SUPPORTING STATEMENT
2014 Survey of Juveniles Charged in Adult Criminal Court (SJCACC)

The Bureau of Justice Statistics (BJS) proposes to implement a survey of criminal court cases disposed in 2014 involving persons under the age of 18 (i.e., juveniles) who were charged as adults.. The goal of the Survey of Juveniles Charged in Adult Criminal Court (SJCACC) is to produce accurate and reliable case processing statistics on these cases. Core data to be obtained by this project include demographics of the juvenile, offense(s) charged, method of arrival in criminal court (i.e., legislative exclusion, juvenile court waiver, or prosecutorial discretion), type of legal representation of the defendant, and adjudication and sentencing information. This survey is the only one of its kind that will be able to provide national information on the processing of juveniles in adult criminal court. Currently, while some states publish statistics on such cases, those interested in juvenile offending and the justice system response have no national data on how many juvenile cases are processed in adult courts, the offenses with which the juveniles are charged, and the outcomes of these cases. In addition, this collection will allow for comparisons with the case outcomes of similarly situated juveniles processed in juvenile courts using data collected by the Office of Juvenile Justice and Delinquency Prevention (OJJDP).

Currently this project will be implemented as a standalone project. However, once BJS overcomes unforeseen hurdles faced by the National Judicial Reporting Program (NJRP) which will collect information on all criminal case processing in state courts, the SJCACC may be implemented as a recurring supplement to NJRP in the future.

A. Justification

1. Necessity of Information Collection

Under Title 42, United States Code Section 3732 (see Attachment 1), BJS is directed to collect and analyze statistical information concerning the operation of the criminal justice system at the federal, state, and local levels. An essential component of the criminal justice system is the judicial system.

Juveniles (i.e., persons under age 18) can be prosecuted in adult court through a variety of mechanisms. Depending on state legislation, alleged juvenile law violations can be handled in the adult criminal court based 1) solely on the age of the youth, 2) on the offense charged, 3) on a combination of offense charged, age, and elements of the crime (e.g., use of a firearm), 4) on prior criminal history, 5) on the decision of a juvenile court judge, or 6) on the discretion of the prosecutor. There are no national statistics that comprehensively examine the number and demographic characteristics of these juveniles, the legal mechanisms that placed these youth in an adult court, the crimes with which they are charged, and the outcomes of their cases. These cases can result in a lifelong criminal history and incarceration in an adult facility, outcomes that

would not have occurred had their cases been processed in a juvenile court. Society has a substantial interest in preventing juvenile offenders from committing future crimes and many researchers believe that prosecuting juveniles as adults increased the likelihood of future offending.[1]

BJS has previously collected data on juveniles charged with felonies processed in adult criminal court. The report *Juvenile Felony Defendants in Criminal Courts: State Court Processing Statistics, 1990-94* (Strom, Smith, and Snyder 1998) uses three years of State Court Processing Statistics (SCPS) data from the nation's 75 largest counties. In the 1998 SCPS BJS oversampled juvenile cases to obtain enough information on this group in one year. The results from this effort were published in *Juvenile Felony Defendants in Criminal Courts, 1998* (Rainville and Smith 2003). Both of these studies found that in the 75 largest counties, juveniles processed in adult criminal court were largely black males and were largely charged with a violent offense. The National Judicial Reporting Program (NJRP) collected biannual information on felony sentences in state courts, and in 1996 contained a large enough sub-sample of juvenile-age felony cases to support a special analysis of this group, as reported in *State Court Sentencing of Convicted Felons* (Levin, Langan, and Brown 2000). This study found that just over half of juvenile-age felony cases had a violent offense as the conviction offense.

The data presented in these reports, while useful, are dated and limited. SCPS only contained urban counties; given that the prosecution of juveniles in criminal court is heavily influenced by state law, counties with small populations may contribute a disproportionate share of the national total of juveniles prosecuted in adult criminal court. NJRP only collected information on convicted felony cases so critical information of dismissed felony cases was not available from NJRP. In addition, neither data collection obtained information on juvenile misdemeanor cases in adult court.

