

SUPPORTING STATEMENT

A. Justification1. Necessity of the Information

Public concerns about the completeness and accuracy of information about deaths occurring in custody in prisons and jails or during the process of arrest led to the passage of H.R. 1800, *The Death in Custody Reporting Act of 2000* (P.L. 106-297), which was signed into law on October 13, 2000.

This law directed the Attorney General to establish new guidelines under which applicants for Federal Violent Offender Incarceration/Truth in Sentencing (VOI/TIS) grants were required to provide assurances of

Reporting, on a quarterly basis, information regarding the death of any person who is in the process of arrest, is en route to be incarcerated, or is incarcerated at a municipal or county jail, State prison, or other local or State correctional facility (including any juvenile facility) that, at a minimum, includes B

A(A) the name, gender, race, ethnicity, and age of the deceased;

A(B) the date, time, and location of death; and

A(C) a brief description of the circumstances surrounding the death.@

As the statistical agency for the Department of Justice, BJS was given the responsibility of implementing PL 106-297. Between 2000 and 2006, BJS requested and received multiple OMB clearance approvals to implement PL 106-297. New data collections were introduced each year to cover the offender populations mentioned in the legislation, and the OMB clearance (1121-0249) was updated as new collections were added. These quarterly data collections covered all inmate deaths in local jails, state prisons and juvenile correctional facilities, as well as deaths that occur in the process of arrest by state and local law enforcement agencies. With the expanded OMB clearance (1121-0249) granted in April 2003 and renewed in June 2006, BJS had approval for the complete series of quarterly data collections required by PL 106-297. Collectively, these collections of death records make up the BJS Deaths in Custody Reporting Program (DCRP).

The authorization for the VOI/TIS grant programs expired on December 31, 2006, and with it, any funding requirement for the submission of death records to the Attorney General, BJS has continued to support the collection and analysis of these records independent of any funding requirements, because the DCRP represents a unique and important resource for understanding mortality within the criminal justice system.

Findings from analyses of the DCRP records have proven that concerns about the absence of information about deaths in custody were warranted. BJS' findings have corrected misunderstanding about deaths in custody, and provided some fundamental findings on the issue. For example, that mortality rates in prisons and jails are lower than in the general population; that leading causes of death in prisons were illnesses such as cancer and heart disease rather than violent events such as homicide and suicide; that the vast majority of inmates who died in custody from illnesses had pre-existing conditions that led to their death (as opposed to contracting a fatal disease while in custody); that during any given year about 85% (of the 3,000 local jails nationwide) report that zero deaths occurred in custody; and that almost half of arrest-related deaths result from causes other than law enforcement homicides.

Data on each of the covered populations are collected on the following approved forms:

CJ-9, *Deaths in Custody, 2008 B Quarterly Report on Inmates under Jail Jurisdiction*,
CJ-9A, *Deaths in Custody, 2008 B Annual Summary on Inmates under Jail Jurisdiction*,
CJ-10, *Deaths in Custody, 2008 B Quarterly Report on Inmates in Private and Multi-Jurisdiction Jails*,
CJ-10A, *Deaths in Custody, 2008 B Annual Summary on Inmates in Private and Multi-Jurisdiction Jails*,
NPS-4, *Deaths in Custody, 2008 B Quarterly Summary of Inmate Deaths in State Prisons*,
NPS-4A Addendum, *Deaths in Custody, 2008 B State Prison Inmate Death Report*,
CJ-11, *Deaths in Custody, 2008 B Quarterly Summary of Deaths in Law Enforcement Custody*
CJ-11A Addendum, *Deaths in Custody, 2008 B Law Enforcement Custodial Death Report*.

Please note that previous clearances included the following forms, which have since been discontinued:

NPS-5, *Deaths in Custody 2007 – Quarterly Summary of Deaths in State Juvenile Residential Facilities*,
NPS-5A Addendum, *State Juvenile Residential Death Report*.

