

**SUPPORTING STATEMENT**  
**Survey of Sexual Victimization, 2013 – 2015**

**B. Statistical Methods**

1. Description of Universe

The SSV collects information on allegations and substantiated incidents of sexual victimization that occur in correctional facilities. BJS estimates that there are 7,644 facilities covered by the Act as described in table 2:

**Table 2.** Estimated number of facilities covered by the Prison Rape Elimination Act

<u>Facility type</u>	<u>Number of facilities</u>
Total	7,644
Prisons	
Public – federal	111
Public – state	1,320
Private	556
Local jails	
Public	2,922
Private	38
Juvenile facilities	
Public	1,100
Private	1,447
Other facilities	
Indian country jails	79
Military	48
ICE	23

The Act requires that BJS collect data from a sample of at least 10% of correctional facilities covered under PREA. Because of the low numbers of reported sexual victimizations to correctional authorities and the centralized authority at the jurisdiction level that governs responses to the BJS surveys, the SSV elected to conduct a complete enumeration at the system level – including the Federal Bureau of Prisons, all state departments of corrections, all state juvenile justice systems, the each branch of the U.S. military. In the case of each of these systems, information systems are centralized and the authority to report is centralized. Moreover, this annual enumeration minimizes burden on

the respondents (rather than selecting a sample from the more than 2,000 facilities operated by these systems).

In the case of the Bureau of Immigration and Customs Enforcement (ICE), all forms are sent to headquarters, which will complete a separate form for each of the 23 facilities operated by or exclusively for ICE.

Finally, for local jail jurisdictions, private prisons, private jails, and local and private juvenile facilities, which are completely decentralized, a sample of each is drawn based on the most current frame available. For each type of sampled facility and jurisdiction, a detailed description (including coefficients of variation and variance estimates) has been provided. (See Attachment 5.)

A brief summary is provided, below:

*Federal and state prisons*

Each year, the Bureau of Prisons and the 50 state departments of correction submit information based on reports of sexual victimization among all state and federal facilities for a complete enumeration without the need for sampling.

*Private prisons*

The private prison sample draws from the most recent Census of State and Federal Adult Correctional Facilities (SFACF), conducted every 5-6 years by BJS. The 2012 CSFACF will be used for the 2013, 2014, and 2015 samples. Each year, as the CSFACF ages, it is adjusted for any openings and closings as they are discovered (for example, via internet searches of private correctional companies).

In 2012, a sample of 125 privately operated state and federal prison facilities was drawn to produce a sample of the 402 private prisons identified in the 2005 Census and updated with new prisons with 500 or more total prisoners identified in the 2012 CSFACF. A 30% sample of facilities is needed (as opposed to the 10% mandated by PREA) to create more precise estimates of sexual victimization in private facilities. (See Attachment 5.)

As with previous samples, facilities will be ranked by average daily population (ADP) in the 12-month period ending June 30, 2012. Facilities with ADPs greater than 450 inmates (n=74) will be selected with certainty because of their size. The remaining facilities will be sorted by region (i.e., Northeast, Midwest, South, or West), state, and ADP, and sampled systematically with probability proportional to size.

### *Public jails*

The public jail sample for 2013 will be drawn from the 2012 Deaths in Custody collection (using the Annual Summary on Inmates under Jail Supervision). The Deaths in Custody file for the preceding year of collection has been used as the sampling frame for SSV since 2007, and will also be used as the 2014 and 2015 public jail sampling frames.

