

Supporting Statement for a Paperwork Reduction Act Submission to OMB

Pretrial Services for the District of Columbia Annual Judicial Survey

The Pretrial Services Agency for the District of Columbia (PSA) proposes an annual survey of judicial officers assigned to the Superior Court of the District of Columbia and the United States District Court for the District of Columbia. The survey will measure respondents' familiarity and satisfaction with PSA's services to the Courts and its supervision of pretrial defendants released under the Courts' authority. Gauging the opinions of its most important criminal justice partner will allow PSA to improve the quality and delivery of services and supervision and meet its mission of promoting pretrial justice and community safety through assistance to the courts and supervision of and pro-social interventions for pretrial defendants.

A. JUSTIFICATION

1. *Circumstances Making the Collection of Information Necessary*

Executive Order 12862 directs Federal agencies to provide service to the public that matches or exceeds the best service available in the private sector. To work continuously to ensure that our programs are effective and meet our customers' needs, the Pretrial Services Agency of the District of Columbia (hereafter "PSA" or "the Agency") seeks to obtain OMB approval of its judicial customer satisfaction survey to collect qualitative feedback on our service delivery.

2. *Purpose and Use of the Information Collection*

PSA Management, including the Agency Director, Deputy Director, Office and Program Directors, will use the collected information to support several organizational and strategic improvements. These include:

- *Enhancements to PSA's supervision:* As experienced judicial officers, respondents may suggest innovative strategies to assist PSA in better managing pretrial defendants of medium to higher-risk that present a greater risk of missing scheduled court appearances and reoffending while on pretrial supervision.
- *Improved communications:* As recipients of PSA's manual and electronic court reports, respondents are in an essential position to grade the quality and usefulness of these correspondences and the most effective way to deliver information. *This is particularly critical regarding defendant compliance and noncompliance with supervision requirements:*
- *Performance ratings:* Current SES ratings do not measure judicial opinion of PSA services, even though "customer service" is an important rating criterion. The judicial survey—used with the annual Federal Employees Viewpoint Survey—will provide SES raters with a meaningful gauge of PSA's primary customer's opinions and recommendations.
- *Creation of a qualitative performance measure:* *The survey will establish a quality performance measure that gauges overall judicial satisfaction under*

PSA's new Management Objective: In FY 2014, PSA will establish a Management Goal of "Maintaining a Performance Based Culture." This goal will stress **employee results** (employee satisfaction and performance ratings), **organization results** (appropriate outcome and performance measure actuals), and **customer results** (customer satisfaction with Agency performance and products). The proposed survey will serve as important data for the customer results criterion.

PSA selected judicial officers in the local and federal courts as the sole target population for the survey since the Courts are the Agency's primary "customer." PSA's mission statement notes that "assistance to the courts" is critical to promoting pretrial justice and community safety. The proposed survey will assess judicial satisfaction with PSA's responsiveness, staff professionalism, the quality and benefit of PSA reports, PSA's supervision of higher risk defendants (including those with mental health and substance dependence issues), and the provision of treatment services. It will represent the only qualitative or quantitative measure of this important metric.

3. Use of Improved Information Technology and Burden Reduction

The proposed survey will be administered electronically, using a secure third-party Internet survey vendor (SurveyMonkey.com). Electronic data entry, recording and dissemination to PSA ensure the least intrusive burden to survey participants. While there is no discernible time difference to users in completing the survey manually or electronically (both methods would require completion times of 10-15 minutes), PSA believes the electronic format will reduce the Agency's burden in collecting and analyzing survey results, encourage participation by users by presenting a more streamlined response method, and reduce the rate of errors made by transferring manual data to an electronic format.

Given the qualitative nature of the collected data (judicial perceptions and attitudes about specific elements of Agency performance, rather than more concrete, objective criteria), PSA selected the customer satisfaction questionnaire format for its survey. These questionnaires are a proven method to solicit and record critical input from primary customers and partner agencies to help agencies address customer-related issues more competently and resolve issues more quickly. Analysis of detailed customer feedback also may provide "customer intelligence" that can be used to spur innovation efforts, research and development and new programs and initiatives.

