

## SUPPORTING STATEMENT

### A. Justification

#### 1. Necessity of Information Collection

Jails are local, primarily county-based, community-based institutions that confine persons before or after adjudication. Collectively, the roughly 3,000 local jails nationwide book an estimated 13 million inmates per year while on a given day they hold about 780,000 inmates. Offenders may be sentenced to a term in jail, usually these terms have a sentence of one year or less, but the majority of inmates incarcerated in local jails are held for variety of other reasons, such as awaiting trial or sentencing, mental health holds, detoxification, and temporary holds for other authorities. This pretrial jail population places large demands on jail administrators' resources and management capacities.

Through its **Annual Survey of Jails (ASJ)** and **Survey of Jails in Indian Country (SJIC)**, the Bureau of Justice Statistics (BJS) provides annual, nationally-representative data on jail populations. The two surveys collect aggregate count data from each surveyed jail and the data provide critical information about changes in the characteristics of jail populations, on jail capacity and crowding, on the volume of inmates moving into and out of jails, and on the use of jail space by other correctional institutions. The surveys do not collect individual-level information on the inmates held. The **SJIC-Addendum** (planned to be fielded during 2011) is a one-time survey that complements the annual surveys by providing data on jail operations, special populations (such as inmates screened for mental health problems) and jail programs. Together, these collections provide the only national data available on jail populations that are made available routinely.

BJS is authorized to collect these data by the Omnibus Crime Control and Safe Street Act of 1968, as amended (42 U.S.C. 3732) (see attachment 1), which provides for BJS to collect, analyze, publish, and disseminate information on crime, criminal offenders, victims of crime, and the operation of justice systems at all levels of government for the purposes of providing data or policy makers to address crime problems and ensure efficiency and fairness in the administration of justice.

The ASJ and SJIC fit within the BJS larger portfolio of establishment surveys that cover correctional populations in the United States. BJS' National Prisoner Statistics (NPS-1A and 1B OMB Control Number 1121-0102) provide annual data on prison populations, while its Annual Probation Survey and Annual Parole Survey (OMB Control Number 1121-0064) provide annual data on community corrections populations. The ASJ and SIJC complete BJS annual coverage of corrections populations by providing the jail data. From the combined surveys, BJS has made know what has become the well-publicized fact that 1 in 31 adults in the United States are under some form of

correctional supervision.<sup>1</sup>

The **Annual Survey of Jails (ASJ)**, which has been conducted annually since 1982, is a sample-based survey that provides the source of nationally representative data on jail populations on an annual basis. The ASJ collects aggregate data from each jail surveyed that enables BJS to count the number of inmates held under supervision by various characteristics across the jail population. Critical elements of the ASJ include the supervision status of persons being held, limited data on the age range of those held, (including those under age 18 and those over 18 years of age), admissions into and releases from jails, non-U.S. citizens held in jails, jail capacity and crowding, and demographic composition of the population. In conjunction with data from BJS' National Prisoners Statistics (NPS) series, BJS is able to estimate and track changes in the prevalence of incarceration in prisons or in local jails in the United States, as well to track changes in the prevalence of incarceration for demographic subgroups, such as race and Hispanic origin, gender, and age.

The **Survey of Jails in Indian Country (SJIC)** is the only national data collection effort that provides an annual source of data on Indian country jails, and the SJIC is designed explicitly to address issues in Indian country. Indian country jails are owned or operated by tribal authorities or the Bureau of Indian Affairs and confine persons before or after adjudication. Inmates sentenced to jails usually have a sentence of a year or less. The SJIC provides counts from each jail surveyed on the supervision status of persons being held, the age range of those held, including those under age 18, changes in the gender of the jail population, admissions into and releases from Indian country jails, changes in rated capacity, level of occupancy, crowding issues, and growth in the population. Through a survey addendum planned for 2011, BJS will use the SJIC to collect additional information on inmate medical services, mental health services, suicide prevention procedures, substance dependency programs, domestic violence counseling, sex offender treatment, educational programs, and inmate work assignments.

The SJIC data support the Office of Justice Program's Correctional Facilities on Tribal Lands Program FY 2009 Competitive Grant Program. The grant program assists tribes in cost effectively planning, renovating, and constructing facilities associated with the incarceration and rehabilitation of juvenile and adult offenders subject to tribal jurisdiction. This program is authorized under the Violent Crime Control and Law Enforcement Act of 1994, Title II, Subtitle A, Public Law 103-322, as amended, 42 U.S.C. § 13709 (see attachments 2 and 3). Grantees are required to incorporate a community-wide assessment for the collection and examination of baseline corrections data/information to ensure that fiscal and programmatic resources will be used effectively and that new or expanded facilities are developed only when warranted. As part of the SJIC collection, BJS will field the SJIC-Addendum in 2011 to collect data on physical conditions and operations of Indian country jail facilities. As this addendum was previously fielded in 2007, the 2011 iteration of it will allow BJS to track changes

---

<sup>1</sup> Glaze, Lauren E. and Thomas Bonczar, *Probation and Parole in the U.S.*, 2008, Bureau of Justice Statistics, Washington, DC. Available at: <http://bjs.ojp.usdoj.gov/content/pub/pdf/ppus08.pdf>

in conditions and operations.

## 2. Needs and Uses

The ASJ and SJIC are national-level surveys that provide data to meet the needs of jail administrators, researchers, and policy makers to assist them in understanding some of the determinants of changes in jail populations, in deriving policy implications from the changes, and in developing plans to address these changes.

During the past two years, BJS has actively engaged its stakeholder communities in an effort to assess their needs for data and information about local jails. Through a series of discussions and focus groups at professional conferences of jail administrators and in workgroup meetings with jail and county association members, BJS has discussed its portfolio of work on local jails to assess the extent to which it is meeting the needs of stakeholder communities and addressing key or emerging issues that currently are not met by its surveys. At such meetings, BJS staff have posed to participants questions about the value to them of BJS collecting and reporting data on jails. Jail administrators and other users of BJS jail data consistently identified several issues that are important for them to know about jails. Key among these are factors affecting workload and comparative data across systems. Substantive themes that emerged from these discussions included:

- Data on the flow of inmates going through jails;
- Describing the jail inmate population in terms of meaningful categories that reflect jail workload, including staff and programs;
- Medical, mental health, and substance abuse treatment services issues in jails;
- Length of stay in jail and contribution of length of stay to jail populations;
- Measures of jail capacity and crowding;
- Organization of jails and policy environment, including safety and security issues; and
- Reporting data and capacities of local jails to provide data.

