

SUPPORTING STATEMENT

1110-0005

AGE, SEX, AND RACE OF PERSONS ARRESTED UNDER 18 YEARS OF AGE; AND AGE, SEX, AND RACE OF PERSONS ARRESTED 18 YEARS OF AGE AND OVER

A revision of this currently approved collection is requested in addition to a 3-year extension.

This collection must be in compliance with the Office of Management and Budget (OMB) race and ethnicity standards; therefore a revision is being requested in order to comply. Race and ethnicity categories will be added to the form as set forth by OMB. The race and ethnicity change includes adding 'or African American' after Black, removing the 'n' on Alaskan, removing 'or Pacific Islander' after Asian, adding 'Native Hawaiian or Other Pacific Islander' as a new race category, adding 'Hispanic or Latino' ethnicity category, and adding 'Not Hispanic or Latino' ethnicity category.

Also, Public Law 110-457, Title II, Section 237 (a), (b), December 23, 2008, the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 was implemented. This act requires the FBI to collect human trafficking data as a Part I crime in the Uniform Crime Reporting (UCR) Program; to collect subcategories for "state sex crimes," that do, or do not, involve force, fraud, or coercion for persons under 18 years of age, or 18 years of age and older; and furthermore, to distinguish between incidents of assisting or promoting prostitution, purchasing prostitution, and prostitution.

Offense classifications of prostitution, assisting or promoting prostitution, purchasing prostitution, human trafficking/commercial sex acts, and human trafficking/involuntary servitude were added to the form to capture the data requested by Public Law 110-457.

UCR no longer collects Runaway data. On the Under 18 Years of Age form, the Runaways (29) row will be deleted.

The revisions as indicated by the italics on the existing 1-708 form are:

1. Change title to, *Age, Sex, Race, and Ethnicity of Persons Arrested*.
2. Delete *Form Approved*, move up the OMB number, and change revision date to *12-23-11*.
3. Second sentence, delete, *and*, in between sex and race; and after race insert, *and ethnicity*.
4. After Prepared by, insert, / *Telephone number / E-mail address* and move Title over to the right.
5. Delete everything in the *Do Not Write In These Spaces* box except for the Recorded box in the lower right corner.
6. Second page, change title to, *Age, Sex, Race, and Ethnicity of Persons Arrested*.

7. Insert, *or African American*, after Black.
8. Delete the *n* on Alaskan.
9. Delete, *or Pacific Islander*, after Asian.
10. Insert a column for *Native Hawaiian or Other Pacific Islander* after the Asian column.
11. Insert the Ethnicity columns, one for *Hispanic or Latino* and one for *Not Hispanic or Latino*.
12. Insert, *Total* in Row 16.
13. Insert three rows under Row 16, one for *Prostitution (a)*, one for *Assisting or Promoting Prostitution (b)*, and one for *Purchasing Prostitution (c)*.
14. Insert two rows under Row 27, one for *Human Trafficking/Commercial Sex Acts (30)*, and one for *Human Trafficking/Involuntary Servitude (31)*.
15. In the number 2 instructions, delete, *and*, between Sex and Race; and after race insert, *and Ethnicity of Persons Arrested, Under 18 Years of Age*.
16. In the number 3 instructions, italicize *Uniform Crime Reporting Handbook*; and put, *the*, in front of it.
17. In the number 4 instructions, first sentence after race, insert, *and ethnicity*.

The revisions on the existing 1-708a form are:

1. Change title to, *Age, Sex, Race, and Ethnicity of Persons Arrested*.
2. Delete *Form Approved*, move up the OMB number, and change revision date to *12-23-11*.
3. Second sentence, delete, *and*, in between sex and race; and after race insert, *and ethnicity*.
4. After Prepared by, insert, */ Telephone number / E-mail address* and move Title over to the right.
5. Delete everything in the *Do Not Write In These Spaces* box except for the Recorded box in the lower right corner.
6. Second page, change title to, *Age, Sex, Race, and Ethnicity of Persons Arrested*.
7. Insert, *or African American* after Black.