The use of the secure third-party Internet survey vendor offers several advantages to PSA and greatly reduces burden for potential respondents. The vendor's on-line survey software allows PSA to generate up to 18 types of survey questions, including the Likert scale, multiple choice and open-ended questions used in the final survey. The on-line survey format meets Federal **Section 508** disability accessibility standards for electronic and information technologies. Respondents go to a single secured URL to complete the survey and are tracked by a unique randomly-generated identifier and not e-mail or IP address. All data are collected, recorded and kept on a secured (https) survey with password-protected access to

PSA's private area and to individual surveys. Finally, access to survey data is limited to the OSD Senior Program Analyst and the OSD Director.

4. Efforts to Identify Duplication and Use of Similar Information

There are no current gauges of judicial satisfaction with PSA services and supervision. Therefore, the proposed survey does not duplicate nor conflict with other data collection efforts.

5. Impact on Small Businesses or Other Small Entities

There is no anticipated impact on small businesses or other small entities.

6. Consequences of Collecting the Information Less Frequently

Following consultations with the Chief Judges of the Superior Court and U.S. District Court, PSA believes the annual schedule for disseminating the survey conforms best to the Courts' assignments of judicial officers to their respective criminal calendars (January of each year). The annual survey timeframe compared to a biannual timeframe or later also better captures respondents' degree of exposure to PSA services and supervision, while minimizing the intrusion upon survey participants. There are no technical or legal obstacles to reducing the proposed annual survey collection.

Collection of the data less frequently would result in PSA's losing its ability to gauge the opinions of its primary customer agency and to not have that information available when making decisions to improve the quality and delivery of services and supervision and to meet our mission of promoting pretrial justice and community safety through assistance to the courts and supervision of and pro-social interventions for pretrial defendants. Partnerships with other justice agencies and community organizations is a major PSA strategy geared to enhancing public safety and building capacity for support services for defendants under pretrial supervision. Input received from partner agencies during development of the *Fiscal Year 2014-2018 Strategic Plan* illustrated the value of stakeholder opinion on improving Agency performance and outcomes. Moreover, research in organizational management suggests some relationship between customer satisfaction and organizational outcomes.

The courts serving the District of Columbia are PSA's primary "customers." Therefore, proposed annual survey would provide a regular qualitative gauge of judicial opinion about the Agency's performance, including the Agency's responsiveness, staff professionalism, the quality and benefit of Agency reports, PSA's supervision of higher risk defendants (including those with mental health and substance dependence issues), and the provision of treatment services. Currently, there are no other mechanisms to collect and analyze these data that would not cause an undue burden on potential respondents.

7. *Special Circumstances Relating to the Guidelines of 5 CFR 1320.5*

- *Requirement for respondents to report information more often than quarterly:* The proposed survey requires annual respondent reporting.
- *Requirement for respondents to prepare a written response to a collection of information in fewer than 30 days of receipt:* The proposed survey does not contain this requirement.
- *Requirement that respondents submit more than an original and two copies of the document:* The proposed survey does not contain this requirement.
- *Requirement that respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years:* The proposed survey does not contain this requirement.
- *In connection with a statistical survey, the survey is not designed to produce valid and reliable results that can be generalized to the universe of study:* Proposed survey results will only be applicable to the judicial officers responding and not be applied to the universe of judicial officers.
- *Use of statistical data classification that has not been reviewed and approved by OMB:* Section "B" describes the data classifications for OMB's review and approval.
- *Survey instrument includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for comparable confidential use:* The proposed survey's confidentiality statement conforms with the Privacy Act of 1974 and current CSOSA and PSA confidentiality and data collection policies.
- *Requirement that respondents submit proprietary trade secrets or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law:* The proposed survey does not contain this requirement.

8. *Comments in Response to the Federal Register Notice and Efforts to Consult Outside the Agency*

The Agency's 60 Day Notice was published in the Federal Register, Vol.78, No. 78,23918 (Tuesday, April 23, 2013). The Agency did not receive any comments for the 60 Day Notice period.