BJS also has engaged other federal agencies on issues related to correctional populations in general and the special needs of jail populations. For example, BJS has collaborated with the National Institute on Drug Abuse (NIDA) in its Criminal Justice System Modeling Project, an effort designed to assess the opportunities to intervene to address HIV among jail inmates. This effort has demonstrated the importance of obtaining data on the distribution of time served in jail as part of the process of assessing intervention opportunities.

With respect to jails in Indian country, BJS initiated and maintained a similar effort to identify needs and uses of its SJIC data, as well as to assess plans for enhancing the survey. For example, BJS and its data collection agent staff have participated in workshops on Indian country issues in which BJS has sponsored sessions on the SJIC to

obtain facts and information from participants about emerging issues in corrections in Indian country that could be addressed by the SJIC. BJS has collaborated with the Bureau of Indian Affairs (BIA) about the SJIC and has appeared at BIA Corrections Managers' meetings to present on the SJIC and obtain feedback from participants about its usefulness for their purposes. BIA managers have pointed out the importance of comparative data, both among Indian country facilities and between Indian country and non-Indian country jails.

Using information obtained from these meetings and discussions, BJS has reviewed its jail surveys in an effort to assess the needs of its stakeholder communities and has modified the surveys in several ways to address some of the needs. In modifying the surveys, BJS has considered its portfolio of data collections in corrections in an effort to balance tradeoffs between information needs and costs, as well as timeliness and comprehensiveness.

### *Annual Survey of Jails*

Although stakeholder needs for and interests in more data on specific topics vary, BJS has taken a measured approach to modifying the ASJ to begin to address these needs. BJS' approach is balance information needs against costs to collect data, the frequency of collection, and the capacity of jail information systems to provide data. Hence, in this package, BJS has modified the ASJ form for all jail respondents, created a separate form for jails sampled with certainty in which BJS requests additional items that larger jails are more likely to be able to provide than smaller jails.

Jail administrators maintain that the volume of inmates moving into and out of jails and the distribution of time served are critical elements of jail operations. The transient jail population is volatile, which could result in implications to administrative operations, staff and inmate safety and security, and inmate services and programs. Through modifications to the ASJ, BJS aims to capture aggregate data on the distribution of time served for the 334 jail jurisdictions in the country that are selected with certainty in the ASJ. Over time, as these data become routinely reported, BJS intends to extend the collection of data on the distribution of time served to smaller jails.

Data on flows and workload also are important categories of information for stakeholders. For many jail administrators, information about the number held prior to trial ("the pretrial detainee number") is a critical indicator of workload. A related workload number is the "reentry number," that is, the numbers released into the community or supervised in the community by local jails. Finally, the distinction between the number of sentenced inmates and those either awaiting disposition or convicted was important to administrators. The sentenced jail population provides an indication of the most stable part of the jail population, as most inmates sentenced to jail can expect to spend 6 months to a year, and this group contributes to reducing the overall volatility of the jail population. In an effort to address the prevalence of convicted and unconvicted jail inmates, BJS enhanced the ASJ survey instruments to

describe the number of convicted inmates that are unsentenced or sentenced and the number of unconvicted inmates awaiting trial/arraignment, or transfers/holds for other authorities.

One problem presented by the increase in the pretrial population is the comparatively short lengths of stay, which present jail administrators with very little time to screen or test jail inmates for mental problems or infectious diseases, let alone address the needs of inmates. Drawing from data in the 2004 Survey of Large Jails for example, BJS estimates that half of all jail admissions spend two or fewer days in jail, and most of these are suspected of spending fewer than 24 hours in jail. For many of these, jail administrators are required to hold inmates for (primarily) alcohol detoxification until they “blow a zero” on breathalyzer tests. Jail administrators cite the high volume of these inmates coming into jails and the resource demands they place on jail operations as a major source of strain in managing local jail populations.

In the modifications to the ASJ that BJS proposes, BJS will be able to capture on an annual basis data on the distribution of time served by inmates discharged from the 334 jail jurisdictions in the country that are selected with certainty in the ASJ. Based on discussions with jail administrators, BJS proposes to limit this information to this panel of jails in the nation, as administrators contend that smaller jails in all likelihood do not have the information system capacities to provide the detailed data on the distribution of time served. As BJS learns more about the information system capacities of smaller jails, BJS will take appropriate steps to incorporate these items into the ASJ survey form designed for non-certainty jurisdictions.

Data on time served in jail are critical for understanding the opportunities for assessment of inmates. The NIDA initiative on assessing HIV in corrections demonstrates this point. In a paper presented to a meeting of the group, Ann Spaulding used BJS data to document length of stay in jails<sup>2</sup> and demonstrate that in the large jails in her sample, the median length of stay was 7 days and a quarter spent fewer than two days in jail. Her estimates of time served are longer than BJS estimates in part because her sample was limited to offenders who had been arraigned on felony charges, while the BJS estimates include inmates who are held for non-felony charges and are detained as holds for other authorities.

Jail administrators are particularly interested in information on jail capacity, crowding, and safety and security. BJS currently collects and reports data on rated capacity and it reports the percent of capacity occupied at midyear, where capacity is defined as “rated capacity.” Rated capacity is the number of inmates (beds) that a facility could hold independently of programs as defined by a rating official. Jail administrators have cautioned against a limited interpretation of capacity and argued that other measures of

---

<sup>2</sup> Ann Spaulding, “The Diversity of Release Patterns for Jail Detainees: Implications for Public Health Interventions,” presented to the Criminal Justice Modeling Meeting, Sponsored by the National Institute on Drug Abuse, January 13, 2010, Washington, DC.

capacity are useful and may be more important than rated capacity, as rated capacity does not necessarily reflect the space available to provide treatment, services, or programs. The NIC's Resource Guide for Jail Administrators demonstrates this point. In an effort to address capacity concerns among jail administrators, the resource guide encourages administrators to describe capacity and jail crowding in different perspective when addressing funding needs and decision-making, including operating and design capacity.<sup>3</sup>

In an effort to address the prevailing concerns, BJS enhanced the ASJ survey instruments to incorporate a variety of capacity measurements to better understand the jails dynamics. Newly proposed for this collection is the "Budgeted" or operational capacity that indicates the amount of space that jails have to run various programs, and this number can change by relatively large amounts from year-to-year as budgets change. Measuring crowding in relation to budgeted or operational capacity gives an indication of the programming available for inmates. Theoretically, it should be assessed against the number of inmates with needs that the programs can meet. Finally, design capacity—the number of beds available in the design of a facility—gives a measure of the underlying amount of space available for modification and redesign. Incorporating these additional capacity measurements will enable BJS to describe more accurately the variation and volatility of inmate bed space and crowding, especially as they relate to safety and security in jails. To address more directly issues related to overcrowding and safety and security in jails, BJS will request data on staff and assaults against staff from the largest jails.