8. Delete the *n* on Alaskan.
9. Delete, or *Pacific Islander*, after Asian.
10. Insert a column for *Native Hawaiian or Other Pacific Islander* after the Asian column.
11. Insert the Ethnicity columns, one for *Hispanic or Latino* and one for *Not Hispanic or Latino*.
12. Insert, *Total* in Row 16.
13. Insert three rows under Row 16, one for *Prostitution (a)*, one for *Assisting or Promoting Prostitution (b)*, and one for *Purchasing Prostitution (c)*.
14. In Row 180 (a) and 185 (e), *delete the hyphen* in Derivatives.
15. Delete the *Runaway* Row.
16. Insert two rows under Row 28, one for *Human Trafficking/Commercial Sex Acts (30)*, and one for *Human Trafficking/Involuntary Servitude (31)*.
17. In the number 1 instructions, insert, */her*, after the word his.
18. In the number 2 instructions, delete, *and*, between Sex and Race; and after race insert, *and Ethnicity of Persons Arrested, 18 Years of Age and Over*.
19. In the number 3 instructions, italicize *Uniform Crime Reporting Handbook*; and put, *the*, in front of it.
20. In the number 4 instructions, first sentence, after race insert, *and ethnictiy*.

A. Justification.

1. Necessity of Information Collection

Under the authority of Title 28, Section 534, U.S. Code, *Acquisition, and Exchange of Identification Records; Appointment of Officials*, June 11, 1930, the FBI Uniform Crime Reporting (UCR) Program would request data about arrest counts from city, county, state, tribal, and federal law enforcement agencies throughout the country in order to generate reliable information on adult and juvenile arrest counts.

Forms 1-708a and 1-708, *Age, Sex, and Race of Persons Arrested Under 18 Years of Age*; and *Age, Sex, and Race of Persons Arrested 18 Years of Age and Over (ASR)*, provides for the

national UCR Program a record of the total number of persons arrested, cited, or summoned for criminal acts in all of the Part I and Part II crime classes and furnish basic data concerning the personal characteristics of persons arrested.

Law enforcement agencies submit arrest data to the FBI UCR Program through either the Summary Reporting System (SRS) or the National Incident-Based Reporting System (NIBRS). The SRS entails a count of persons arrested in 28 crime categories. Law enforcement agencies tally the number of occurrences of Part I offenses, as well as arrest data for both part I and Part II offenses, and submit aggregate counts of the collected data in monthly summary reports either directly to the FBI or indirectly through state UCR Programs. The ASR forms are based on the SRS. Referred to as the Atraditional@ UCR Program because it began in 1930, the SRS has had few modifications through the years. Participating agencies can submit their data via electronic files or hard copy. The NIBRS is used by participating law enforcement agencies to report offenses and relevant details by incident, using up to 59 data elements to collect details about offenses, offenders, victims, property, and arrestees reported to police. In NIBRS, law enforcement agencies collect detailed data regarding individual crime incidents and arrests and submit them in separate reports using prescribed data elements and data values to describe each incident and arrest. The ASR summary reporting system forms are not based on the NIBRS data specifications. Developed in the late 1980's, the NIBRS was designed as an automated system to modernize UCR, and includes automated checks to ensure data quality.

2. Needs and Uses

The 1-708a and 1-708 forms are needed in order for law enforcement agencies to submit arrest data to the FBI on hard copy. Arrest data serve as a valuable resource to city, county, state, tribal, and federal law enforcement agencies, as well as by Academe, other government agencies, public, and media. Dissemination of the arrest data are provided in the annual publication *Crime in the United States (CIUS)* or when requested. These arrest data are of invaluable use for research and statistical analysis. Examples of agencies' uses are:

- a. The FBI serves as the national clearinghouse for storage of all arrest statistics, therefore, the data is available upon request to any requester.
- b. Law enforcement uses the UCR data for administration, operation, management, and to determine effectiveness and placement of task forces.
- c. Juvenile justice systems throughout the United States (U.S.) request arrest by age via computer printouts in an effort to determine what varying laws, restrictions, and arrest practices have on arrest rates and the involvement of juveniles in crime. Since the definition of juvenile varies from state to state, it is necessary to have age specific information.
- d. Annual UCR data are provided to the Inter-University Consortium for Political and Social Research. This central repository serves as a single facility from which colleges/universities can obtain social science data.

