

# Paperwork Reduction Act Submission

## Supporting Statement

Agency: Office of Juvenile Justice and Delinquency Prevention (OJJDP)  
Title: Census of Juveniles in Residential Placement (CJRP)  
Form: CJ-14  
OMB No.: 1121-0218 (approval expires 01/31/2013)

### A. JUSTIFICATION

#### 1. Circumstances of the Collection

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) is seeking extension of a currently approved collection the Census of Juveniles in Residential Placement (CJRP) data collection form (CJ-14). This census will be sent to facilities that hold juvenile delinquent and/or juvenile status offenders. It requests information on juvenile offender characteristics (age, sex, race) and state of origin. It is a biennial survey conducted in odd-numbered years. The survey complements the Juvenile Residential Facility Census (JRFC), a census of the same facilities that requests information about their operations and services and is administered in alternate years. The CJRP was collected in 1997, 1999, 2001, 2003, 2006,<sup>1</sup> 2007, and 2011.

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

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<sup>1</sup> A delay in submitting the OMB Package for the 2005 collection meant that OJJDP had to reschedule the collection until after approval was received. Approval was received in December 2005, and the collection occurred in February 2006. The collection returned to the regular schedule (October) for 2007 and occurred in February 2011.

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

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

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

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

*B42 U.S.C. 5661*

The JJDP Act also includes a requirement that OJJDP's Administrator submit to Congress and the President an annual report on juveniles in custody. The specific language describing this report is as follows:

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

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

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

*(C) the ages of the juveniles;*

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

*(E) the number of juveniles who died while in custody and the circumstances under which they died; and*

*(F) the educational status of juveniles, including information relating to learning disabilities, failing performance, grade retention, and dropping out of school.*

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--42 U.S.C. 5617

Copies of the relevant sections of the JJDP reauthorization are included under Section 7 of this PRA package.

## **2. Purpose of the Information**

The data collected from the CJRP has and will continue to inform the Nation's understanding of youth placed out of the home due to some contact with the justice system. These youth may be held in shelter facilities, detention centers, alternative placements, or more traditional secure training schools. No other single data collection vehicle, national or state-level, collects the quality or volume of information gathered by this census. Specifically, the CJRP collects information on the following:

- The offense characteristics of youth in custody;
- The racial breakdowns of these youth;
- The youth's state of origin;
- The age and gender distribution of these youth;
- The placing agencies for these youth and the government level; and
- The legal status of this population including detention and commitment.

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

OJJDP continues to consult with the data providers and others in the juvenile justice and corrections field to ensure that the information being collected is relevant and useful. (See Attachment A for more information regarding consultation with experts and others.) OJJDP also works diligently to ensure that CJRP findings are made available to practitioners in the field and the general public as soon as possible. (See item 16 of the Supporting Statement for more information about dissemination of results.)

## **3. Use of Automated, Electronic, Mechanical, or Other Technological Collection Techniques**

OJJDP and the Census Bureau are committed to decreasing the burden of the data collection on respondents. In the past, the Census Bureau has taken advantage of all available electronic means of data submission, as this option typically reduces the burden and costs for both the respondent and the data collectors—the Census Bureau. Along with these savings, the data are cleaner and less prone to error when taken directly from the respondents' own systems.

Plans for electronic submission of data for the CJRP began during the design phase in 1996. Since the first CJRP collection in 1997, OJJDP and the Census Bureau have encouraged submission of electronic data. To date, with each initial mailout, OJJDP has provided all respondents with an automated submission guide that offers specific guidance and instructions on whom to submit data to at the Census Bureau. The Bureau has been committed to accepting all formats of data submission, including:

- Respondents' own spreadsheet packages;
- Respondents' own management information systems; and
- Data in ASCII text.

As part of the collection process, the Census Bureau also encourages respondents with questions to call an 800 number to determine whether other electronic submission methods will work.