#### *Jails in Indian Country and the SJIC Addendum*

Through discussions with the varied stakeholders for SJIC, BJS has found that there is general satisfaction with the current survey and its Addendum, in that the questions cover important topics and the accompanying instructions for completing the survey are clear. While there are interests in expanding the content of the SJIC to cover topics such as the number of transactions (e.g., transfers to and from counts or among other justice agencies, in addition to admissions/discharges), direct and indirect supervision of inmates, and Indians sent to detention services in other states due to overcrowding, the general consensus at this time seems to be that providing these data is beyond the information system capacities of most jail administrators in Indian country.

To address the potential for expanding the survey content to meet additional needs, during the next two years BJS will, in conjunction with its data collection agent, participate in a series of conferences and meetings with Indian country officials to discuss the content and capacities to provide data. BJS' data collection agent (Westat) also has been charged to implement a process for reviewing and assessing the JIC survey for the purposes of enhancing and expanding it to address significant gaps in the

---

<sup>3</sup> Martin, M.D., and Rosazza, T.A. 2004. *Resource Guide for Jail Administrators*. Washington, DC: U.S. Department of Justice, National Institute of Corrections.

JIC collection. The process will include convening meetings of experts in the issues related to Indian country jails (e.g., tribal members, jail professionals, Indian country criminal justice experts, academics who study Indian country issues, and others) for the purpose of reviewing the data collection instrument, identifying gaps in the collection, assessing the costs and challenges associated with obtaining data to fill gaps, and developing methodologies to obtain the data. The review and assessment will cover all aspects of the Survey of Jails in Indian Country, including the content of the survey, modes of administration, communication with the field about the survey, statistical products from the data collection, and dissemination of products. Westat is expected to deliver its report to BJS at the end of 2011.

Prior collaborative efforts between BJS and NIC's Indian Country Jail Administrators Network, Arizona Tribal Justice and Rehabilitation Coalition, and officials from BIA to access the needs and uses of Indian country data have resulted in the SJIC Addendum, which was established to capture information on inmate medical services, mental health services, suicide prevention procedures, substance dependency programs, and other inmate programs.

### **Proposed survey instruments: Content and enhancement**

The forms and information content for this collection are outlined next in the following order: First, the components of the Annual Survey of Jails (ASJ), which include the CJ-5, CJ-5A, CJ-5D, and CJ-5DA. Second, the Survey of Jails in Indian Country (SJIC), which has a regular form to be administered annually (CJ-5B) and a one-time addendum on programs and practices (CJ-5B Addendum).

*The Annual Survey of Jails collection consists of four forms:*

- CJ-5 and CJ-5A, the ASJ regular forms (see attachments 4 and 5): These forms go to jail jurisdictions in the ASJ sample that are not selected with certainty. The CJ-5 form goes to jail jurisdictions operated by the county or city and the CJ-5A goes to privately owned or operated confinement facilities;
- CJ-5D and CJ-5DA, the ASJ certainty jurisdiction forms (see attachments 6 and 7): The forms go to jail jurisdictions in the ASJ sample that are selected with certainty. The CJ-5D and CJ-5DA request additional information about the distribution of time served, staffing, and inmate misconduct that are not requested on the CJ-5 and CJ-5A. The CJ-5D goes to jurisdictions operated by the county or city; the CJ-5DA goes to confinement facilities administered by two or more governments and privately owned or operated confinement facilities.

As with current data collections instruments, all jails jurisdictions will be asked to report their average daily population, peak population count, admissions and releases, and aggregate counts of confined inmates including; sex, adult/juvenile inmates, non-U.S. citizens, race, and the number of inmates being held for Federal, State and other local jail

authorities. Also collected will be data on the number of persons under jail supervision but not confined (e.g., electronic monitoring, day reporting, etc.)

New items are also being proposed to collect detailed data on inmate conviction status from all jail jurisdictions. The new item includes the number of convicted inmates that are unsentenced or sentenced and the number of unconvicted inmates awaiting trial/arraignment, or transfers/holds for other authorities. For many jail administrators, information about the number held prior to trial is a critical indicator of workload. The distinction between the number of sentenced inmates and those either awaiting disposition or convicted is important to administrators. The sentenced jail population provides an indication of the most stable part of the jail population, as most inmates sentenced to jail can expect to spend 6 months to a year, and this group contributes to reducing the overall volatility of the jail population.

Also newly proposed for all ASJ survey instruments is enhanced measure's of jail capacity. In addition to BJS's traditional measurement of rated capacity, BJS proposes measuring jail capacity in two other ways: operating capacity and design capacity. Jail administrators cautioned against a limited interpretation of capacity and argue that other measures of capacity are useful in addition to rated capacity, as rated capacity alone does not necessarily reflect the space available to provide treatment, services, or programs. In an effort to address the prevailing concerns, BJS enhanced the ASJ survey instruments to incorporate a variety of capacity measurements to better understand the jails dynamics. Measuring crowding in relation to budgeted or operational capacity gives an indication of the programming available for inmates. Finally, design capacity—the number of beds available in the design of a facility—gives a measure of the underlying amount of space available for modification and redesign.

In addition to the information collected in the regular ASJ forms (the CJ-5/5A), the CJ-5D and CJ-5DA forms will be administered to the certainty jurisdictions in the ASJ sample. Respondents receiving these forms will be asked to provide additional information including:

- (a) The distribution of time served by inmates discharged from custody, broken out by whether the inmates were convicted or unconvicted;
- (b) The number of correctional officers and other staff employed by jail facilities;
- (c) The number of inmate-inflicted physical assaults (and counts) on correctional officers and other staff and the number of staff deaths as a result;
- (d) The number of inmates, by category, who were written up or found guilty of a rule violation.

The data on the distribution of length of stay will be used to document jail workload and turnover, and in addition, it will enhance BJS capacity to study other issues. For example, by combining data from BJS' Deaths in Custody Reporting Program (OMB Control Number 1121-0249), BJS can develop exposure-based models of mortality in jails.