3. Use of Information Technology

Currently, 78 percent of participating law enforcement agencies submit forms 1-708a and 1-708 electronically. Electronic submissions are received via magnetic media and/or Law Enforcement Online, (LEO) e-mail ucrstat@leo.gov. For those agencies unable to submit data electronically, data are received on hard copy. The FBI UCR Program provides this form as a PDF printable form on the Internet at www.fbi.gov/about-us/cjis/ucr/reporting-forms at this time. It has been provide as a printable PDF document for approximately the past four years.

Many states that participate in the FBI UCR Program have a centralized repository serving as a state UCR Program. Several state UCR Program's have established electronic communications with their law enforcement agencies throughout their state. Agencies submit data to their state UCR Program who in turn forward it to the FBI.

4. Efforts to Identify Duplication

This information collection was authorized in direct response to the enactment of Title 28, Section 534, U.S. Code, Acquisition, and Exchange of Identification Records; Appointment of Officials, June 11, 1930. The FBI is the only agency collecting extensive data on persons arrested in the U.S.

5. Minimizing Burden on Small Entities

This information will have no significant impact on small businesses. The FBI minimizes burden on small law enforcement agencies by allowing them to submit quarterly, every six months, or once a year. Although monthly is recommended, upon approval by the FBI UCR Program, agencies can submit data at intervals that minimizes the burdens to the agency.

6. Consequences of Not Conducting or Less Frequent Collection

In order to serve as the national repository for crime reporting and to produce a reliable dataset, the FBI collects monthly statistics on arrests reported by participating FBI UCR Program contributors. There is an ever-increasing need for timely and accurate data dissemination by the FBI to assist our partners in law enforcement.

Although monthly reports are preferred by some agencies, the FBI UCR Program has agencies submit data quarterly, twice a year, and even once a year. Upon approval by the FBI UCR Program agencies can submit data at intervals that minimizes the burdens to the agency.

Law enforcement agencies use UCR data to track crime, task force placement, staffing levels, officer placement. The UCR data is used for administration, operation, management, and to

determine effectiveness and placement of task forces. Agencies will justify task forces, staffing levels, and officer counts compared to other law enforcement agencies in order to receive additional staffing levels or equipment. Some agencies use other agencies' crime statistics and staffing levels to justify their own crime statistics and staffing levels in order to obtain funding.

In past years, a committee was formed to examine less frequent reporting, below are the results. This committee was chaired by Dr. Peter P. Lejins, Department of Sociology, University of Maryland; Dr. Charlton F. Chute, Director, Institute of Public Administration, New York City; and Mr. Stanley R. Schrotel, Chief of Police, Cincinnati, Ohio.

Frequency of Reports from Cooperating Police Departments

The committee has very seriously considered the possibility of diminishing the frequency of submission of the statistical reports by the cooperating police departments. This would mean abandoning the present scheme of getting monthly reports and substituting perhaps a quarterly or semiannual report from the police instead. The Committee has, however, rejected the idea of any change in this direction, in spite of the fact that it appears reasonable to assume that a report submitted quarterly, for instance, would decrease the amount of work to be done by the local police departments as compared to a monthly report. This could then perhaps be, used as an argument for requesting an increased amount of information in the less frequent reports. There is the danger that with the pressure for monthly reports removed, the police departments might become somewhat less punctilious and instead of producing more data for the three-months report, might actually become less precise and, not having gotten up a report for a longer period, could conceivably have difficulty in getting data together for the three-months report. Besides, of course, all analyses which are based on monthly reports, for instance the fluctuation of crime frequency in the course of the year, might suffer considerably. After studying this matter, the Committee decided not to recommend any change in the current practice. @

7. Special Circumstances

ASR data are collected/received from the FBI UCR Program participants on a monthly basis. The FBI's UCR Program has established various time frames and deadlines for acquiring the monthly data. There are times when special circumstances may cause an agency to request an extension. The FBI's UCR Program has the authority to grant these extensions. Participation in the FBI UCR Program is voluntary.

8. Public Comments and Consultations

The 60 and 30 day notices have been submitted to the Forms Desk and published in the Federal Register with no public comments received.