In 2013, a sample of 700 publicly operated jail facilities will be selected. As with private state and federal prisons, a sample greater than 10% is needed to provide more precise estimates of sexual victimization. Although the 2013 sample has not been selected yet, we expect the sample to follow the 2012 sampling procedures:

In 2012, the largest jail jurisdictions in 45 states and the District of Columbia were selected to meet the PREA requirement that at least one jail per state is selected each year. Another 116 jail jurisdictions with ADPs greater than or equal to 1,000 inmates were selected with certainty and another 538 were selected using a stratified systematic random sample. The remaining 2,682 jail jurisdictions on the frame were then grouped into three strata. The first stratum contained 1,481 jails with an ADP of 85 or fewer inmates; the second stratum included 770 jails with an ADP of 86 to 268 inmates; and the third stratum included 431 jails with an ADP of 269 to 999 inmates. The cumulative  $\sqrt{f(y)}$  method was used to determine noncertainty stratum boundaries (Cochran, *Sampling Techniques*, 1997 edition, p. 129). Jail jurisdictions in these three strata were sorted by region, state, and ADP and selected systematically with probability proportional to their size.

### *Private jails*

Similar to the public jail sample, the private jail sample in 2013 will be drawn from the most recent Deaths in Custody file (2012). Like the public jail sample, the Deaths in Custody file will also be used as the 2014 and 2015 sampling frames.

In 2012, a sample of 15 privately operated jails was selected based on data reported in the 2011 Deaths in Custody Annual Summary on Inmates under Jail Supervision. As in prior years, the 33 private facilities on the sampling frame were sorted by region, state, and ADP, and 5 jails were systematically sampled with probability proportional to size. The same procedures will be used for the 2013-2015 private jail sample.

Given the large standard errors, estimates for private jails are combined with public jails. The separate sample is used to ensure inclusion of private jails in the SSV; in addition, summary counts of

reported allegations and substantiated incidents for each sampled private jail are listed in the annual BJS report. This meets the reporting requirement under PREA to reveal counts by facility name.

#### *Other prisons and jails*

BJS collects a report from the main branches of the military each year to cover all facilities run by the Army, Navy, Coast Guard, Marines, and Air Force. Similarly, all facilities operated by the Bureau of Immigration and Customs Enforcement (ICE) are included each year. In 2013, officials from ICE headquarters will coordinate the data collection from each of the 23 facilities operated by or exclusively for ICE. BJS intends to use these procedures for 2013-15.

Jails in Indian country are sampled each year using the Annual Survey of Jails in Indian Country (SJIC) to create the sampling frame. The SJIC includes all known Indian country correctional facilities operated by tribal authorities or the Bureau of Indian Affairs, U.S. Department of the Interior. In 2012, 20 of the 60 jails in Indian country that housed adult inmates were selected. Three were sampled with certainty (with an ADP of 140 or more), while the remaining 17 were sorted by state and ADP and sampled with probability proportionate to size. BJS intends to use the same sampling procedures for 2013-15.

#### *Private and local juvenile facilities*

For private and local juvenile facilities in the 2013 sample, BJS will use the prior-year Census of Juveniles in Residential Placement (2012), conducted by the Census Bureau for the Office of Juvenile Justice and Delinquency. For the 2014 sample, BJS will use the 2013 Juvenile Residential Facility Census (JRFC), also conducted by the Census Bureau in years in which the CJRP is not conducted.

The 2013 SSV will include all state operated juvenile residential placement facilities used to house juveniles and youthful offenders, regardless of age or reason for placement. As defined in the CJRP, residential placement facilities included detention centers, training schools, long-term secure facilities; reception or diagnostic centers; group homes or halfway houses; boot camps; ranches; forestry camps, wilderness or marine programs, or farms; runaway or homeless shelters; and residential treatment centers for juveniles. In the 2012 SSV, all states and the District of Columbia operated a total of 398 juvenile facilities, and data for these facilities were collected from 51 central reporters. BJS intends to employ the same procedures for 2013-15.

Based on the sample design in the 2013 SSV, non-state, non-tribal

juvenile facilities will be sampled in 2014-15. In 2013,

1. 35 locally operated facilities and 49 privately operated facilities will be sampled with certainty because they were the largest in their respective states.
2. 40 detention facilities, 37 local facilities, and 48 private facilities will be sampled with certainty due to their size.
3. 118 detention facilities will be sampled with probabilities proportionate to size from 4 strata based on geographic regions commitment status only.
4. 38 other local facilities will be sampled with probabilities proportionate to size from 2 strata defined by commitment status.
5. 165 other private facilities will be sampled with probabilities proportionate to size, after sorting by region and state.