Data on safety and security in jails are important indicators of successful management. The data on assaults and rule violations, along with data on staff upon which to condition estimates of assaults and rule violations, reflect BJS' effort to enhance the ASJ to provide additional critical data to meet stakeholder needs. In a report on inmate behavior management, the NIC, among others, has identified safety and security as the fundamental goal of every jail, and the report also links misconduct to assessing inmate risk.<sup>4</sup> Through enhanced measures of jail staffing and inmate misconduct, BJS will be able to address safety and security in county and city jails.

### *Survey of Large Jails*

BJS has been working on updating and revising the Survey of Large Jails (SLJ) and plans to submit to OMB a separate package for the clearance of this collection. BJS is currently undertaking efforts to revise this form to capture more detailed information on the processes used by jails to screen and treat offenders. This effort is integrated into a project that BJS has with the National Center for Health Statistics (NCHS), the aim of which is to measure the delivery of medical and mental health services in prisons and jails. As part of the project with NCHS, BJS and NCHS are convening meetings of experts to discuss issues related to measuring medical and mental health service delivery in prisons and jails. Based on the information obtained from these meetings, BJS will revise the SLJ form and submit to OMB a separate package for clearance of this form.

### *Survey of Jails in Indian Country*

Through the SJIC, BJS is able to track changes in the number of inmates held in tribal or BIA operated facilities. The BJS data on Indian country jail inmate population movements meet stakeholder needs for understanding the change in jail populations. Of particular concern to jail administrators are information on the composition of jail populations—such information on the total volume of inmates handled by Indian country jails during a given period of time and facility crowding.

The CJ-5B (SJIC) will go to respondents from Indian country correctional facilities operated by tribal authorities or the Bureau of Indian Affairs (BIA) (currently there are 85). They will be asked to provide information for the following categories (see attachment 8):

- (a) At midyear (last weekday in the month of June), the number of inmates confined; in jail facilities including; male and female adult and juvenile inmates; persons under age 18 held as adults; convicted and unconvicted males and females; persons held for a felony, misdemeanor; their most serious offense (e.g., domestic violence offense, aggravated or simple assault, driving while

---

<sup>4</sup> Hutchinson, V.H., Keller, K., and Reid, T. 2009. *Inmate Behavior Management: The Key to a Safe and Secure Jail*. Washington, DC: U.S. Department of Justice, National Institute of Corrections.

- intoxicated, etc.);
- (b) The average daily population during the 30-day period in June;
  - (c) The date and count for the greatest number of confined inmates during the 30-day period in June;
  - (d) The number of new admissions into and final discharges during the month of June;
  - (e) From July 1 of the previous year to June 30 of the current collection year: the number of inmate deaths while confined and the number of deaths attributed to suicide and the number of confined inmates that attempted suicide;
  - (f) At midyear, the total rated capacity of jail facilities;
  - (g) At midyear, the inmate housing characteristics and the number held (e.g., single occupied cells or rooms, multiple occupied units originally designed for single occupancy; multiple occupied units designed for multiple occupancy, temporary holding areas, etc.)
  - (h) At midyear, whether or not the jail facility was under a Tribal, State, or Federal court order or consent decree to limit the number of persons it can house (and the count), and/or for conditions of confinement;
  - (i) At midyear, the number of male and female correctional staff employed by the facility and their occupation (e.g., administration, jail operations, educational staff, etc.)
  - (j) At midyear, how many jail operations employees had received the basic detention officer certification and how many had received 40 hours of in-service training;
  - (k) From July 1 of the previous year to June 30 of the current collection year: the number of jail operation employees hired for employment; the number of jail operation employees separated from employment;
  - (l) At midyear, how many specific jail operation employee positions were vacant.

#### *Survey of Jails in Indian Country- Addendum*

Indian country jail administrators and other stakeholder consider data on medical, mental health, and substance abuse treatment and other inmate related programs to be crucial, as these issues reflect important determinants of jail costs and conditions of confinement. To address these issues and measure changes over time, BJS periodically collects related information from all Indian country jails. The last was conducted in 2007, and 94% of facilities responded, covering 91% of the Indian country jail inmate population at midyear 2007. From the resulting report we found that nearly all Indian country jails provided mental health services to inmates and that most jails tested for infectious diseases. All facilities responding to the addendum provided inmates with some form of medical health service on or off facility grounds. Availability of educational programs for confined inmates was limited. GED programs were available to inmates in about half of the facilities, while college level courses were limited to 15% of Indian country jails. However, the limited availability may be associated with the short length of inmate stay. BJS plans to field the Addendum in 2011.

The CJ-5B: Addendum will go to respondents from Indian country correctional facilities operated by tribal authorities or the Bureau of Indian Affairs (BIA) (currently there are 85). This is to be a one-time collection expected to be administered at midyear 2011 along with the regular form (CJ-5B). They will be asked to provide information for the following categories (see attachment 9):

- (a) How does the facility provide medical health services to inmates (e.g., on-site staff physicians, IHS, off-site medical services, etc.);
- (b) At midyear, whether the jail facilities detoxify confined persons (and count) from drugs or alcohol;
- (c) Policy for testing inmates for Tuberculosis, Hepatitis B and C, and the Human Immunodeficiency Virus (HIV) that causes aids (e.g., at admission, at regular intervals, random sample, indication of need, etc.);
- (d) How does the facility provide mental health services to inmates (e.g., screen inmates at intake, 24-hour mental health care; counseling by a trained mental health professional, monitor the use of psychotropic medications, assist released inmates to obtain community mental health services, etc.);
- (e) Types of specific suicide prevention procedures (e.g., assessment of risk at intake, special inmate counseling or psychiatric services, monitoring of high risk inmates; suicide, etc.);
- (f) From July 1 of the previous year to June 30 of the current collection year, whether facility has inmate work assignments and the types of assignments;
- (g) From July 1 of the previous year to June 30 of the current collection year, counseling or special programs available to confined persons either on or off facility grounds (e.g., drug/alcohol counseling/awareness, domestic violence counseling, etc.);
- (h) From July 1 of the previous year to June 30 of the current collection year, educational programs available to confined persons either on or off facility grounds.

#### *Users of BJS Jail Data*

Governmental officials, policy makers, researchers, and advocates have used the data from the ASJ and SJIC widely, and BJS anticipates that the data collected during 2010-2012 will also be used by similar sets of stakeholders. Examples of users and uses of these data include the following:

**U.S. Congress**—Congress has used BJS jail data to evaluate the adequacy of jail and correctional facilities to meet growing inmate populations and to assess the needs of States and local jurisdictions for bed space relative to available resources. For example, both the Senate and House versions of the Criminal Justice Reinvestment Act of 2009 (S. 2772 and H.R. 4080) cite BJS data on jail population growth between 2000 and 2008 as well as BJS data on jail admissions. These data describe the conditions that the legislation aims to ameliorate. Some members of Congress (e.g., Senator Thune, SD)

have a strong interest in criminal justice issues in Indian country and have used SJIC data to understand trends in corrections in Indian country.

