of this section, research and statistical information relating to a private person may be revealed in identifiable form on a need-to-know basis only to--

(1) Officers, employees, and subcontractors of the recipient of assistance;

(2) Such individuals as needed to implement sections 202(c)(3), 801, and 811(b) of the Act; and sections 223(a)(12)(A), 223(a)(13), 223(a)(14), and 243 of the Juvenile Justice and Delinquency Prevention Act.

(3) Persons or organizations for research or statistical purposes. Information may only be transferred for such purposes upon a clear demonstration that the standards of Sec. 22.26 have been met and that, except where information is transferred under paragraphs (a) (1) and (2) of this section, such transfers shall be conditioned on compliance with a Sec. 22.24 agreement.

(b) Information may be revealed in identifiable form where prior consent is obtained from an individual or where the individual has agreed to participate in a project with knowledge that the findings cannot, by virtue of sample size, or uniqueness of subject, be expected to totally conceal subject identity.

[41 FR 54846, Dec. 15, 1976, as amended at 51 FR 6400, Feb. 24, 1986]

#### Sec. 22.23 Privacy certification.

(a) Each applicant for BJA, OJJDP, BJS, NIJ, or OJP support either directly or under a State plan shall submit a Privacy Certificate as a condition of approval of a grant application or contract proposal which has a research or statistical project component under which information identifiable to a private person will be collected.

(b) The Privacy Certificate shall briefly describe the project and shall contain assurance by the applicant that:

(1) Data identifiable to a private person will not be used or revealed, except as authorized under Sec. Sec. 22.21, 22.22.

(2) Access to data will be limited to those employees having a need therefore and that such persons shall be advised of and agree in writing to comply with these regulations.

(3) All subcontracts which require access to identifiable data will contain conditions meeting the requirements of Sec. 22.24.

(4) To the extent required by Sec. 22.27 any private persons from whom identifiable data are collected or obtained, either orally or by means of written questionnaire, shall be advised that the data will only be used or revealed for research or statistical purposes and that compliance with requests for information is not mandatory. Where the notification requirement is to be waived, pursuant to Sec. 22.27(c), a justification must be included in the Privacy Certificate.

(5) Adequate precautions will be taken to insure administrative and physical security of identifiable data.

(6) A log will be maintained indicating that identifiable data have been transmitted to persons other than BJA, OJJDP, BJS, NIJ, or OJP or grantee/contractor staff or subcontractors, that such data have been returned, or that alternative arrangements have been agreed upon for future maintenance of such data.

(7) Project plans will be designed to preserve anonymity of private persons to whom information relates, including, where appropriate, name-stripping, coding of data, or other similar procedures.

(8) Project findings and reports prepared for dissemination will not contain information which can reasonably be expected to be identifiable to a private person except as authorized under Sec. 22.22.

(c) The applicant shall attach to the Privacy Certification a description of physical and/or administrative procedures to be followed to insure the security of the data to meet the requirements of Sec. 22.25.

[41 FR 5486, Dec. 15, 1976, as amended at 51 FR 6401, Feb. 24, 1986]

Sec. 22.24 Information transfer agreement.

Prior to the transfer of any identifiable information to persons other than BJA, OJJDP, BJS, NIJ, or OJP or project staff, an agreement shall be entered into which shall provide, as a minimum, that the recipient of data agrees that:

(a) Information identifiable to a private person will be used only for research and statistical purposes.

(b) Information identifiable to a private person will not be revealed to any person for any purpose except where the information has already been included in research findings (and/or data bases) and is revealed on a need-to-know basis for research or statistical purposes, provided that such transfer is approved by the person providing information under the agreement, or authorized under Sec. 22.24(e).

(c) Knowingly and willfully using or disseminating information contrary to the provisions of the agreement shall constitute a violation of these regulations, punishable in accordance with the Act.

(d) Adequate administrative and physical precautions will be taken to assure security of information obtained for such purpose.

(e) Access to information will be limited to those employees or subcontractors having a need therefore in connection with performance of the activity for which obtained, and that such persons shall be advised of, and agree to comply with, these regulations.