Other data on the processing of alleged juvenile offenders in courts includes OJJDP's collection on juvenile cases processed in juvenile court.[2] While this collection does not include information on juveniles processed in adult criminal court, it does captured information on the transfer of juveniles to adult court through judicial waiver (one of the many pathways for a juvenile case to be handled in a criminal court).

Two BJS correctional population collections, the National Prisoner Statistics (NPS) and the National Corrections Reporting Program (NCRP), collect information on some juveniles incarcerated in adult facilities. NPS provides state-level aggregate age profiles of persons entering prison and of persons in prisons at the annual one-day counts. The NCRP contains

[1] Hahn, R. A., McGowan, A., Liberman, A., Crosby, A., Fullilove, M., Johnson, R., Moscicki, E., Price, L., Snyder, S., Farris T., Lowy, J., Briss, P., Cory, S., & Stone, G. (2007). Effects on violence of laws and policies facilitating the transfer of youth from the juvenile to the adult justice system. Atlanta, GA: Centers for Disease Control.
[2] Those data are housed in the National Juvenile Court Data Archive and are available for analysis

demographic, offense type, and sentencing information on each person entering state prisons for the 42 states currently submitting data. Both of these collections have limited utility to describe cases of juveniles handled in adult courts because they either collect information on the ages of the offenders as they enter state prisons or their ages at the date of a one-day count. Many juveniles tried in adult court for crimes committed under age 18 do not reach state prison until after their 18th birthdays; therefore, while NPS and NCRP may be able to identify those juveniles sentenced to prison who enter prison before their 18th birthdays, the two data collections will not be able to identify those who enter after the 18th birthdays.

In summary, neither BJS nor any other organization is collecting national data on juveniles charged in adult criminal court; in addition, what little information is available is both limited in scope and dated. The SJCACC will provide a national picture of juveniles processed in adult criminal court. This population is of great interest to practitioners, policy makers and the public. It is also of interest to BJS because these high risk youth and the justice systems' reactions to them affect trends in case flow through the courts and the correctional systems, and if research is correct, the recidivism patterns of convicted offenders and released prisoners.

2. Needs and Uses

Individuals younger than 18 reach the criminal courts primarily as a result of the operation of two general categories of state laws-*jurisdictional age* laws and *exclusion* laws.

- **Jurisdictional age laws** set age limits to the original jurisdiction of juvenile courts. In most states the upper age of delinquency jurisdiction is 17—meaning (in most states) that youth accused of violating the law before turning 18 are routinely handled in juvenile court, while those accused of doing so on or after their 18th birthdays are handled in criminal courts. However, as of 2014, nine states had an upper age of 16 (Georgia, Louisiana, Massachusetts, Michigan, Missouri, New Hampshire, South Carolina, Texas, and Wisconsin) — meaning that youth accused of offenses committed after their 17th birthdays are routinely processed in criminal courts. In addition, as of 2014, two states had an upper age of 15 (New York and North Carolina) — meaning that youth accused of offenses committed after their 16th birthdays are routinely processed in criminal courts.
- **Exclusion laws** provide for exceptions to the general jurisdictional age laws—allowing or requiring certain categories of offenders to be prosecuted as adults in criminal court, even though they fall on the juvenile side of the jurisdictional age line. All states have exclusion laws, though they vary considerably from state to state in their scope and operation. The basic categories of these laws include (1) **judicial waiver laws** that allows a juvenile court judge to waive jurisdiction in defined circumstances, opening the way for criminal prosecution; (2) **concurrent jurisdiction/prosecutorial discretion** laws that designate a class of cases that a prosecutor may file in either juvenile or criminal court; and (3) **statutory exclusion laws** granting criminal courts exclusive original jurisdiction over certain classes of cases involving juvenile-age offenders (essentially an exception determine by the state legislators).