Collection of juvenile correctional facility death records from state authorities ceased during 2007 for two reasons. First, after the expiration of PL 106-297, the collection experienced a sharp decline in participation. Second, BJS believed that the information would be more appropriately collected by the Office of Juvenile Justice and Delinquency Prevention (OJJDP), because existing OJJDP collections included better coverage of local detention facilities than the BJS program. As a result, this clearance request does not include forms NPS-5 or NPS-5A.

2. Needs and Uses

The Deaths in Custody Reporting Program provides data essential for understanding the prevalence and incidence of deaths of persons held in local jails and state prisons, as well as those in the process of arrest by state and local law enforcement agencies. These collections provide policymakers, public-health officials and correctional administrators a unique, comprehensive system for monitoring deaths in the criminal justice system. DCRP collections permit calculation of comparative death rates both inside and outside of correctional facilities. These data permit a wide variety of analyses to be conducted by cause of death, such as:

- \$ identifying trends in causes by age, race/ethnic origin, gender, and time since admission to custody;
- \$ determining the incidence of death within specific correctional facilities;
- \$ distinguishing deaths due to pre-existing conditions from those developed since admission to custody;
- \$ examining the provision of medical treatment since admission;
- \$ examining the range of circumstances surrounding the use of lethal force by law enforcement officers;
- \$ understanding the circumstances surrounding deaths as a result of accidental injury, suicide and homicide.

The DCRP collections provide the only comprehensive source of this information at a national, state and local level. Prior to the collection of these data, the public's knowledge of the criminal justice system had a serious gap. In passing PL 106-297, Congress expressed the importance of filling this gap with this data collection program.

The importance of the data was emphasized by one of the researchers asked by BJS to review the collection during the 60-day comment period. Dr. Ingrid Binswanger offered the following comments on the needs and uses of the data collection program:

Without these data, we would have absolutely no national data on the death rates and causes of death in the criminal justice system. These data are essential to the medical management of prisoners and to public health and correctional administrative planning.

BJS has made data available to the public through restricted-use files located at the National Archive of Criminal Justice Data at the University of Michigan, Ann Arbor, MI. (Given the inclusion of personally-identifiable data and sensitive data such as medical histories and medical treatments provided to the deceased, unrestricted public access would not be appropriate.) Detailed tables and analyses are published and disseminated in printed and electronic form. BJS currently maintains a regularly updated section on the BJS website devoted to the release of DCRP statistics (see:

<http://www.ojp.usdoj.gov/bjs/dcrp/dictabs.htm>). A standard set of data tables is updated each year with data for state prisons, local jails, and persons in the process of arrest by state and local law enforcement. BJS has also released three in-depth analyses of DCRP data in published reports, with a fourth planned for release during the winter of 2009/10 (*Mortality in Local Jails, 2000-2006*).

The information from the reports of deaths in custody will be used by the U.S. Department of Justice, Congress, police and correctional administrators, public health officials and practitioners, researchers, and special interest groups. Users of the data include the following:

Correctional administrators **B** to compare deaths rates by cause and circumstance with other jurisdictions.

Public health officials **B** to track the incidence of inmate deaths by specific cause and location.

Police administrators **B** to compare characteristics and causes of arrest-related deaths involving comparable police departments nationwide, and to inform training on the use of lethal force and attention to medical problems of arrestees.

Criminal justice practitioners **B** to assist in the design and implementation of programs and policies for more effective suicide and homicide prevention.

U.S. Congress **B** to evaluate the effectiveness of local jail, State prison, and State and local law enforcement operations.

Local and national media **B** to provide context when deaths occur in a prison, jail or during an arrest process (i.e., to provide their audience with a sense of whether the correctional facility or arresting agency has a low, average, or high rate of deaths compared to similar entities nationwide).