Beginning with the 2011 CJRP collection, the Census Bureau provided an online Web reporting form option to reduce the burden on respondents. The Bureau's secure servers use "HTTPS" (Hypertext Transfer Protocol over Secure Socket Layer) to ensure the encrypted transmission of data between the respondents' browser and the Bureau. This means that instead of sending readable text over the Internet, both the respondents' and the Census Bureau's servers encode (scramble) all text using a security key. That way, personal data sent to the respondents' browser or data the respondent sends back is extremely difficult to decode in the unlikely event it was intercepted by an unauthorized party. All browsers connecting to the Census Bureau's secure server must use a minimum encryption key size of 128 bits.

All respondents who use the Web reporting form option are required to create a unique password containing at least the following: 12 characters, 1 uppercase character, 1 lowercase character, 1 number, and 1 special character from the following: ! # \$ \* \$ ? ~. Passwords are valid for 60 days. All respondents are locked out of the Web site upon submission of their data, and accounts that have been inactive for 45 days will be disabled.

Before beginning data entry, respondents will be required to acknowledge having been given the statement of statutory and policy protections of confidentiality, as well as the burden statement information offered in the paper cover letter that accompanies the mailed (paper) CJRP form.

#### **4. Efforts to Identify Duplication**

OJJDP takes numerous steps to uncover all sources of information on youth involved in the juvenile justice system. Over the past two decades, through the Juvenile Justice Clearinghouse and other training and technical assistance

efforts funded by the Department of Justice and OJJDP, OJJDP has confirmed that national information on the conditions of confinement, availability of services, and the safety and security of juveniles in facilities is not available through any other national data collection. Similarly, conversations with staff from other Federal agencies have revealed that no other Federal agency collects data enabling it to supply these data routinely and completely. Indeed, other Federal agencies tend to turn to OJJDP for information on juveniles in correctional facilities.

Both the Census Bureau and OJJDP conducted extensive literature reviews during the development of this census, and they have continued to monitor the research literature as the CJRP has been administered. All such reviews have indicated that this information is not independently available through other means. Some states or localities maintain similar information, yet it is often incomplete (for example, it may not include privately-owned facilities), and such localized information sources do not cover the entire country, which is the intent of the CJRP.

## **5. Impact on Small Businesses and Small Entities**

Small businesses are not involved in this data collection.

## **6. Consequences of Not Conducting the Data Collection**

If this data collection does not continue, the following is expected: OJJDP would not have the capacity to respond to Congressional and Presidential reporting mandates for the Office; larger, more burdensome data collections would be needed to address the issues covered in this collection; and, in developing juvenile justice policy, Federal, State, and local policymakers would need to rely on anecdotes and assertion rather than well documented data. Without this data collection, comparable national and state-level data would not be available. And, without these data, OJJDP, as well as other Federal, state, and local agencies, would not have the necessary foundation to develop programs for youth in residential placement.

In the past (prior to the CJRP), OJJDP relied on the *Census of Public and Private Juvenile Detention, Correctional, and Shelter Facilities* to provide information on all aspects of juvenile residential facilities. As an explicit decision, the Office separated the new data collection effort into two separate censuses:

- the Census of Juveniles in Residential Placement (CJRP) collects population information on juveniles in residential facilities, and
- the Juvenile Residential Facility Census (JRFC) collects facility-level information.

## **7. Special Circumstances**

Most of the special circumstances listed in the instructions for OMB Form 83-I do not apply to this data collection for the following reasons:

- The data collection is biennial (not quarterly or more frequently);
- Respondents will have more than 30 days to respond;
- Only one copy of the document will be requested;
- The collection does not require respondents to maintain records beyond the data collection itself;
- The collection is designed to be a census of juveniles in custody on the reference date and, as such, will produce valid and reliable results;
- OJJDP will not require reporting of statistical data classifications that have not been approved by OMB;
- The pledge of confidentiality provided with the data collection derives directly from statute (see Attachment F for *42 U.S.C. 3789g*); and
- The collection does not request proprietary information.

## 8. Outside Consultation

- a. The Department of Justice announced the data collection in the *Federal Register* in accordance with 5 CFR 1320.8(d). No public comments have been received.