Basic jurisdictional age laws do not change often. However, state exclusion laws changed extensively in the closing decades of the 20th century, and particularly during the 1990s. Almost every state revised or rewrote its exclusion laws during this period, adopting new exclusion mechanism, broadening eligibility for exclusion, shifting these decision-making responsibilities from juvenile court judges to prosecutors, and/or replacing flexible and individualized consideration with categorical handling. While most states had some form of exclusion law before 1970, only eight states had laws that made handling of juveniles in criminal court automatic for certain categories—either by mandating juvenile court waiver in certain cases or by requiring that some cases be filed initially in criminal court—and even these tended to apply only to rare offenses, such as murder or capital crimes. Only two states—Florida and Georgia—had laws giving prosecutors the option to charge some juveniles in criminal court. By the end of the 1990s, the number of states with automatic exclusion laws had jumped to 38, and the number with prosecutorial discretion laws had jumped to 15. In addition, in many states automatic or prosecutor-controlled exclusion statutes that had been narrow and focused were dramatically expanded in their coverage.

Virtually all of these changes tended to expose more youth to criminal handling and to make the exclusion exceptions a more prominent part of the nation's response to juvenile offending. However, for the most part, the actual consequences of the historic expansion of exclusion laws have never been quantified on a national scale.

Both jurisdictional age and exclusion laws enable juveniles to be housed in adult correctional settings, as federal mandates that generally prohibit the mixing of juvenile and adult offenders do not apply to juveniles processed through the adult court system. Due to their age, juveniles in adult prisons may both pose more risks to others and face increased risks themselves as compared to the adult population.[3]

Various aspects of the processing of juveniles in adult criminal court have been examined in research and government reports over the years. Topics have included waivers, recidivism, and comparisons with juveniles processed in juvenile court. The scopes of the studies were generally limited to subnational populations, limited to a few states or to basic counts of the numbers of juveniles waived.[4] State-specific research has also been conducted, including reports on Texas,[5]

[3] *Juveniles in Adult Prisons and Jails: A National Assessment.* 2000. https://www.ncjrs.gov/pdffiles1/bja/182503.pdf

[4] For an extensive literature review on what research is currently available on the processing of juveniles in adult court, consult *The Impact of Prosecuting Youth in the Adult Criminal Justice System*, July 2010. http://nicic.gov/Library/024827

[5] Deitch, Michelle. *Juveniles in the Adult Criminal Justice System in Texas*, 2011 http://www.utexas.edu/lbj/sites/default/files/file/news/juvenilestexas--final.pdf

New York,[6] Missouri,[7] and Florida.[8] As with the previous studies, often this research only examined a portion of juveniles processed as adults, such as only those transferred, or only those in adult court through jurisdictional age laws and therefore did not include the entire population of juveniles charged in adult criminal court within that state.

Unlike previous collection efforts, the SJCACC will provide comprehensive data that will allow for national estimates of all juveniles processed in adult criminal court. It will also collect information on juveniles in adult criminal court due to jurisdictional age laws, thus allowing for comparisons of how juveniles of the same age and charged with the same crimes are treated in adult court when the cases come to the court by different legal mechanics.

Among the research questions the SJCACC data will be able to address are:

- How many cases involving youth under age 18 were disposed in the nation's adult criminal court in 2014?
- What types of offenses were charged?
- What were the demographic characteristics of juveniles charged in adult criminal court?
- What were the case outcomes?
- How many of these cases arrived at criminal court through the various legal pathways?
- How did the case characteristics and case outcomes vary with legal pathway?

The core data of interest covered by the SJCACC include the following: demographics of the juveniles; arrest and charge information; arraignment information; adjudication information; sentencing information; and data on how a juvenile arrived in adult court (age exclusion or type of exclusion). The information outlined below to be collected on the juveniles and their cases will allow BJS to produce the first national description of juvenile cases processed in adult criminal court.