**National Institute of Corrections**—The NIC is a major consumer of BJS data, as it uses BJS data on jails to evaluate local jail conditions, establish standards, and assess needs for technical assistance and training for local jail officials. Data from BJS' ASJ and its statistical reports derived from ASJ are regularly cited in NIC publications on local jails. These publications are broadly disseminated throughout the jail administrator community.

**Office of Justice Programs**—Regularly, the Assistant Attorney General for OJP requests BJS data jail on various topics. Most recently, requests have focused on SJIC data, particularly as they pertain to eligible applicants for the Correction Facilities on Tribal Lands grant through the Recovery Act and how applicants could obtain and use SJIC statistical data on their facilities in their applications.

**Office of Tribal Justice, DOJ**—The Office uses SJIC data to assess facility needs, related crowding, staffing and programs, assist in the evaluation of facility needs to determine funding and technical assistance.

**National Institute of Justice**—NIJ uses BJS jail data to provide a comparative analysis of prison and jail conditions. Specifically, NIJ used SJIC data to analyze jail conditions in Indian country to study conditions of confinement as outlined in the Department of Justice appropriations for fiscal year 2006 in response to a recommendation in the U.S. House of Representatives Conference Report No. 108–792. The purpose is to understand the factors that affect conditions of confinement in Indian Country by comprehensively describing the operation of the criminal justice system, how it varies from one jurisdiction to another, and how different criminal justice structures and systems affect the administration of justice.

**Bureau of Indian Affairs**—The BIA works collaboratively with BJS on Indian country issues and uses SJIC data to develop annual statistics on BIA and tribally operated facilities, and to provide its managers with comparative data with which to assess jail operations and programs.

**Office of Juvenile Justice and Delinquency Prevention**—OJJDP uses ASJ and SJIC data to identify the number of juveniles housed in adult correctional facilities, to assess whether they are detained as adults or pending juvenile court processing.

**U.S. Department of Justice, Civil Rights Division**—DOJ's Civil Rights Division has used ASJ data to understand capacity and confinement conditions as they relate to civil rights.

**Local, city, and tribal jail administrators**—These officials use BJS jail data to assess inmate populations and characteristics within their own jurisdictions relative to others

and to determine needs and budget requirements. For example BJS staff regularly respond to requests for information from local jail officials about how their jurisdictions compares to other jurisdictions of comparable size or in a nearby geographic location.

Other jail administrators have used the BJS data to articulate a case for including jails in the discussion of reentry policy. Notable among these is Arthur Wallenstein, head of the Montgomery County (Maryland) Department of Correction and Rehabilitation. As a prominent leader among jail administrators, Wallenstein used BJS data on jail bookings as part of his case to include local jails in national discussions of offender reentry (sponsored by the Urban Institute) by demonstrating that local jails handle many times (about 15-16 times) the volume of offenders in a given year that prisons handle.

**Facility Administrators in Indian country**—The administrators use SJIC data to assess jail conditions within their own jurisdictions relative to others and to determine needs and budget requirements.

In addition to the government agencies using BJS' jail data, researchers, special interest groups, associations of corrections professionals, and other members of the public rely on BJS data regularly to meet some of their information needs about corrections populations. For example:

**The Pew Foundation's** report "One in 100: Behind Bars in America, 2008" used BJS' ASJ data to measure the number of jail inmates incarcerated nationwide, to which they added data from BJS prisoner surveys to calculate that 1 in 100 adults was incarcerated in the U.S. Pew later followed up with a report called "1 in 31" in which they not only used BJS ASJ' data but cited the finding in BJS press releases on correctional populations about the prevalence of correctional supervision in the United States. Through their use of BJS jail data, Pew has been able to document the scope of corrections and make their case for reducing the size of institutional correctional populations.

**Various researchers** have used ASJ data in a variety of studies, some of which have been previously cited in this document. In addition to those, a small sampling of other studies using ASJ data include:

Klofas, J. (1990). "Measuring Jail Use: A Comparative Analysis of Local Corrections," *Journal of Research in Crime & Delinquency*, 27(3), 295-317.

Maruschak, L., Sabol, W., Potter, R., Reid, L., & Cramer, E. (2009). "Pandemic Influenza and Jail Facilities and Populations," *American Journal of Public Health*, 99(s2), S339-S344.

Spaulding A.C., Seals R.M., Page M.J., Brzozowski A.K., & Rhodes W., (2009). "HIV/AIDS among Inmates of and Releases from US Correctional Facilities, 2006: Declining Share of Epidemic but Persistent Public Health Opportunity," *Plos One*, 4(11), e7558. (From MEDLINE full-text database.)

Solomon, A., Osborne, J., LoBuglio, S.F., Mellow, J, & Mukamal, D., (2008), *Life after Lockup: Improving Reentry from Jail to the Community*, Washington, DC: The Urban Institute.

In addition, various associations use BJS jail data to provide information to their members about conditions in corrections. For example, Gwyn Smith-Ingley, executive director of the American Jail Association, used ASJ data to describe how BJS examines jails in America. (See Smith-Ingley, G., “Bureau of Justice Statistics Examines Jail Data,” *American Jails*, Vol. 22, No. 1, p 7.)

The National Association of Counties (NACo) has recently undertaken a project to describe the infrastructure in counties throughout the United States. As part of the project, they are creating a database to use to profile each county in the U.S. Part of the profile will include correctional resources, and in particular, they will use ASJ data, along with BJS data from its jail censuses, to populate the database.

Finally, social commentators also regularly use BJS jail data. One example of this is Heather MacDonald, from the Manhattan Institute in New York, who in writing her piece “The Jail Inferno: A Descent into the Nation’s Most Tumultuous Penal Institutions,” (*City Journal*, Summer, 2009, Vol. 19, No. 3) cited BJS’ ASJ data on jail populations and jail turnover.

### 3. Use of Information Technology

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

Since 2000, BJS has offered a web reporting option for respondents (CJ-5 and CJ-5A) and will continue with the new forms (CJ-5D and CJ-5DA). The web reporting system includes a limited set of online edit checks to identify data entry errors by respondents. BJS has also implemented computer methods to for reviewing and editing the entered data in more detail. A set of decision rules are coded and the code run against the data to identify out-of-range or erroneous values and to assess the impacts of out-of-range values on quantities to be estimated. These methods are used to make decisions about priorities for followup contact with respondents.