- b. Consultations Outside the Office

During the development phases of this project, OJJDP consulted extensively with several experts in the field. They advised on the operations and population of the specific facilities. Additionally, OJJDP revisits the form after each collection to determine the value of the information being collected, the phrasing and content of questions, and the form structure. OJJDP also relies on experts in the field of juvenile corrections to advise the agency regarding needed changes, deletions, or additions to the form. This information is gathered through periodic telephone calls by the "OJJDP Corrections Data Working Group," as well as through conferences, regional meetings with State Juvenile Justice Specialists, and internal agency meetings. A list of the individuals directly involved in advising OJJDP on an ongoing basis regarding the CJRP and other data collection activities is included in Attachment A.

OJJDP conducted an Institutional Review Board (IRB) meeting in 2007 to review the human subjects implications of the CJRP. A further review was completed before the 2011 collection, and a continuation review has been conducted in anticipation of the 2013 collection (see Attachment I).

- c. Consultations with Data Providers

From 1993 through 1998, OJJDP and the Center for Survey Methods Research (CSMR) at the Census Bureau worked to develop and improve the CJRP questionnaire. During this time, staff at CSMR visited more than 50 individual facilities, asking very specific questions about the operation of the facility, the format of the questionnaire, and the facility's ability to complete the form. Also important during the testing was the burden placed on the respondents, because both OJJDP and CSMR understood fully that an overly burdensome form would result in high nonresponse rates.

Since the first collection in 1997, OJJDP and the Census Bureau have developed a broad range of formal and informal relationships with the data providers. These data providers serve as a network of support for the project by providing updates on facility lists, comments on publications, information about juvenile corrections, and reviewers for questionnaire drafts. Since its first administration in 1997, the Census Bureau has worked with several data providers to help them set up reporting systems that fit with the CJRP reporting mechanisms, thereby decreasing the burden on a number of the data providers.

## **9. Justification of Compensation**

OJJDP does not compensate respondents who participate in this data collection. Participation is purely voluntary.

## **10. Assurance of Confidentiality**

All information tending to identify individuals (including entities legally considered individuals) will be held strictly confidential according to Title 42, United States Code Section 3789(g). A copy of this section is included with this submission as Attachment F. Regulations implementing this legislation require that OJJDP staff and contractors maintain the confidentiality of the information and specify necessary procedures for guarding this confidentiality. These regulations (28 CFR Part 22) are also included in Attachment G. The cover letter that accompanies the CJRP notifies persons responsible for providing these data that their response is voluntary and the data will be held confidential. A copy of this letter, along with the necessary notification, is included in Attachment H this package, and the CJRP form is included in Attachment C.

## **11. Justification for Sensitive Questions**

This data collection does not contain sensitive questions.

## **12. Estimates of Hour Burden**



Based on the national field test and the previous administrations of the CJRP, OJJDP estimates the average time to complete the form to be 3.6 hours. Due to differences in facility characteristics, staffing, and population housed, not all facilities will have the same hour burden. For example, some will submit their data electronically, while others will submit it manually. In addition, approximately 56 percent of the CJRP facilities are private facilities, and 44 percent are public. However, based on results of the 2011 CJRP, most juveniles are housed in public facilities (about 70 percent on the reference date). This means that public facilities, on average, house more juveniles. Therefore, the burden for a public facility to submit data manually is likely to be greater than the burden for a private manual provider. The following table provides an overview of the hour burden estimates by type of data provider (manual or electronic) and facility type.

<b>Estimated Hour Burden for the CJRP</b>			
<b>Data/Facility Type</b>	<b>Number of Facilities</b>	<b>Hour Burden per Facility</b>	<b>Total Hours</b>
Manual Data Providers			
Public Facilities	650	8 hours	
Private Facilities	850	2 hours	
Electronic Data Providers			
Public Facilities	500	3 hours	
Private Facilities	550	1.5 hours	
<b>Total Hour Burden</b>			<b>9,243</b>
<b>Estimated Average Response Burden</b>	<b>2,550</b>	<b>3.625 hours</b>	

Note: These estimates are based on the average population in each facility and an estimated time to report for each individual in that facility. For manual reporters, we have used an estimate of 10 minutes to report on each juvenile. For electronic reporters, we have used an estimate of 3 minutes for each juvenile. These estimates include the time needed to read and understand the directions, to collect the information, and to respond.

1/30/2021

### **13. Estimates of Cost Burden**

The form was designed so as not to require any new systems or efforts on the part of respondents. Rather, respondents provide information that all need for their own operational functions. As such, this data collection requires no startup costs or maintenance costs from respondents.