- *Defendant information:* The information collected on the juvenile will include date of birth, sex, race and ethnicity, case ID, defendant ID, and fingerprint ID. Date of birth is necessary to determine if a juvenile is in adult court due to age exclusion laws. BJS will also use this and the other demographic information (sex, race, and ethnicity) to report on the nature of the juvenile population processed in adult court. This information, along with charge and conviction information, will allow for comparisons with juveniles

[6] Peterson, Ruth. *Youthful Offender Designations and Sentencing in the New York Criminal Courts*, Social Problems. Vol. 35, n. 2, 1988.
[7] Brown, Michael P. and Jill D'Angelo. *Missouri Juvenile Justice Reform Act of 1995,* Criminal Justice Policy Review, vol. 314, 2008.
[8] Lanza-Kaduce, Lonn, Charles E. Frazier, Jodi Lane, and Donna M. Bishop. *Juvenile Transfer to Criminal Court Study: Final Report*. Florida Department of Juvenile Justice, 2002. http://www.prisonpolicy.org/scans/juveniletransfers.pdf

processed in juvenile court. Case ID and defendant ID will be used to link juveniles with their cases. Fingerprint ID will be obtained to allow for future recidivism studies.

- *Arrest and charge information:* This information will include date of the offense, date of arrest, number of charges at arrest, and information on the charges at arrest (i.e., statute number, offense name, felony/misdemeanor distinction, and level/grade). The date of offense and date of arrest are needed to determine method of arrival in adult court. The charge data will be used by BJS to report on the types and seriousness of the offenses with which juveniles in adult court are charged. These can be compared with conviction information, when applicable.
- *Arraignment information:* This information will include date of arraignment, the type of legal representation at arraignment, the number of charges at arraignment, and information on the charges at arraignment (i.e., statute number, offense name, felony/misdemeanor distinction, and level/grade). Date of arraignment is important for determining case processing time. Charges at arraignment information will be used by BJS to report on both the seriousness of the offenses at this stage of case processing and to compare with arrest charges and conviction charges, if applicable. Legal representation will be used by BJS to report on the type of counsel involved in the case at arraignment. This is an important measure of fairness in criminal case processing. These data will document the use of legal counsel including the type of counsel (e.g. public defenders, private counsel, other types of attorneys) for this unique population of defendants.
- *Adjudication information:* BJS will collect information on date of final adjudication; type of adjudication/conviction (i.e., no contest, bench trial, or jury trial) and nonconviction type (i.e., dismissal, nolle prosequi, bench trial, and jury trial); information on the charges at adjudication (i.e., statute number, offense name, felony/misdemeanor distinction, and level/grade), and the type of legal representation at adjudication. As with the other stages, the charge data are important to BJS to report on seriousness of convictions in addition to the change in charges at each stage of case processing.
- *Sentencing information:* The type of sentence ordered for convicted juveniles will include type and length of sentence imposed (e.g., probation, jail, prison, youthful offender facility, juvenile facility, fine, restitution, treatment and/or counseling, or a blended sentence). Such information will allow BJS to report on the type and seriousness of sentence for convicted juveniles. As with the other information in this collection, it can be used to compare the processing of juveniles in adult court across the various legal pathways and with the processing of similarly situated juveniles in juvenile court.
- *Legal mechanism information:* Juveniles can arrive at adult court through various legal pathways. Documenting the pathway used in each case will allow BJS to report on the arrival mechanism of juveniles in adult court, and how the characteristics of the juveniles and their cases vary by each mechanism.

BJS will use these data to produce national estimates of the processing of juveniles charged in adult criminal court. With these data BJS will report on the legal mechanisms that drove the juvenile cases into an adult court, the demographics of the juveniles, the case types and the case outcomes. BJS needs this information to better understand the nature and flow of these high profile matters through the justice system. The cases of juveniles processed in criminal courts present a unique challenge to the justice system. Given the range of issues these cases bring with them (i.e., from the legal questions of mental competency; to the strain that handling these young people place on legal services, adult pretrial and other adult custody providers; to the ongoing social pressures felt by system actors from those who question the appropriateness of handling and sanctioning juveniles as adults), these cases bring with them added layers of complexity than most criminal court cases and, therefore, absorb a disproportionate amount of justice system resources and attention. Clearly, BJS needs to have a better understanding of these cases. In addition, while important in their own right, quantifying the volume and nature of these cases will help BJS better understand overall variations and trends in justice system processing and costs.