### 4. Efforts to Identify Duplication

The Survey’s of Jail are not duplicated by any other program or government agency. BJS conducted a search of the National Archives of Criminal Justice Data (NACJD) to

identify other data on jails that are archived there. The search did not reveal any duplication with ASJ or SJIC. BJS also consulted with staff at the American Jail Association and the American Correctional Association—both of which are member organizations serving corrections administrators—about their knowledge of other, similar collections. They were not aware of any other collections similar to the ASJ and SJIC. No other organization collects comparable data on inmates in local, city, or tribal jails.

#### 5. Efforts to Minimize Burden

The ASJ (CJ-5, CJ-5A, CJ-5D, CJ-5DA) and SJIC (CJ-5B and CJ-5B Addendum) forms collect data that are available from the current record-keeping practices of jail jurisdictions. The arrangement of the items on the form reflects a logical flow of information to facilitate comprehension of requested items and to reduce the need for follow-up. BJS also provides several modes by which respondents may submit data, by mail, fax, or web response. The use of sampling in the ASJ also reduces burden relative to a census of jails.

In the current submission, the CJ-5D and CJ-5DA also reflect BJS' efforts to minimize burden. These forms, which ask for data on additional items about length of stay and safety and security, will go only to large jail jurisdictions, which generally have better information system capacities than smaller jails. The information from these large jails will cover more than half of the nation's jail population and will minimize burden on smaller jails. It is, however, BJS' expectation that the items on the CJ-5D and 5DA will generate interest among smaller jails and encourage them to improve their reporting capacities so that they can participate in this portion of the survey.

#### 6. Consequences of Less Frequent Collection

Absent the ASJ, BJS would be able to provide information on jail population movements only intermittently through its periodic censuses of jails. BJS conducts censuses of jails periodically (about every 6 to 7 years) primarily for the purposes of obtaining frame information and for obtaining information about jail operations, including staffing and expenditures. BJS completed the most recent such census in 2006, but as demonstrated through the ASJ, absent annual data on jail population movements, BJS would not have been in the position to detect the slowing of the jail inmate population growth during the latter part of the current decade or the decrease in jail populations that occurred during 2009 or to document the increase in the volume of jail admissions.

Further, as the primary purpose of the jail censuses is to develop frame information that is used for the ASJ and for BJS jail inmate surveys, burdening the jail censuses with all of the information in ASJ and SJIC would likely harm participation in the censuses. Moreover, through its Annual Survey of Jails and Survey of Jails in Indian County, BJS is able to provide annual, nationally-representative data on jail population movements.

Less frequent collection would preclude BJS from tracking changes in the prevalence of the correctional population nationwide (the 1 in 31 statistic cited earlier), and more importantly, it would preclude BJS from identifying changes in jail inmate populations in the inter-census years. For example, from ASJ, BJS has documented slowing growth in jails and possible decline during 2009. At the same time, BJS has documented important changes in components of the jail population—such as the number of non-US citizens, the number held for other authorities, and the expansion of jail capacity that has kept pace with jail population growth. Through the SJIC Addendum, BJS obtains additional data that are used to guide decision-making on jail policies and programs, including screening at intake for mental health disorders and risk of suicide. There is no other data collection on these jails. As a result, decision-makers would lack comparable data on these jails for program implementation and assessment.

7. Special Circumstances

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

8. Consultations Outside the Agency

The research under this clearance is consistent with the guidelines in 5 CFR 1320.6. The 60 and 30-day notices for public commentary have been published in the Federal Register (Volume 75, Number 6, Page 1,410 on January 11, 2010 and Volume 75, Number 50, Page 12,566 on March 16, 2010, respectively). In renewing the data collection procedures, BJS has consulted with local and Indian country jail administrators, jail focus groups, other federal agencies, and other experts. The following have been contacted to review the collection procedures:

**Annual Survey of Jails**

Gwyn Smith-Ingley, Executive Director  
American Jail Association

Arthur M. Wallenstein, Director  
Department of Correction and Rehabilitation  
Montgomery County, Maryland

Larry Amerson, Sheriff  
Calhoun County Sheriff's Office  
Anniston, AL

Brandon Applegate, Associate Professor  
University of Central Florida

Al Augustine, Captain



Saline County Sheriff's Office  
Salina, KS

Allen R. Beck, Ph.D. Consultant and Jail Researcher  
Justice Concepts  
Kansas City, MO

Ross L. Cunningham, Superintendent  
Sullivan County Department of Corrections  
Claremont, NH

Amy Solomon, Senior Research Associate  
The Urban Institute

Jesse Janetta, Research Associate  
The Urban Institute

Frank Hecht, Jail Administrator  
Tohono O'odham Nation Corrections  
Sells, AZ

Kermit Humphries  
National Institute of Corrections

Richard Kline, Director  
Shawnee County Department of Corrections  
Topeka, KS

Shannon Murphy, Reentry Director  
Douglas County Sheriff's Department  
Lawrence, KS

Tom Slyter, Undersheriff  
Multnomah County Sheriff's Office  
Portland, OR

Stephen G. Simoncini, Chief  
Criminal Justice Statistics Branch  
Governments Division  
U.S. Census Bureau

Lisa McNelis  
Criminal Justice Statistics Branch  
Governments Division  
U.S. Census Bureau

## **Survey of Jails in Indian Country and Addendum**

Jeremy Cossette, Officer  
White Earth Tribal Police Department

J. De Gaglia, Ph.D.,  
Miccosukee Tribe of Indians

Bobby Fields, Chief of Police  
Iowa Tribe of Oklahoma

Matt Falb, Epidemiologist  
Albuquerque Area Tribal Epidemiology Center

Randy Goodwin, Chief of Police  
White Earth Tribal Police Department

Marcia Hall  
Victims of Crime Assistance Shoshone Bannock Tribes, ID

Frank Hecht, Jail Administrator  
Tohono O'odham Nation Corrections  
Sells, AZ

Isidno Lopez, Vice Chairman  
Tohono O'odham Nation

Keith Weber  
Kickapoo Traditional Tribe of Texas

Cynthia Helba, Ph.D.,  
Senior Study Director  
Westat

Craig Love, Ph.D.  
Senior Study Director  
Westat

**Survey of Jails in Indian Country and Addendum:** During the development of the draft forms, numerous experts and jail administrators were consulted to improve the questionnaire and the survey overall.