Examples of groups and individuals within these broader categories making use of the information from the collection to address pressing public policy concerns include:

- On July 24, 2007 the House Subcommittee on Crime, Terrorism and Homeland Security held public hearings on the proposed reauthorization of the Death in Custody statute. During the proceedings, several members of the subcommittee referred to published DCRP statistics in their prepared comments and in their questions put to witnesses.
- In the case of a class-action lawsuit against the California Department of Corrections regarding the quality of healthcare provided to inmates (*Plata, Coleman, et.al. v. Schwarzenegger, et.al.*), both parties made extensive use of DCRP prison mortality statistics.

- Amnesty International USA used DCRP data on arrest related deaths in the 2008 report, *Less Than Lethal? The Use of Stun Weapons in U.S. Law Enforcement*.
- After experiencing high-profile deaths of inmates in their facilities, jail administrators in jurisdictions such as Broward County, Florida and Prince George's County, Maryland have used DCRP statistics to compare their own mortality rates with those of all other jails statewide.
- A researcher who was writing a chapter for an American Psychiatric Association handbook for suicide prevention used the data on jail suicides.
- Psychiatrists from several teaching hospitals, such as St. Vincent's and St. Luke's Hospitals in New York City, have requested data on suicides in prisons.
- The United Nations' Special Rapporteur on Extrajudicial Killings used the data for their May 27, 2009 report on deaths in custody (see: <http://www2.ohchr.org/english/bodies/hrcouncil/docs/11session/A.HRC.11.2.pdf>).
- The NYC deputy chief medical examiner referred to the collection as very useful. He is the author of 'Firearm Deaths by Law Enforcement', published in the *Journal of Forensic Science* in January, and he plans to use the DCRP data in his future studies.
- The Police Foundation is using the data to study law enforcement homicides in California, along with data from the FBI's Supplementary Homicide Reports and the California Department of Justice.
- Staff at the National Center for Health Statistics reported that the DCRP collection is important and useful to them for understanding certain types of mortality that they cannot address with their national mortality files. (See item 4 below, "Efforts to Identify Duplication.")

3. Use of Technology

BJS and its former data collection agent at the U.S. Census Bureau have employed internet-based collection methods for both the local jail and State prison death records. An internet data collection instrument for local jails was implemented during the 2003 data collection cycle. State prison respondents were given the option of online reporting during the 2004 data collection cycle. The online system also gave BJS staff the ability to track the collection's progress, view data submissions, and download data files for analysis. BJS' new data collection agent for 2009 – RTI International – will offer a similar internet-based data collection system for both collections (state prisons and local jails).

BJS staff currently collects the arrest-related death records covering State and local law enforcement agencies. Pending expanded funding of these collections, BJS will explore the possibility of offering internet-based data reporting options for these records. Presently, resources do not permit the addition of this option.

4. Efforts to Identify Duplication

The Deaths in Custody Reporting Program is not duplicated by any other program or government agency. A search of the National Criminal Justice Reference Service (NCJRS) repository did not reveal any duplication. After an extensive search for quarterly counts or description of deaths by cause, BJS has determined that the information sought is not obtainable from any other internal or external data source. The National Center for Health Statistics (NCHS) collects data on all deaths nationwide, but can only report criminal justice population deaths as “legal intervention deaths”. BJS determined after detailed conversations with NCHS staff, that this category includes only a limited number of such deaths, mostly fatal shootings by police and mandated executions in state prisons. All other deaths involving persons in the process of arrest or held in correctional custody are not systematically identified.

Likewise, the FBI’s collection of records of “justifiable homicide by police” under its Uniform Crime Reporting program fails to address all other forms of arrest-related deaths, such as intoxication, suicide and accidental deaths. BJS has found that homicides by law enforcement officers account for 57% of all arrest-related deaths reported during 2003-2006. In addition, the FBI data on justifiable homicides, collected through its Supplementary Homicide Reports (SHR), do not contain information on many of the attributes of the incident leading to the death that are collected in the DCRP law enforcement collection. For example, among the items that the DCRP collects that SHR does not collect are data on medical examiner or coroner evaluations of causes of death, how injuries (if sustained) were sustained, the use of restraints by the police, and whether the decedent was intoxicated, threatened the officer, tried to escape or flee, or resisted arrest.