BJS also needs to conduct the SJCACC to judge the feasibility of using administrative data from courts across the country to support its broader needs for detailed criminal court processing data. In the past year BJS tried to implement the National Judicial Reporting Program (NJRP) using a similar model of data collection. Early on in the NJRP work state courts raised concerns about the capacity of their administrative data to support such a national data collection effort. BJS believes it needs to prove to the criminal justice community that such an approach is possible, practical and cost-efficient. Therefore, instead on beginning with a data collection effort with the broad goal of capturing information on all criminal cases (which is NJRP), BJS has chosen to focus the administrative data collection on a low volume but high profile case type that the criminal justice community has lobbied BJS for years to investigate. Hopefully, when the SJCACC is successful, BJS will be able convince state courts of the value to them (as well as the nation) of the new NJRP collection modality and the stalled project will be back on track. Once BJS' core court collection (NJRP) is implemented, the SJCACC will likely be incorporated as a recurring supplement, thereby providing recurring data on juveniles charged in adult criminal court.

It is expected that many constituencies will use the data collected by the SJCACC. Others who have expressed interest in the data or are expected to use the data include other Department of Justice and federal agencies, state policy makers, corrections officials, and researchers.

- OJJDP funds data collection and research related to juveniles processed in the justice system. As noted earlier, OJJDP funds the collection of data on juveniles processed in juvenile court, and is interested in using that data to compare to information collected by

the SJCACC. These two collections can be used to compare the outcomes of similarly situated juveniles in juvenile vs. adult criminal court.

- State policy makers and researchers can use the SJCACC data to examine and predict the impact of proposed policy changes in exclusion and age laws by comparing the volumes and outcomes of juvenile cases processed under the various transfer mechanisms.

- Finally, the nature of the proposed data collection (i.e., the complete enumeration of these cases in states with statewide electronic court information systems) will support more detailed subnational comparative studies of states with similar and with different legal structures for handling juveniles as adults.

3. Use of Information Technology

SJCACC will largely consist of the collection of electronic data files from states and counties. BJS will provide the respondents with technical assistance as needed to minimize respondents' efforts in data collection and to improve data quality control. Respondents will have the option to 1) provide a uniform or non-uniform extract of only the relevant data or 2) a download of a larger data file that the BJS data collection agent will format into a file suitable for analysis. The BJS data collection agent will provide the respondents with a secure method for data transfer and will work with the respondent to determine the data format and completeness of the data. For those who are unable to provide data electronically, a paper case-level data collection form will be available. BJS' experience with its other collections show that electronic data submission greatly reduces burden relative to other methods of collection. BJS and the SJCACC contractors will evaluate submitted data using automated logic checks to uncover high rates of missing and out-of-range values.

Publications resulting from the SJCACC will be generated in electronic formats and will be available on the BJS website.

4. Efforts to Identify Duplication

The SJCACC is not duplicated by any other federal agency or program, as BJS is the only government agency to collect national level data on state adult criminal court.[9]

A search of the National Criminal Justice Reference Service repository and other internet search engines did not reveal any other similar projects. The information is not attainable from any current BJS data collections. BJS has worked closely with other agencies in the Office of Justice Programs, such as OJDDP, to prevent duplication of efforts. In addition, BJS has received

[9] As noted previously, OJJDP's court collection on juveniles is for juveniles processed in juvenile court.

numerous letters of support from parties such as judges and researchers noting the lack of data on this topic and the necessity of collection of this information.

5. Efforts to Minimize Burden

In an effort to minimize respondents' burden, there are multiple methods with which they can submit data. If feasible, they can provide electronic data downloads. These downloads may be either formatted or unformatted (the data collection agent will process unformatted files if necessary). If not feasible, the data collection plan allows the respondents to submit data through a paper-based questionnaire. In addition, the contractors hired by BJS to conduct the SJCACC will recode state statutes and other data fields into standard BJS codes, which will significantly reduce the burden on participating jurisdictions.