Bill McClure  
Detention Program Manager

Bureau of Indian Affairs  
Office of Law Enforcement Services  
Albuquerque, NM

Frank R. Hecht  
Corrections Administrator  
Tohono O'odham Detention Center  
Sells, AZ

Norena Henry  
Office of Justice Programs  
U.S. Department of Justice

Tracy Toulou, Director  
U.S. Department of Justice  
Office of Tribal Justice

Virginia Hutchinson, Chief  
National Institute of Corrections  
Jails Division

Darwin Long  
Corrections Director  
Pine Ridge Correctional Facility  
Pine Ridge, SD

Kathryn Dupris  
Adult Administrator  
Walter Miner Law Enforcement Facility  
Eagle Butte, SD

Leandro Garcia, Sr.  
Detention Administrator  
White Mountain Apache Police Department  
Whiteriver, AZ

During the 60 day comment period following the publication of this proposed information collection in the Federal Register (Volume 75, Number 6, Page 1,410 on January 4, 2010), BJS received no comments.

9. Paying Respondents

Participation in the surveys is voluntary and no gifts or incentives will be given.

10. Assurance of Confidentiality

According to 42 U.S.C. 3735 Section 304 (see attachment 10) the information gathered in this data collection shall be used only for statistical or research purposes, and shall be gathered in a manner that precludes their use for law enforcement or any purpose relating to a particular individual other than statistical or research purposes. The data collected through the County and local jail and Indian country jail surveys represent institutional characteristics of publicly-administered or funded facilities and are, therefore, in the public domain. No individually identifiable information is provided and all counts are simply too large to attribute to an individual.

11. Justification for Sensitive Questions

There are no questions of a sensitive nature included in the Annual Survey of Jails or the Survey of Jails in Indian Country and accompanying addendum. In addition, the data collected and published from the surveys are summary totals from which the identity of specific private persons cannot reasonably be determined. Information collected on mental/medical health services, and other jail programs and services to inmates will be aggregate count data.

12. Estimate of Hour Burden

A separate form will be used for each survey form. The CJ-5 and CJ-5A, will be sent to 561 respondents from sampled county and city jails, the CJ-5D and CJ-5DA will be sent to 373 respondents that are included with certainty in the ASJ sample survey, and the CJ-5B and the addendum (SJIC forms) will be sent to respondents from 85 Indian country correctional facilities operated by tribal authorities or the Bureau of Indian Affairs (BIA). The estimated burden excludes the number of respondents and burden that was reported for the Survey of Large Jails in the 60-day and 30-day Notice of Information Collection Under Review. As previously indicated BJS will revise the SLJ form and submit to OMB a separate package for clearance of this form.

The respondent burden is kept to a minimum by collecting data from a central reporter. For the Survey of Jails in Indian Country all forms are sent to a central reported. For the Annual Survey of Jails, approximately 90% or 839 respondents are central reporters. Jail jurisdictions that have more than one respondent (95) to the survey receive either the CJ-5A or the CJ-5DA. This group is made up of privately owned or operated confinement facilities, and account for approximately 4% of all respondents. Table 1 provides the burden estimate:

<i>Type of form</i>	<i>Number of respondents</i>	<i>Average time required</i>	<i>Annual reporting hours</i>
CJ-5 or CJ-5A	561	1.25	701
CJ-5D or CJ-5DA	373	2.00	746
CJ-5B	85	1.25	106

CJ-5B Addendum*	85	0.50	43
<b>Total</b>	<b>1,104</b>		<b>1,596</b>

\*One time collection

13. Estimate of Respondent Cost

Questionnaires and a self-addressed stamped envelope are mailed to each respondent. The information requested is normally maintained electronically as administrative records in the jail facilities. The only costs respondents will incur are costs associated with their time. Other than these costs, there are no additional costs to the respondent. The estimated cost for all surveys is \$20 per hour.

**Annual Survey of Jails (ASJ):** The CJ-5 and CJ-5A forms are estimated to take 1.25 hours per year for a total cost of \$25 per respondent. The estimated total burden for all 561 CJ-5 and CJ-5A respondents is \$14,000. The CJ-5D and CJ-5DA forms are estimated to take 2.0 hours per year for a total cost of \$40 per respondent. The estimated total burden for all 373 CJ-5D and CJ-5DA respondents is \$14,900. The total respondent cost per year for the entire ASJ collection is \$28,900.

**Survey of Jails in Indian Country (SJIC):** The CJ-5B form is estimated to take 1.25 hours per year for a total cost of \$25 per respondent. The estimated total burden for all 85 CJ-5B respondents is \$2,100. The CJ-5B addendum form is estimated to take 0.5 hours for a one time collection for a total cost of \$10 per respondent. The estimated total burden for all 85 CJ-5B addendum respondents is \$830. The total respondent cost per year for the first two years is of entire SJIC collection is \$2,100. The total respondent for the third year for the entire SJIC collection is \$2,900.

14. Cost to the Federal Government

This OMB clearances request encompasses four survey collections (including the addendum to the SJIC) and account for unique costs to the government. Combined, these four collections are estimated to cost the government \$443,600. Below are individual cost descriptions for each collection followed by the associated costs table.

**Annual Survey of Jails (ASJ):** Currently, the division of labor for a data collection cycle on the Annual Survey of Jails is as follows: The Census Bureau maintains and updates the website and database, conducts the mailout of survey forms, conducts followup, collects the data, and prepares a dataset for BJS analysis. BJS staff analyze the data, prepare statistical tables, and write reports based on these data.

Based upon 2010 BJS salaries and Census Bureau costs incurred during 2009 (plus 3.5% inflation), the estimated costs to the government associated with the collection,

processing, and publication of reports, and preparation of data tables are projected for 2010 in the table that follows. Total estimated costs of \$306,100 are divided between the Census collection costs (\$258,200) and BJS analysis, reporting and dissemination costs (\$47,900). Both BJS and Census costs include salary, fringe, and overhead. Census costs include costs in addition to salary as described in table 2.