5. Impact on Small Businesses

This statistical collection does not involve small businesses or other small entities. The respondents are state and local correctional authorities, as well as statewide reporters of arrest-related deaths (typically housed in a state government agency, governor’s crime commission, or state university).

6. Consequences of Less Frequent Collection

Originally, the DCRP was established as a quarterly data collection system, as required by the *Death in Custody Reporting Act of 2000* (PL 106-297). Since the law expired on December 31, 2006 (see Section 1 above, “Necessity of the Information Collected”), BJS has conducted a passive quarterly collection system, in which respondents are encouraged to report deaths on a quarterly basis, but hold off on reporting zero counts until the end of the year. At the end of the year, all respondents are contacted for a hard count of all deaths during the year, to ensure that reporting is complete.

BJS’ decision to move to a passive quarterly collection system was driven by the fact that the vast majority of respondents experienced zero deaths in any given calendar quarter. Over 80% of all jails nationwide experience zero deaths in a calendar year, which has the result of creating a large volume of quarterly zero counts. These zero counts of deaths can be far more efficiently collected at one time at yearend.

Due to the need to obtain a renewed OMB Clearance, as well as make the transition to a new private data collection agent, BJS decided to postpone all collection of 2009 data until yearend. The new collection agent has begun preliminary work on the project and, pending the renewal of OMB clearance, collection of 2009 data will begin at the close of the calendar year. The passive quarterly reporting schedule will resume for the 2010 collection cycle.

Collecting death records on less than an annual basis would compromise the collection and BJS' ability to highlight annual trends in mortality within the criminal justice system. If collection only took place every 2 years (or on a longer periodic basis) it is likely that participation would be difficult to maintain at the consistently high levels achieved since the DCRP was launched. Every year since collection began, BJS has been able to collect data from all 50 State departments of corrections and at least 99% of all jail jurisdictions. Due to the voluntary nature of the collection and the sensitivity of the information collected, it is likely some drop in participation would take place if collection ceased and did not resume for 2 or more years.

Based on conversations with our data providers, we have learned that medical records and death certificates are often shipped off site, that is, from the institution that had custody over the decedent, within a comparatively short period of time (within a year or so of the death). If the data were collected on less-than-an-annual basis, some respondents would be required to go to off-site storage to obtain records, sometimes at an additional cost. This would likely result in a negative effect on participation in the voluntary collection.

In addition, the turnover in respondents to the collection poses a risk of lower participation if the collection was field less frequently. For example, during the 2009 collection cycle of arrest-related death records, respondents in 10 states changed. Turnover in the 3,000 jail jurisdictions nationwide also is relatively high —especially during years in which local sheriffs (who are responsible for managing most local jails) are elected. In a given year, there may be hundreds of jail respondents changing. Were the collection to be done every two years, BJS would encounter additional costs associated with tracking down new respondents and in all likelihood leading to delays in collecting the data.

7. Special Circumstances Influencing Collection

This data will be collected in a manner consistent with the guidelines in 5 CFR 1320.6.

8. Federal Register Publication and Outside Consultation

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 74, Number 135, Page 34,590 on July 16, 2009, and Volume 74, Number 185, Page 49,018, on September 25, 2009, respectively). In renewing the data collection procedures, BJS has consulted with the local jail and State prison administrators, law enforcement experts, and public health researchers. The following local jail administrators have been contacted to review the collection procedures:

Gwen Smith-Ingley, Executive Director
American Jail Association (AJA)

Lee Baca, Sheriff
Los Angeles County (CA) Sheriff=s Department

Martin Horn, Distinguished Lecturer
John Jay College of Criminal Justice, City University of New York
(formerly New York City Commissioner of Corrections)

Robert Lucas, Major/Division Commander
Hillsborough County (FL) Sheriff=s Office

Darren Seiger, Classification Manager
Broward County (FL) Sheriff=s Office

Cortez Rainey, Office of the Commissioner
Division of Pretrial Detention, Maryland Department of Public Safety &
Correctional Services