6. Consequences of Less Frequent Collection

BJS has never collected nationally representative data on juveniles processed in adult criminal court. The last systematic data BJS collected was at a subnational level in the 1990s. This is the only data collection that will be able to present national level estimates of juvenile cases in adult courts and compare methods of transfer to adult court. In the future, if BJS is able to implement a national collection collecting all adult criminal cases, the data on juveniles will be collected on an annual basis. Otherwise, these data will be collected every two to three years so changes in legislation and court practices in the processing of juveniles can be measured. Letters of support for this work received from the field document the current need for this information.

7. Special Circumstances

No special circumstances have been identified.

8. Adherence to 5 CFR 1320.8(d) and Outside Consultations

The SJCACC collection is consistent with the guidelines in 5 CFR 1320.8(d). The 60 and 30 day notices for public commentary were published in the Federal Register.

In the design and development of the SJCACC, BJS has consulted with policymakers, research specialists, and practitioners who specialize in juvenile case processing and in court electronic record systems. These consultations occurred through interagency meetings, conferences, and visits to state court administrative offices. Some of the agencies consulted include the Office of Juvenile Justice and Delinquency Prevention, Westat, state court administrators, the National Center for Juvenile Justice (NCJJ), and the National Center for State Courts (NCSC). Through these discussions the relevant research questions were developed and the questionnaire and extract guide were designed.

9. Paying Respondents

No gifts or incentives will be given. If needed, BJS will hire state and local staff for their time to collect the data.

10. Assurance of Confidentiality

All information that has the potential to identify individuals (e.g., felon's name) will be held confidential according to Title 42, United States Code, Section 3789g. A letter from the Director of BJS will notify respondents that the data will be held confidential and that participation is voluntary.

11. Justification for Sensitive Questions

There are no questions of a sensitive nature.

12. Estimate of Respondent Burden

The SJCACC data collection will employ various methods to obtain data from states and localities. To determine the burden imposed on respondents, estimates were obtained from criminal court data providers in addition to other court data collections such as the State Court Processing Statistics (SCPS, OMB number 1121-0306) and studies done by OJJDP on juvenile court processing. Similar to the SJCACC, both of these collections require the processing of electronic court records. The SCPS collection entails the submission of electronic records from both states and counties containing almost all of the variables necessary for the SJCACC.

For the 28 states with state-wide electronic record systems, electronic files will be submitted for the SJCACC. These files can be either a uniform extract, which will have a pre-defined file and data structure for the SJCACC that will be provided to the court prior to the beginning of data collection; a non-uniform extract, which is a data file that contains the information necessary for the SJCACC in whatever structure the court decides; and a data dump, which is a file containing information beyond that required for the SJCACC.

Information on the ability of states to provide electronic data files was obtained through both the SCPS collection and surveys on state court administrative records systems conducted by the National Center for State Courts (NCSC). NCSC routinely provides technical assistance to states regarding their court information systems, and they therefore regularly survey the states about the capabilities of these systems. BJS used this information in conjunction with its experience with the availability of electronic records for SCPS to develop the burden estimate and the sampling strategy.

Survey of Juveniles Charged in Adult Criminal Courts Burden Hour Estimates				
Instrument	Number of Respondents	Average Number of Responses per Respondent	Average Burden Hours per Response	Total Burden Hours
Uniform Extract	3[1]	1 file	82[3]	246
Non-uniform Extract	13[2]	1 file	62[3]	806
Unformatted Electronic Data Files (Data Dump)	12[2]	1 file	43[3]	516
Sampled counties (Electronic data files)	18[5]	—	14[6]	252
Sampled counties (Teleform Survey of Juveniles Charged in Adult Court)	9[5]	40[7]	2[8]	729 (720 plus 9 hours contact)
Summary Tables	22[4]	1 table/report	1	22
Estimated Total Annual Burden Hours				2,571

— Burden estimates do not vary with number of respondent/records/cases. Burden to submit files with 1,000 records/cases is no different than burden to submit files with 100,000 records/cases. Burden depends more on the complexity/sophistication of the information system and the skill of the person extracting the data from it.