9. Provision of Payments or Gifts to Respondents

The FBI's UCR Program does not provide any payments or gifts to respondents.

10. Assurance of Confidentiality

All FBI UCR Program information collections are held confidential in accordance with Title 42, U.S. Code, Section 3789(g). Even though this information collection does not contain personal identifier information that may reveal the identity of an individual it is obtained from public agencies and are, therefore, in the public domain.

11. Justification for Sensitive Questions

The information collection does not seek information of a sensitive nature.

12. Estimate of Respondent's Burden

The estimated cost of the respondent's burden for this data collection is as follows:

Number of respondents	18,108
Frequency of responses	12/year for 1-708 12/year for 1-708a
Total annual responses	434,592
Minutes per response	12 minutes for 1-708a 15 minutes for 1-708
Annual hour burden	97,783 hours

Burden Formula:

$$1-708a: 18,108 \text{ respondents} \times 12 \text{ responses/year} = 217,296 \text{ total annual responses}$$

$$\frac{217,296 \times 12 \text{ minutes}}{60 \text{ minutes (1 hour)}} = 43,459 \text{ total annual hour burden}$$

$$1-708: 18,108 \text{ respondents} \times 12 \text{ responses/year} = 217,296 \text{ total annual responses}$$

$$\frac{217,296 \times 15 \text{ minutes}}{60 \text{ minutes (1 hour)}} = 54,324 \text{ total annual hour burden}$$

$$\text{Total annual responses: } 217,296 + 217,296 = 434,592$$

$$\text{Total annual hour burden: } 43,459 + 54,324 = 97,783$$

13. Estimate of Cost Burden

There are no direct costs to law enforcement to participate in the FBI UCR Program other than their time to respond. With the renewal of this form respondents are not expected to incur any capital, start-up, or system maintenance costs associated with this information collection. Costs to agency Records Management System (RMS) are very difficult to obtain. Vendors do not divulge costs due to the fact that vendors charge differently from agency to agency. Many costs are built into the vendors contracts. Agencies do not know costs to system changes because these charges can be built into their budgets for years. Depending on the vendor contracts, changes mandated by law are included within the original contract with no other additional costs. Most agencies already collect the new UCR categories within their individual RMS. UCR provides electronic forms, tallybook, and workbooks for those agencies not able to change their RMS.

14. Cost to Federal Government

It is difficult to estimate the annual cost to the federal government under the clearance request. The following are generalized projections based upon prior collection activity as well as activities anticipated over the next three years.

Data Collection and Processing Costs

\$461,060

This figure is a cost projection provided by FBI Criminal Justice Information Services (CJIS), Resource Management Section, Financial Management Unit.

15. Reason for Change in Burden

There is no increase in burden on the individual respondents; however, the overall annual burden hours have increased from 95,785 to 97,783, which is an increase of 1,998 burden hours and is attributed to the increase in the number of respondents.

16. Anticipated Publication Plan and Schedule

Published data are derived from data submissions furnished to the FBI from local, county, state, tribal, and federal law enforcement agencies throughout the country. National, regional, and state data are published in the annual edition of *CIUS* as well as the periodic release of *Age Specific Arrest Rates and Race Specific Arrest Rates*.

Request for missing January-June arrest data	August and September
Request for missing 12 month arrest data	February and March, following year
Deadline to submit data	Mid-March
Data Processing/Analysis	July-May
Publication of data	October of following year/ <i>CIUS</i>

17. Display of Expiration Date

The FBI UCR Program is requesting OMB to not display an expiration date on the hard copy form. The program mails this form to twenty thousand individual law enforcement agencies, 49 state programs, and an undetermined number of individuals. Administratively, it would be extremely difficult to remove all of the old forms. In addition, some individuals may obtain copies of the form and wait an extensive period of time before submitting the form to the FBI. It would be impossible to know which individuals may possess an older form. Therefore, it would not be practical for a date to be displayed. This would also alleviate the disposal of tens of thousands of expired forms when the form itself is not changed during the renewal process.

18. Exception to the Certification Statement

The FBI's CJIS Division does not request an exception to the certification of this information collection.