Finally, the 2013 sample will include the 20 tribal juvenile facilities identified in the 2012 Survey of Jails in Indian Country, bringing the total number of non-state facilities in the 2013 sample to 550. (See Attachment 5 for further details for the 2013 sample and expected corresponding coefficients of variation.)

2. Data Collection Procedures

Each system or facility will receive a letter (attached) and a copy of the appropriate SSV forms, following OMB approval (expected to be sent in July 2014 for both adults and youth). The U.S. Census Bureau will provide each respondent with the appropriate version of the SSV forms. Respondents will transcribe data from their administrative records to the standardized forms or submit their data on the Web. The Census Bureau will follow up with non-respondents first by fax, and then phone calls and emails after the expiration of the return date on the form. Typically, Census is successful in obtaining over 99% of the responses. The remaining non-respondents are forwarded to BJS, and BJS follows up with personal calls to obtain the information. BJS has been successful in this endeavor. (See response rate discussion below).

3. Methods to Maximize Response

Every effort is being made to make the survey materials clear and straightforward. The SSV questionnaire has been designed to make collection of the data as concise and easy for the respondents as possible. Some examples include uniform definitions of terms and

concepts as well as counting rules for items to be reported. Additionally, the SSV uses some questions that have been used previously in other surveys and are known to be easily reported by most respondents.

Over the course of collection, Census Bureau staff learned that state reporters were including incidents that occurred in privately or locally operated prisons in their counts of sexual victimization even though the survey instructions state that these incidents should be excluded. Since privately and locally operated prisons are sampled separately from state prison systems, the inclusion of incidents occurring in these facilities by state systems leads to synthetically inflated estimates.

To correct for this issue, two follow-up questions were added to the 2009 SSV summary state adult and juvenile forms to minimize the burden associated with the Census Bureau making follow-up calls to all 50 state reporters:

**13. Did any of the allegations reported in Items 2, 5, 8, or 11 occur in a privately operated facility?**

Yes  
No

**14. Did any of the allegations reported in Items 2, 5, 8, or 11 occur in a facility operated and administered by local government?**

Yes  
No

Only when a state responds “yes” to either question does the Census Bureau follow up to determine how many incidents occurred in non-applicable facilities. The erroneous inclusions are then subtracted from the state totals. These questions will be included in questionnaires for 2013-15.

Table 3 (page 178) summarizes reporting capabilities of correctional authorities, by type of reported sexual victimization for collection year 2011. This table demonstrates significant capacity to report data using uniform definitions and survey categories among state and federal prison systems and state juvenile systems. However, local jails and local and private juvenile facilities show lower levels of conformity to data standards.

In 2011, all adult prisons systems and sampled jail facilities authorities were able to report on nonconsensual sexual acts and staff sexual misconduct. Only 1% of jails said they were unable to report on lesser forms of inmate-on-inmate sexual victimization (involving abusive sexual contacts). Staff sexual harassment was also well reported (with 2% of prison systems and 1% of sampled jails unable to report data).

Reporting of nonconsensual sexual acts separate from abusive sexual contacts remains difficult for local jails (with 27% unable able to report separately in 2011).

Juvenile authorities were more limited in their capacity to report SSV data (with 6% of state systems and locally or privately operated juvenile facilities unable to report data on nonconsensual sexual acts). In addition, 4% of state juvenile systems and 7% of local or private juvenile facilities were unable to report data on staff sexual misconduct.

BJJ reports these deviations from the reporting criteria, but does not introduce adjustments to account for these deviations. Instead, BJJ provides detailed appendix tables in each report that contain notes on all deviations for applicable facilities and systems.