[1] Based on assumption that jurisdictions will prefer simpler data preparation over the more complex task of preparing a Uniform Data Extract.

[2] Based on assessments of state data system capabilities routinely conducted by NCSC and an assumption that jurisdictions will prefer simpler data preparation over the more complex task of preparing a Uniform Data Extract.

[3] Based on file preparation estimates from the State Court Processing Statistics (SCPS) and the National Juvenile Court Data Archive.

[4] For use in producing sampling based estimates.

[5] Based on estimate of selecting 18 PSUs from states with no statewide electronic data systems. We estimate 12 PSUs will have 18 counties with electronic data systems and 6 PSUs will have 9 counties requiring sampling for surveys.

[6] Based on SCPS estimate of time to program a sample selection program for the non-pretrial data elements.

[7] Based on a recommended upper limit for paper data entry of 50 cases and estimates that sampled PSUs using these modes of data reporting will have 40 cases on average. Sampled PSUs with caseloads larger than 50 will be urged to submit data files.

[8] Based on estimates from criminal court data providers who reviewed survey instrument.

For the estimated 12 responding states providing unformatted electronic data files it is estimated that it will take one hour to respond to the contractor and grant permission to obtain the data. They will spend 32 hours on the preparation and submission of the files and an additional 10 hours of correspondence with the contractor as the contractor processes and develops an understanding of the files. For these states, the total burden is an estimated 516 hours.

The time spent preparing a file will be greater for those respondents providing some form of extract, while the time spent corresponding with the contractor will be less than those submitting an unformatted file. For the estimated 13 respondents submitting a non-uniform extract, it is estimated they will spend one hour to respond to the contractor and grant permission to obtain the data, an average of 56 hours on preparation and submission of the files and an additional 5 hours of correspondence with the contractor. For these states, the total burden is an estimated 806 hours. The three responding states believed to be able to provide a uniform extract will spend one hour to respond to the contractor and grant permission to obtain the data, an average of 80 hours on their submissions, and an additional hour of correspondence, for a total burden of 246 hours.

The remaining 22 states that do not provide electronic data will be stratified by transfer method and size. Each of these states will then be divided into primary sampling units (PSUs) that will have one or more counties. Eighteen of these PSUs will be selected with probability proportional to size, taking one or two PSUs per stratum depending on the distribution of the stratification characteristics. Once the 18 PSUs are selected, it will be determined which of the constituent counties in the PSUs have electronic data systems and which do not. For those counties with electronic data, all cases will be processed; for those counties without an electronic system, their cases will be sampled. It is estimated that 18 counties in 12 of the selected PSUs will have electronic files, that they will spend one hour to respond to the contractor and grant permission to obtain the data, and that these files will require 12 hours on average for the respondent to process and one hour of correspondence, for a total of 252 hours. An estimated nine counties in six PSUs will complete Teleform surveys, with one hour to respond to the contractor and grant permission to obtain the data. Completion of the case sampling and the paper survey for an average of 40 counties will require an average of two hours, for a total burden for the nine counties of 729 hours. These 22 states will also be asked to provide state summaries to be used in adjusting for nonresponse and coverage, and to improve the precision of sample based estimates. It is estimated it will take each of these states 1 hour to provide the summary tables.

It is estimated that in total the respondent burden will be 2,571 hours.

The least successful anticipated scenario is that BJS receives statewide data from only 25% of states with state-wide data, or seven states. While this scenario is unlikely, the burden estimate

will increase, as the number of sampled counties would increase to 116, thus increasing the number of respondents. The burden estimate for the 25% scenario is provided in the table below. It is estimated the total burden would increase to 4,677 hours.