(f) Project plans will be designed to preserve anonymity of private persons to whom information relates, including, where appropriate, required name-stripping and/or coding of data or other similar procedures.

(g) Project findings and reports prepared for dissemination will not contain information which can reasonably be expected to be identifiable to a private person.

(h) Information identifiable to a private person (obtained in accordance with this agreement) will, unless otherwise agreed upon, be returned upon completion of the project for which obtained and no copies of that information retained.

[41 FR 5486, Dec. 15, 1976, as amended at 51 FR 6401, Feb. 24, 1986]

#### Sec. 22.25 Final disposition of identifiable materials.

Upon completion of a research or statistical project the security of identifiable research or statistical information shall be protected by:

(a) Complete physical destruction of all copies of the materials or the identifiable portion of such materials after a three-year required recipient retention period or as soon as authorized by law, or

(b) Removal of identifiers from data and separate maintenance of a name-code index in a secure location.

The Privacy Certificate shall indicate the procedures to be followed and shall, in the case of paragraph (b) of this section, describe procedures to secure the name index.

#### Sec. 22.26 Requests for transfer of information.

(a) Requests for transfer of information identifiable to an individual shall be submitted to the person submitting the Privacy Certificate pursuant to Sec. 22.23.

(b) Except where information is requested by BJA, OJJDP, BJS, NIJ, or OJP, the request shall describe the general objectives of the project for which information is requested, and specifically justify the need for such information in identifiable form. The request shall also indicate, and provide justification for the conclusion that conduct of the project will not, either directly or indirectly, cause legal, economic, physical, or social harm to individuals whose identification is revealed in the transfer of information.

(c) Data may not be transferred pursuant to this section where a clear showing of the criteria set forth above is not made by the person requesting the data.

[41 FR 5486, Dec. 15, 1976, as amended at 51 FR 6401, Feb. 24, 1986]

Sec. 22.27 Notification.

(a) Any person from whom information identifiable to a private person is to be obtained directly, either orally, by questionnaire, or other written documents, shall be advised:

(1) That the information will only be used or revealed for research or statistical purposes; and

(2) That compliance with the request for information is entirely voluntary and may be terminated at any time.

(b) Except as noted in paragraph (c) of this section, where information is to be obtained through observation of individual activity or performance, such individuals shall be advised:

(1) Of the particular types of information to be collected;

(2) That the data will only be utilized or revealed for research or statistical purposes; and

(3) That participation in the project in question is voluntary and may be terminated at any time.

(c) Notification, as described in paragraph (b) of this section, may be eliminated where information is obtained through field observation of individual activity or performance and in the judgment of the researcher such notification is impractical or may seriously impede the progress of the research.

(d) Where findings in a project cannot, by virtue of sample size, or uniqueness of subject, be expected to totally conceal subject identity, an individual shall be so advised.

Sec. 22.28 Use of data identifiable to a private person for judicial, legislative or administrative purposes.

(a) Research or statistical information identifiable to a private person shall be immune from legal process and shall only be admitted as evidence or used for any purpose in any action, suit, or other judicial, legislative or administrative proceeding with the written consent of the individual to whom the data pertains.

(b) Where consent is obtained, such consent shall:

(1) Be obtained at the time that information is sought for use in judicial, legislative or administrative proceedings;

(2) Set out specific purposes in connection with which information will be used;

(3) Limit, where appropriate, the scope of the information subject to such consent.

[41 FR 54846, Dec. 15, 1976, as amended at 45 FR 62038, Sept. 18, 1980]

Sec. 22.29 Sanctions.

Where BJA, OJJDP, BJS, NIJ, or OJP believes that a violation of section 812(a) of the Act or section 1407(d) of the Victims of Crime Act, these regulations, or any grant or contract conditions entered into thereunder has occurred, it may initiate administrative actions leading to termination of a grant or contract, commence appropriate personnel and/or other procedures in cases involving Federal employees, and/or initiate appropriate legal actions leading to imposition of a civil penalty not to exceed \$10,000 for a violation occurring before

September 29, 1999, and not to exceed \$11,000 for a violation occurring on or after September 29, 1999 against any person responsible for such violations.

[Order No. 2249-99, 64 FR 47102, Aug. 30, 1999]