BJJ believes that such limitations do not impair the ability to draw accurate estimates of sexual victimization by type. Moreover, reporting capabilities are likely to improve with the adoption of the PREA standards, which mandate that systems and facilities record and report data consistent with the BJJ survey. (See Attachment 3, Sec. 115.87, Data Collection.)

Overall, participation is expected to exceed 99% in 2013-2015 collection years. In 2011, all 50 state departments of correction and the Federal Bureau of Prisons, all selected private prisons and jails, all state juvenile systems and all locally and privately operated adult and juvenile facilities participated in the survey. Among the 700 public jail jurisdictions sampled in 2011, 4 did not respond to the survey. Three (out of 15) sampled Indian country jails did not respond.

**Table 3. Reporting capabilities of correctional authorities to provide data, by type of sexual victimization, 2011**

	Adult authorities		Juvenile authorities	
	Prisons	Jails	State systems	Local or private facilities
<b>Nonconsensual sexual acts</b>				
Full reporting	92 %	71 %	84 %	70 %
Partial*	2	2	6	2
Includes abusive sexual contacts	6	27	4	22
Unable to report	0	0	6	6
<b>Abusive sexual contact</b>				
Full reporting	94 %	72 %	92 %	69 %
Partial*	0	0	0	0
Combined with nonconsensual sexual acts	6	27	4	22
Unable to report	0	1	4	8
<b>Staff sexual misconduct</b>				
Full reporting	92 %	79 %	92 %	79 %
Partial*	0	1	0	0
Includes sexual harassment	8	19	4	14
Unable to report	0	0	4	7
<b>Staff sexual harassment</b>				
Full reporting	90 %	80 %	90 %	78 %
Partial*	0	0	2	1
Combined with sexual misconduct	8	19	4	14
Unable to report	2	1	4	7

\* Systems or facilities which report only on incidents that were completed or substantiated.

Table 4 (pages 19 and 20) summarizes item non-response on the SSV adult and juvenile incident reports. Overall, these data show low non-response rates for critical items:

- On the adult incident forms in 2011, item non-response rates greater than 5% were observed for the following items: time of occurrence of staff-on-inmate sexual victimization (item 4; 9.0%), race of the first inmate victim (item 8; 5.7%), race of the second victim of inmate-on-inmate and staff-on-inmate sexual victimization (item 11; 5.6% and 9.1%), treatment received by inmate (item 12B; 5.6%); age of the second perpetrator of inmate-on-inmate victimization (item 22; 9.1%), and age of the second perpetrator of staff-on-inmate victimization (item 33; 14.3%).
- On the juvenile incident forms in 2007-2011, item non-response rates were highest for time of occurrence of staff-on-youth victimization (item 4; 11.8%), race of the first inmate victim (item 8; 7.4%), age and race of the second victim (items 10 and 11; 9.9% to 11.2%), change in housing (item 15; 5.6% youth and 11.3% staff), race of second



perpetrator of youth-on-youth victimization (item 23; 9.4%); sanction imposed on youth perpetrator (item 26; 9.5%), and age and race of second staff perpetrator (item 33; 25.0% and item 34; 16.7%).