### **14. Estimate of Annualized Cost to the Federal Government**

The following table provides an overview of the costs of implementing the CJRP, based on our experience implementing it from 1997 through 2011. Please note that although the data collection for CJRP occurs every other year, costs still are incurred for off years due to data processing and the completion of data collection closeout.

<b>Costs of Implementing the CJRP</b>	
<b>Fiscal Year (FY)</b>	<b>Cost</b>
1997	\$630,000
1998	\$200,000
1999	\$672,500
2000	\$200,000
2001	\$673,000
2002	\$200,000
2003	\$685,000
2004	\$200,000
2005	\$757,000
2006	\$243,000
2007	\$811,000
2008	\$670,000*
2009	\$950,000*
2010	\$350,000
2011	\$850,000
2012	\$50,000**

On average, the annual cost of the CJRP to the Federal Government is \$508,844. The costs of the survey fluctuate from year to year, peaking in the years the census is conducted and declining in the off years.

\*FY2008 and FY2009 show an uptick in costs associated with developing, testing, and implementing the online form for the CJRP.

\*\*FY2012 costs declined due a modest carryover of FY2011 funding (\$150,000) as well as efficiencies gained at the US Census Bureau by outsourcing some respondent outreach activities to an independent contractor.

## **15. Reasons for Program Changes**

This application includes four new questions that were added to those previously approved by OMB. They have been added under Section I—General Information. These questions, which currently are included on the JRFC form (CJ-15) (the sister collection to the CJRP), provide general facility information about ownership and operation. The specific question numbers are 2–5 on the draft 2013 CJRP form (Attachment C). These questions were added to provide additional background information and context for the data reported by each facility. Given the high volume of facility closures and ownership changes in recent years, it was decided that it was important to capture ownership and

operation information annually (via the CJRP collection which is fielded in odd-numbered years and the JRFC which is field in even-numbered years). Also, as a result from comments received during the previous PRA approval process, definitions of the facilities have been added to the form to assist responders and ensure respondents understanding of the facility type corresponded. The definitions were developed in consultation with juvenile justice system experts, as well as our current data providers and collectors.

## **16. Plans for Tabulation and Publication**

OJJDP has developed a comprehensive system for analysis and distribution of the information collected. Under this plan, OJJDP funds a grant with the National Center for Juvenile Justice (NCJJ) for the National Juvenile Justice Data Analysis Project (NJJJAP). The NJJJAP analyzes the CJRP data and produces standard fact sheets, bulletins, and reports for publication by OJJDP. The data are released primarily through OJJDP's online Statistical Briefing Book, located at <http://www.ojjdp.gov/ojstatbb/>. The CJRP data files are also available for use by other researchers through the National Archive of Criminal Justice Data part of the Inter-university Consortium for Political and Social Research (ICPSR) at the University of Michigan (<http://www.icpsr.umich.edu/icpsrweb/NACJD/series/254>). Recently, OJJDP has made a concerted effort to speed up the data archiving process to make the data publicly available as soon as possible. Consequently, CJRP and JRFC concatenated matched facility-level data are now available through 2008, and we anticipate ICPSR will release the 2009 CJRP and 2010 JRFC by early February 2013.

In an effort to promote the publication of research findings from the CJRP and to increase its utility to the field, OJJDP has facilitated panels at the 2012 National Institute of Justice (NIJ) Annual Conference and the 2012 American Society of Criminology Annual Meeting to educate researchers and students about OJJDP data availability. OJJDP also partnered with NIJ and the Bureau of Justice Statistics to issue an FY12 and FY13 joint solicitation: OJP Data Resources Program: Funding For Analysis of Existing Data to award grants for secondary analysis of data including the CJRP (<https://www.ncjrs.gov/pdffiles1/nij/sl000979.pdf>).

## **17. Request for Approval to Not Display OMB Approval Expiration Date**

The present request does not ask for such approval. The expiration date will be displayed along with the OMB approval number.

## **18. Exceptions to the Certification Statement in Item 19 of OMB Form 83-I**

No exceptions to the certification statement are requested or required