**Table 2. Estimated costs for the 2010 Annual Survey of Jails**

BJS costs	
Staff salaries	
GS-13 Statistician (25%)	\$22,300
GS-15 Supervisory Statistician (3%)	\$3,700
GS-15 Chief Editor (1%)	\$1,200
Other Editorial Staff (3%)	\$2,200
Front-Office Staff (GS-15 & Directors)	\$600
Subtotal salaries	<b>\$30,000</b>
Fringe benefits (33% of salaries)	\$9,900
Subtotal: Salary & fringe	<b>\$39,900</b>
Other administrative costs of salary & fringe (20%)	\$8,000
Subtotal: BJS costs	<b>\$47,900</b>
Census Bureau costs (Contractor)	
Census costs (salaries, fringe benefits, forms design, printing, mailout, fax, email and phone follow-up, programming, web maintenance and updating, and Census overhead)	<b>\$258,200</b>
Subtotal: Census costs	<b>\$258,200</b>
<b>Total estimated costs</b>	<b>\$306,100</b>

**Survey of Jails in Indian Country (SJIC):** Currently, the division of labor for a data collection cycle on the Annual Survey of Jails in Indian Country is as follows: Westat Inc. maintains and updates the database, conducts the mailout of survey forms, conducts follow-up, collects the data, prepare facility level tables, and prepares a dataset for BJS analysis. BJS staff analyze the data, prepare statistical tables, and write reports based on these data.

Based upon costs incurred during 2009, the estimated costs to the government associated with the collection, processing, and publication of reports, and preparation of data tables are projected for 2010 in the table that follows. Total estimated costs of \$119,700 are divided between the Westat Inc. collection costs and table creation (\$71,800) and BJS analysis, reporting and dissemination costs (\$47,900). BJS costs include salary, fringe, and overhead. Both BJS and Westat costs include salary, fringe, and overhead. Westat

costs include costs in addition to salary as described in table 3.

<b>Table 3. Estimated costs for the 2010 Survey of Jails in Indian Country</b>	
BJS costs	
Staff salaries	
GS-13 Statistician (25%)	\$22,300
GS-15 Supervisory Statistician (3%)	\$3,700
GS-15 Chief Editor (1%)	\$1,200
Other Editorial Staff (3%)	\$2,200
Front-Office Staff (GS-15 & Directors)	\$600
Subtotal salaries	<b>\$30,000</b>
Fringe benefits (33% of salaries)	\$9,900
Subtotal: Salary & fringe	<b>\$39,900</b>
Other administrative costs of salary & fringe (20%)	\$8,000
Subtotal: BJS costs	<b>\$47,900</b>
Westat Inc., costs (Contractor)	
Westat Inc., costs (salaries, fringe benefits, mailout, fax, email and phone follow-up, programming, table creation, and overhead)	<b>\$71,800</b>
Subtotal: Westat Inc., costs	<b>\$71,800</b>
<b>Total estimated costs</b>	<b>\$119,700</b>

**Survey of Jails in Indian Country-Addendum:** Currently, the division of labor for a data collection cycle on the addendum to the Annual Survey of Jails in Indian Country is as follows: Westat Inc. maintains and updates the database, conducts the mail-out of survey forms, conducts followup, collects the data, prepare facility level tables, and prepares a dataset for BJS analysis. BJS staff analyze the data, prepare statistical tables, and write reports based on these data.

Based upon costs incurred during 2009, the estimated costs to the government associated with the collection, processing, and publication of reports, and preparation of data tables are projected for 2010 in the table that follows. Total estimated costs of \$17,800 are divided between the Westat Inc. collection costs and table creation (\$7,100) and BJS analysis, reporting and dissemination costs (\$10,700). BJS costs include salary, fringe, and overhead. Both BJS and Westat costs include salary, fringe, and overhead. Westat costs include costs in addition to salary as described in table 4.

**Table 4. Estimated costs for the one time addendum to the Survey of Jails in Indian Country**

BJS costs	
Staff salaries	
GS-13 Statistician (3%)	\$2,700
GS-15 Supervisory Statistician (.5%)	\$600
GS-15 Chief Editor (.5%)	\$600
Other Editorial Staff (3%)	\$2,200
Front-Office Staff (GS-15 & Directors)	\$600
Subtotal salaries	<b>\$6,700</b>
Fringe benefits (33% of salaries)	\$2,200
Subtotal: Salary & fringe	<b>\$8,900</b>
Other administrative costs of salary & fringe (20%)	\$1,800
Subtotal: BJS costs	<b>\$10,700</b>
Westat Inc., costs (Contractor)	
Westat Inc., costs (salaries, fringe benefits, mailout, fax, email and phone followup, programming, table creation, overhead)	<b>\$7,100</b>
Subtotal: Westat costs	<b>\$7,100</b>
<b>Total estimated costs</b>	<b>\$17,800</b>

15. Reason for Change in Burden

**Annual Survey of Jails (ASJ):** The increase in burden is due to the implementation of the CJ-5D and CJ-5DA forms estimated to take 2.0 hours per year for 25% of all respondents. The average time to complete these forms is 45 minutes longer than the CJ-5 and CJ-5A forms.

**Survey of Jails in Indian Country (SJIC):** The increase in burden is due to the increase in the number of Indian country jails.

16. Project Schedule

The CJ-5/5A and CJ-5D/5DA forms are mailed to the jurisdictions in the second week of June. The reference date of the Annual Survey of Jails is the last weekday in June. Data collection will be completed by September 30 of each year. The final report *Jail Inmates at Midyear*, will be issued annually in May/June.

The CJ-5B and CJ-5B Addendum forms are also mailed to Indian country jail facilities in the second week of June. The reference date of the Annual Survey of Jails in Indian



Country and addendum is the last weekday in June. The final report *Jails in Indian Country at Midyear*, will be issued annually in May/June of the following year.

17. Reason for Not Displaying Expiration Date

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

18. Exceptions to the Certification

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

**B. Attachments**

1. BJS authorizing legislation, Omnibus Crime Control and Safe Street Act of 1968, as amended (42 U.S.C. 3732)
2. The Violent Crime Control and Law Enforcement Act of 1994
3. The Violent Crime Control and Law Enforcement Act of 1994, Title II, Subtitle A, Public Law 103-322, as amended, 42 U.S.C. § 13709
4. Data Collection Instrument (CJ-5)
5. Data Collection Instrument (CJ-5A)
6. Data Collection Instrument (CJ-5D)
7. Data Collection Instrument (CJ-5DA)
8. Data Collection Instrument (CJ-5B)
9. Data Collection Instrument (CJ-5B Addendum)
10. 42 U.S.C. 3735 Section 304
11. ASJ-Sample cover letter announcing data collection
12. ASJ-Instructions for Paperless Fax Image Retrieval System (PFIRS)
13. ASJ-Sample Paperless Fax Image Retrieval System (PFIRS)
14. ASJ-Nonresponse follow-up instructions
15. SJIC-Sample cover letter announcing data collection
16. SJIC-Sample pre-notification cover letter
17. SJIC-Sample nonresponse fax follow-up