**Table 4. Non-response rates by item on incident form**

Item	Adult form (SSV-IA)		Juvenile form (SSV-IJ)		
	Valid data, 2011	Percent non-response	Valid data, 2007-11	Percent non-response	
<b>Table 4. Non-response rates by item on incident form (continued)</b>					
1. Date	Adult form (SSV-IA)	0.0	Juvenile form (SSV-IJ)	0.0	
Month	787	0.1	860	0.0	
Day	786	0.1	860	0.0	
Year	787	0.0	860	0.0	
14. Medical follow up	787	0.0	860	0.0	
3. Where	Inmate/youth	383	1.0	629	1.6
Staff	434	0.1	632	1.1	
15. Housing	330	4.6	204	7.7	
4. Time	Inmate/youth	377	2.6	603	5.6
Staff	421	4.4	620	3.0	
16. Type	315	9.0	195	11.8	
5. # of victims	Inmate/youth	387	0.0	639	0.0
Staff	382	1.0	613	4.0	
Staff	343	0.9	220	0.5	
6. Victim gender #1		Youth-on-youth (n=639)			
17. # of inmate perps	381	2.6	614	4.0	
18. Gender of perp #1	343	0.0	636	0.0	
19. Age of perp #1	379	2.1	632	1.1	
20. Race of perp #1	383	4.1	606	5.2	
21. Gender of perp #2	4133	1.0	64	0.0	
22. Age of perp #2	30	9.1	61	4.7	
23. Race of perp #2	36533	5.0	592	7.4	
24. Staff	3481	1.7	633	0.0	
25. Victim gender #2	382	1.3	626	2.0	
26. Sanction	Inmate/youth	183	0.0	578	0.0
Staff	22	0.0	27	0.0	
10. Victim age #2		Staff-on-youth (n=221)			
27. Type of coercion	Inmate/youth	146	0.0	221	9.9
28. # of staff	246	4.9	221	11.2	
29. Gender of perp #1	344	0.6	221	0.0	
30. Age of perp #1	135	5.3	211	11.1	
31. Race of perp #1	2039	9.2	210	11.2	
32. Gender of perp #2	7	0.0	12	0.0	
33. Age of perp #2	369	4.3	611	4.4	
34. Race of perp #2	344	0.0	220	0.5	
35. Type of victim injury	344	0.6	216	2.3	
36. Position	Inmate/youth	545	0.0	219	0.0
Staff	245	0.3	163*	0.0	
<b>12B. Treatment received</b>					
Inmate/youth	51	5.6	27	0.0	
Staff	2	0.0	3	0	
<b>13. Who reported</b>					
Inmate/youth	379	2.1	598	6.4	
Staff	339	2.0	218	1.4	

\*Excludes 2008 for which data were inadvertently excluded from the export file (but exist on paper forms).

While some of these rates may be considered high, the need to track these characteristics outweighs deletion of these items from the SSV. Moreover, based on data from SSV 2011 in prisons and jails and 2007-11 in juvenile systems and facilities, most substantiated incidents of inmate-on-inmate sexual victimization involve a single victim (95%) or a single perpetrator (91%); and most incidents of staff-on-inmate sexual victimization involve a single victim (94%) or a single perpetrator (98%). These item specific non-response rates reflect an absence of information, even following completion of an investigation. Item non-response rates are likely to improve with the adoption of the PREA standards, which mandate that systems and facilities record and report data consistent with the BJS survey. (See Attachment 3, Sec. 115.87, Data Collection.)

#### 4. Testing Procedures

Items previously approved for collection in 2010-12 will not change. However, some response categories in the incident forms have been modified to provide more detailed descriptions, based on information in past “Other – specify” text fields. With these detailed descriptions, use of “Other – specify” fields is expected to be reduced.

Three items (items 7, 8, and 9 in SSV-1) relating to inmate-on-inmate sexual harassment have been added to the summary forms. (See Attachment 2 for corresponding items in forms SSV-2, SSV-3, SSV-4, SSV-5, and SSV-6.) These items and related definitions have been added to align the SSV with the PREA standards. Finally, text has been added to the definitions of sexual victimization to ensure that respondents understand that the SSV definitions and the PREA definitions are consistent.

Two items have been added to the incident forms (item 4 relates to place of occurrence and video monitoring; item 39 relates to length of time staff perpetrator worked at the facility). These items were included in response to requests from external users and will enhance our understanding of the circumstances surrounding incidents of sexual victimization.

Based on external consultations and contact with past data providers, BJS and Census have established that jurisdictions and facilities will be able to respond to the revised SSV summary and incident forms.

#### 5. Contacts for Statistical Aspects of Data Collection

BJS takes responsibility for the overall design and management of the survey, including sampling procedures, development of the questionnaires, and the analysis and publication of the data. The BJS contacts are –

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The Governments Division at the Census Bureau is the collection agent and is responsible for the collection of all data. The contact at the Census Bureau is –

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