Mark Beatley, Deputy
Marion County (IN) Sheriff=s Office

BJS also consulted the following State prison administrators and practitioners:

James Gondles, Executive Director,
American Correctional Association (Lanham, MD)

Harold Clarke, Commissioner
Louisiana Department of Public Safety and Corrections

Brian Fischer, Commissioner
New York Department of Correctional Services

Ashbel T. Wall, Director
Rhode Island Department of Corrections

George Keiser, Chief, Community Corrections Division
National Institute of Corrections, U.S. Department of Justice

George Camp, Executive Director
Association of State Correctional Administrators (Middletown, CT)

BJS also consulted the following public health and correctional health researchers:

Robert Anderson, Chief
Mortality Statistics Branch, National Center for Health Statistics, CDC

Ingrid Binswanger, MD, MPH
University of Colorado, Denver School of Medicine

Evelyn Patterson
Department of Sociology and Crime, Pennsylvania State University

Andrew Wilper, MD, MPH
Boise VA Medical Center

Mark Cunningham
Clinical and Forensic Psychologist (Lewisville, TX)

Finally, BJS also consulted the following law enforcement experts:

John Firman, Research Director
International Association of Chiefs of Police (Alexandria, VA)

Fred Wilson, Director of Operations
National Sheriffs= Association (Alexandria, VA)

Joan Weiss, Executive Director
Justice Research and Statistics Association (Washington, DC)

Randy Hanzlick, MD
Chief Medical Examiner, Fulton County (GA)

Philip Stevenson, Statistical Analysis Director
Arizona Criminal Justice Commission

Baljit Singh, Statistical Data Center
Office of the Attorney General, State of California

Renee Gray
Office of the Attorney General, State of Texas

John Morgan, Deputy Director for Science and Technology
National Institute of Justice, U.S. Department of Justice

Darrel Stephens, Public Safety Leadership Program
Johns Hopkins University (Baltimore, MD)

David Klinger, Research Director
The Police Foundation (Washington, DC)

James Gill, MD
Office of the Chief Medical Examiner, New York City

Robert Langworthy
Department of Criminal Justice, University of Central Florida

Christopher Koper, Deputy Director, Research
Police Executive Research Forum (Washington, DC)

Virginia Elling, Force Investigation Division
Los Angeles Police Department

During the 60-day comment period following the publication of this proposed information collection in the Federal Register (Volume 74, Number 135, Page 34,590 on July 16, 2009), BJS received 11 sets of comments. For a complete listing of the organizations responding, their comments, and BJS' response, please see Attachment D "Public Comments Received during the 60 Day Period and BJS Responses."

9. Payment or Gift to Respondents

Participation is without direct payment or compensation. State Justice Statistics Analysis Centers (SAC=s) which choose to serve as central reporters for their State=s law enforcement deaths data are allowed to apply for up to \$50,000 annually to support their data collection efforts and other activities, under the State Justice Statistics (SJS) grant program (administered by BJS). However, these SACs are eligible to apply for the same \$50,000 amount, regardless of whether or not they pursue this activity for BJS. No SAC will be required to devote SJS grant funds towards this activity.

10. Assurance of Confidentiality

Respondents will be advised of Title 42 USC, Section 3735 and 3789g, which establish the allowable use of data collected by BJS. Under these sections (see attached), all information which can identify individuals is to be held confidential by BJS and A 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@ (Section 3735). As the collection agent for BJS from local jail jurisdictions, RTI International will collect these data with assurances pursuant to these sections.

All names and personal identifiers will be removed from the data files, prior to their submission to the National Archive of Criminal Justice Data, which serves as the public repository for all BJS datasets. Moreover, as required under these sections, any BJS report using these data will be only statistical in nature and will not identify individual subjects. All respondents will be provided copies of sections 3735 and 3789g with the cover letter and forms.