PSA's Director consulted personally with the Chief Judges of the District of Columbia Superior Court and the U.S. District Court for the District of Columbia regarding survey questions, frequency of collection, and instructions to participants. Both Chiefs reviewed and approved the survey's final list of questions and agreed that an annual collection schedule best fit their respective court's calendaring and work schedules. Both also stated their opinion that the survey would be minimally intrusive to respondents. The Chief of the U.S. District Court also suggested that he should brief judges about the survey before its distribution and express his support. The Chief of the Superior Court also supported the survey and expressed interest in sending a follow-up e-mail to his bench encouraging participation.

9. Explanation of Any Payment or Gift to Respondents

There are no payments or gifts to respondents provided.

10. Assurance of Confidentiality Provided to Respondents

All respondents are notified in an accompanying e-mail with the survey that survey results are confidential and that any data generated from their responses will be presented and used in aggregate form with other respondent data. In accordance with the Federal Privacy Act of 1974 (**5 U.S.C. § 552a**), PSA will not collect names or other identifying respondent information. In addition, the electronic survey will include the following privacy statement:

PRIVACY ACT STATEMENT

In accordance with the Privacy Act of 1974 (public Law 93-579), this notice informs you of the purpose of the survey and how the findings will be used. Please read it carefully.

Authority: Paperwork Reduction Act of 1995 (Public Law 104-13); 44 U.S.C. 3501-3521; Controlling Paperwork Burdens on the Public 5 C.F.R. 1320.

Principal Purpose(s): Information collected in this survey will be used to help improve the Agency's operations and to gauge the performance of its leadership personnel.

Routine Use(s): None.

Disclosure: Voluntary. Failure to respond will not result in any penalty to the respondent. However, maximum participation is encouraged so that data will be complete and representative. Your survey questionnaire will be treated as confidential. Only group statistics will be reported. Personal identifying information will not be collected.

11. Justification for Sensitive Questions

The proposed survey contains no questions that would be considered sensitive in nature.

12. Estimates of Annualized Burden Hours and Costs

PSA will target 60 judicial officers as survey participants—the universe of judicial officers hearing criminal matters in both courts and those with bail setting duties. We estimate a response rate of 40% to 55%. PSA estimates that the average participant will complete the survey in 10-15 minutes and estimates an annual cost burden of \$1,200.

Survey administration costs are negligible and fall under assigned Agency staff's official duties and responsibilities. PSA pays a flat annual rate of \$350.00 to an Internet survey service provider for survey data collection and retrieval.

13. Estimates of Other Total Annual Cost Burden to Respondents and Record Keepers

PSA anticipates no additional annual cost burden to respondents and record keepers. All costs for third-party Internet survey services—which for this survey will include only survey data collection and completed survey data storage—will be assumed under PSA’s flat rate annual fee. PSA will store the survey with the Internet provider for six months following completion of the survey.

14. Annualized Cost to the Federal Government

PSA anticipates no start-up costs for the survey and no additional annualized costs to the Federal government besides the Agency’s flat rate fee for Internet survey services and support of the full-time equivalent staff person assigned to draft and administer the survey.

15. Explanation for Program Changes or Adjustments

Depending on the information obtained, PSA may use survey results to support organizational improvements such as enhancement of supervision of medium- and higher-risk pretrial defendants, improved communication with the Court regarding defendant compliance to court-ordered requirements, better performance rating of Senior Executive Services staff and creation of a qualitative performance measure to gauge judicial satisfaction as a PSA Strategic Management Objective.

16. Plans for Tabulation and Publication and Project Time Schedule

The OSD Senior Program Analyst will conduct and complete all tabulations and analysis of survey data. Survey results will not be published independently, but will be part of PSA’s *Performance Budget* submitted to the United States Congress every February and performance appraisals for SES staff, submitted annually in September.

17. Reason(s) Display of OMB Expiration Date is Inappropriate

The survey will include a display of the OMB expiration date.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

There are no exceptions to the Certification for Paperwork Reduction Act Submissions noted.