Survey of Juveniles Charged in Adult Criminal Courts Burden Hour Estimates				
Instrument	25% Statewide Success	Average Number of Responses per Respondent	Average Burden Hours per Response	Total Burden Hours
Uniform Extract	1[1]	1 file	82[3]	82
Non-uniform Extract	3[2]	1 file	62[3]	186
Unformatted Electronic Data Files (Data Dump)	3[2]	1 file	43[3]	129
Sampled counties (Electronic data files)	77[5]	—	14[6]	1078
Sampled counties (Teleform Survey of Juveniles Charged in Adult Court)	39[5]	40[7]	2[8]	3159 (3120 plus 39 hours contact)
Summary Tables	43	1 table/report	1	43
Estimated Total Annual Burden Hours				4,677

13. Estimate of Respondent's Cost Burden

We do not expect respondents to incur any costs other than the 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 the usual and customary business practices and not specifically required for this information.

14. Costs to Federal Government

The total expected cost to the federal government for this data collection is estimated to be up to $813,210 over a two year period. This work consists of planning, developing the questionnaires,

preparation of materials, collecting the data, evaluating the results, and generating the reports. A BJS GS-level 13 statistician will be responsible for overseeing the project.

Estimated costs for the Suvery of Juveniles Charged in Adult Criminal Court (SJCACC) project	
BJS costs	
Staff salaries	
GS-13 Statistician (25%)	$23,000
GS-15 Supervisory Statistician (3%)	$5,000
GS-13 Editor (10%)	$9,000
Other Editorial Staff	$5,000
Front-Office Staff (Deputy Directors and Directors)	$3,000
Subtotal salaries	$45,000
Fringe benefits (28% of salaries)	$13,000
Subtotal salaries and fringe	$58,000
Other administrative costs of salary and fringe (15%)	$8,750
Subtotal BJS costs	$66,750
Data Collection Agent (Westat/NCJJ)	
Direct salaries	$376,571
Indirect costs	$214,913
Reimbursement to states and localities	$127,286
Computing and supplies	$31,190
Subtotal: Data collection Agent (Westat/NCJJ)	$749,960
Total estimated costs	**$816,710**

15. Reason for Change in Burden

Not applicable to this project. New data collection.

16. Project Schedule and Publication Plan

This project will be completed according to the following schedule:

Planning and preparation (Includes OMB review):	January 2014 – November 2014
Data collection:	January 2015 – December 2015
Data review and evaluation:	February 2015 – February 2016
Publication:	May 2016 – July 2016
Archive data:	May 2016

After securing OMB approval, the SJCACC data collection will occur from January 2015 to December 2015. A letter from the BJS director will be sent to inform respondents about the SJCACC 2014 in October of 2014 (see Attachment 2). The data collector will begin to process

the electronic files for states and counties in January 2015. When it is determined which respondents require the hardcopy Teleform survey, they will be sent instrument for completion.

The data will be compared against aggregate statistics available from the states. For both the electronic data and the questionnaire submissions, respondents will be contacted by telephone or e-mail to discuss any inconsistencies in the data.

As part of verification of the data, preliminary analyses will begin as soon as each data submission is received. This will allow for callbacks with the respondents to clarify the data. Once data collection is complete, the final data will be used to produce two types of reports: one type will describe the characteristics of juveniles charged in adult criminal court and their case outcomes, and the other will be a technical report on the feasibility of utilizing administrative court data to produce national level case processing statistics.

The first report, ***Juvenile Transfers to Adult Criminal Court, 2014***, will contain information on the demographic information of the defendants, information on how they arrived in adult criminal court (type of transfer, legislative exclusion), the distribution of charges at arrangement and conviction, and sentencing outcomes.

The second report, ***Use of Administrative Data to Produce National Case Processing Statistics-Technical Report***, will focus on the technical aspects of using administrative court data to produce national statistics. Analyses of the quality of the data, including the percent missing by variable and the coverage of the data, such as whether some cases are excluded from the files will be reported. For variables with significant missing, analyses to determine the randomness of the missing will be conducted and potential imputation methods will be developed. This report will document the utility of each state's data for producing statistics on case processing and the limitations that impact their utility.

17. Display of Expiration Date

The expiration date will be shown on the paper data collection form.

18. Exception to the Certificate Statement

Not applicable to this project. New data collection.