11. Justification for Sensitive Questions

Items regarding cause of death and circumstances surrounding each death were originally required by the *Deaths in Custody Reporting Act of 2000* (PL 106-297). BJS continues to request these items, because they are essential to understanding mortality in the criminal justice system. Such items may be considered sensitive to correctional and law enforcement administrators; however, this information is a matter of public record, as part of reports by medical examiners and coroners.

12. Estimate of Hour Burden

This survey will collect data from 3,102 respondents quarterly, including 3,000 local jail facilities, prison administrators in all 50 States, and a central reporter of law enforcement deaths in all 50 States, the District of Columbia and the New York City Police Department. There will also be an annual summary collection from the 3,000 local jail facilities. (Because annual data on prison admissions and populations are already

reported in the National Prisoners Statistics program, no annual summary is conducted for State prisons.) As noted above in Section 6, “Consequences of Less Frequent Collection”, respondents to all three parts of the program have the option of reporting either quarterly or annually. Annual burden on respondents is based on the number of hours involved in reviewing instructions, searching existing data sources, gathering necessary data and completing and reviewing the data collection instrument.

We estimate the respondent burden for this data collection as follows:

Reporting Method	Type of Data Supplier	Number of Data Suppliers	Number of Responses	Average Reporting Time	Total Burden Hours
Mail-canvass and online data entry	Local jails - quarterly	3,000	12,000 jurisdiction summaries	5 minutes	1,000.00 hrs
			- including 1,100 deaths	- 30min. per death	550.00 hrs
Mail-canvass and online data entry	Local jails - annually	3,000	3,000	15 minutes	750.00 hrs
Mail-canvass and online data entry	State prison - quarterly	50	200	5 minutes	17.00 hrs
Mail-canvass and online data entry	State prison addendum - quarterly	50	200 responses covering 3,200 deaths	30 min. per death	1,600.00 hrs
Mail-canvass	State & local law enforcement - quarterly	52	208	5 minutes	17.00 hrs
Mail-canvass	State & local law enforcement addendum- quarterly	52	208 responses covering 700 deaths	60 min. per death	700.00 hrs
TOTAL		3,102	19,308		4,634.00 hrs

Approximately 85% of all jail jurisdictions reported zero inmate deaths in a given year. On a quarterly basis, the percentage of jail jurisdictions reporting zero deaths is even higher than 85%. For those reporting no deaths, only a single item on forms CJ-9 and CJ-10 is required (with an estimated reporting time of 5 minutes). For those jail jurisdictions with deaths to report, we estimate the average reporting time to be 30 minutes per death. Based on this distribution, the overall response time is expected to average 15 minutes for the quarterly jail collections. For the annual jail forms CJ-9A and CJ-10A, only 4 items are requested (with an estimated reporting time of 15 minutes). Based on the previous BJS data collection performed under OMB Clearance 1121-0249, the total expected number of reportable jail inmate deaths is 1,100 per year.

Reporting time estimates from State prison authorities are based on the previous data collection performed under OMB Clearance 1121-0249. According to data reported by State prison systems using the NPS-4 and NPS-4A forms, there was an average of 3,200 state prison deaths reported in recent years. With an estimated reporting time of 30 minutes on each death for form NPS-4A, and 50 reporting jurisdictions, this averages out to an annual reporting burden of 30.0 hours per jurisdiction.

Reporting time estimates from State-level reporters on State and local law enforcement deaths are based on the prior data collection conducted under OMB Clearance 1121-0249. In the first four years of data collection (2003-2006), an average of 672 law enforcement deaths have been reported, but with less than all 50 State respondents participating. Accounting for the slight growth in reported deaths from 627 in 2003 to 710 in 2006, the total number of law enforcement deaths to be collected is expected to be approximately 700 per year.

Because deaths in law enforcement custody encompass a wider range of circumstances than the prison, jail or juvenile facility collections (i.e., shootings by police at arrest scene, deaths caused by attempts to subdue fleeing suspects, overdoses caused by pre-custody drug use), the death report form (CJ-11A) is slightly longer than the NPS-4A, CJ-9 and CJ-10. Therefore, an estimated reporting time of 60 minutes is used for each death for form CJ-11A. With 52 reporting jurisdictions, this averages out to an annual reporting burden of 14.7 hours per jurisdiction.

13. Estimate of Respondent Cost Burden

We do not expect respondents to incur any costs other than that of their time to respond. The information requested is of the type and scope normally carried in their records and no special hardware or accounting software or system is necessary to provide information for this data collection. Respondents are not expected to incur any capital, start-up, or system maintenance costs in responding. Further, purchasing of outside accounting or information collection services, if performed by the respondent, is part of usual and customary business practices and not specifically required for this information.

Based on the 4,634.00 total burden hours at an average of \$20.00 per hour, we estimate the annual cost to respondents to be \$92,680 per year.

14. Estimated Cost to Federal Government

Total cost to the Federal government for all aspects of the program will be \$778,200 annually.

BJS Cost Estimate Summary

These costs include \$181,100 for data collection of arrest-related deaths, overall program management, data analysis, publication review and dissemination by BJS:

Staff costs:

All data collections, rounded to the nearest \$100 – (forms CJ-9, CJ-9A, CJ-10, CJ-10A, NPS-4, NPS-4A, CJ-11, CJ-11A) = \$181,100

5% GS-15, Supervisory Statistician (\$6,800)
 60% GS-13, Statistician (\$59,100)
 75% GS-12, Statistician (\$62,100)
 25% GS-9, Statistician (\$14,300)
 5% GS-13, Technical Editor (\$4,900)
 2% GS-12, Production Editor (\$1,700)
 2% GS-13, Digital Information Specialist (\$2,000)
 Benefits (\$150,900 subtotal @ 20% B \$30,200)
 Other administrative costs (\$40,000)

Data Collection Agent Cost Summary

RTI International will act as the new data collection agent for BJS' collection of state prison and local jail death records for 2009. Their annual cost estimates are as follows:

Personnel, benefits	\$171,400
Indirect costs	\$174,400
Computers, materials, supplies, travel	\$16,200
Call center services, data processing support services	\$132,500
Shipping, postage, telecommunications, reproduction, other	\$102,600
Total costs	\$597,100

15. Reason for Change in Burden

The total respondent burden has increased by 25 hours since the last OMB Clearance was obtained for these activities (an average increase of .008 hours per data supplier). The only reason for this increased burden is the rise in the estimated number of reportable deaths covered by these data collections.

16. Plans for Publication

Topical reports on deaths in custody will be released periodically, along with annual updates of data tables on the BJS website, at <http://www.ojp.usdoj.gov/bjs/dcrp/dictabs.htm> .

At present, BJS is completing a Special Report, *Mortality in Local Jails, 2000-2006* , which presents a comprehensive analysis of jail mortality characteristics over several years (planned for release during the winter of 2009/10). Plans for future DCRP reports include an report exploring the linkage between jail facility characteristics and jail mortality rates; a methodological piece reconciling the FBI Supplementary Homicide Reports on justifiable homicides and the DCRP law enforcement homicides; an update of the medical causes of death in prisons report covering the period through 2010 or 2011; and a report addressing use of force and arrest-related deaths.

To date, BJS has released publications in August 2005 (*Suicide and Homicide in State Prisons and Local Jails*), January 2007 (*Medical Causes of Death in State Prisons, 2001-2004*), and October 2007 (*Arrest-Related Deaths in the United States, 2003-2005*). BJS will produce restricted public-use data files for the National Archive of Criminal Justice Data, with appropriate protections for sensitive data. These disclosure plans are discussed in Section 2, "Needs and Uses," above.

17. Expiration Date Approval

The OMB Control Number and the expiration date will be published on all forms given to respondents.

18. Exceptions to the Certification

There are no exceptions to the Certification Statement. The Collection is consistent with the guidelines in 5 CFR 1320.9.