

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 05/31/2016)

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 is 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 facility operations and services and is administered in alternate years. The CJRP was collected in 1997, 1999, 2001, 2003, 2006,¹ 2007, 2010,² 2011, 2013, and 2015.

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, upon authorization of the Juvenile Justice and Delinquency Prevention Act, 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.

1 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.

2 Similarly, the 2009 collection was postponed and occurred in February 2010.

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:

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

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

[(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.

42 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.

--42 U.S.C. 5617

Copies of the relevant sections of the JJDP reauthorization are included in Appendix B 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 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. 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.) Finally, in addition to OJJDP's mandated reports to Congress, a number of other

Federal entities rely on OJJDP's CJRP data for use in their own reports and publications (see item 6 of the Supporting Statement for additional information about these efforts).

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 the option of submitting data electronically through the Census Bureau's secure, online data collection application. Currently, 49 percent of facilities utilize the online data submission option. (The paper form and screenshots of the online form are available in Appendix C.) To reduce burden on respondents and facilitate submission, the Bureau is committed to accepting all formats of data submission, including:

- Respondents' own spreadsheets;
- Respondents' own reports (i.e., data submitted in Word, pdf, txt, etc.);
- Census-created template to upload data;
- Data entered manually online; and
- Data provided via telephone.

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 given a unique username and password. The passwords contain the following characteristics: 12 characters, 1 uppercase character, 1 lowercase character, 1 number, and 1 special character from the following: ! # \$ * \$? ~. All respondents are locked out of the Web site upon submission of their data. However, using their unique username and password, they can return at any time to retrieve a copy of their data in PDF format.

Respondents are provided the statement of statutory and policy protections of confidentiality, as well as the burden statement along with the paper cover letter that accompanies the mailed (paper) CJRP form (see Appendix H).

As part of the collection process, respondents are encouraged to look up frequently asked questions in the “FAQs” section of the Census Bureau’s online form or call a 1-800 number for assistance with electronic submissions.

4. Efforts to Identify Duplication

OJJDP takes numerous steps to identify all sources of information on youth involved in the juvenile justice system. Over the past two decades, through the former Juvenile Justice Clearinghouse, the current OJJDP Center for Coordinated Assistance to States, 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 confirmed 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.

Recently, OJJDP has assisted the Department of Education’s Office of Civil Rights (OCR) Civil Rights Data Collection efforts. Currently the CRDC does not currently collect data from juvenile facilities, nor any information about the youth housed in these facilities. CRDC reached out to OJJDP for assistance, and although the “Federal Assurance of Confidentiality” sent to each facility limits the information that OJJDP can share for non-research (i.e., enforcement purposes), OJJDP consulted with its Office of General Counsel (OGC) and determined that we could share our roster of public juvenile facilities with OCR, which we did in 2015.

Similarly, the National Center for Education Statistics also does not collect data from juvenile facilities; and consequently in 2015 they have been collaborating with OJJDP to develop a new indicator for their *Indicators of School Crime and Safety Report* (see item 6 for additional information).

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.

A number of other Federal agencies and initiatives rely on CJRP data for their own reports and publications, and without this collection these

efforts to understand and track the characteristics of youth detained and committed to juvenile facilities would be severely hampered.

This includes the Department of Education's National Center for Education Statistics, which is using CJRP data to develop an indicator of the characteristics of juveniles in residential placement for their *Indicators of School Crime and Safety* report. Federal NCES staff report that this information is of interest to educators because juveniles placed in residential facilities are a high-risk population with high rates of academic failure, dropouts, and poor employment outcomes.

Data from CJRP are also used as a key statistical indicator of boys and men of color for the "My Brother's Keeper" initiative. The President's 2014 MBK Task Force recommended 43 critical indicators for inclusion in an online "data dashboard" to provide a comprehensive view of the environments and outcomes for boys and young men of color and their peers. One of the indicators recommended and included is CJRP data on "juveniles in juvenile correction facilities." This information is available online on Data.gov and is updated semi-annually (most recently in July 2015).

7. Special Circumstances

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 with stakeholders 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.

In FY 2015, OJJDP is supporting two efforts to improve the quality and consistency of juvenile justice system data collection and measurement practices that have the potential to inform the CJRP. The *Juvenile Justice Model Data Project* is working with leading organizations across justice sectors to develop model juvenile justice data elements with definitions and coding categories, model measures and analyses, and a comprehensive strategy to disseminate and promote usage. Similarly, the *Initiative to Develop Juvenile Reentry Measurement Standards* is working to establish and test standards to assist jurisdictions in documenting and measuring services and outcomes in juvenile reentry. In each case, comprehensive review of the research literature will help to inform what should be measured in the area of juvenile corrections and review of state and local data practices will identify the challenges agencies face in managing and modernizing information systems to collect, analyze, and share data in effective ways. The CJRP will benefit directly from new knowledge generated in the development of these initiatives and through any resulting improvements to the quality, coverage, and timeliness of locally collected data that are also reported to national data collection programs.

OJJDP conducted an Institutional Review Board (IRB) meeting in 2007 to review the human subjects' implications of the CJRP. Further reviews were completed in 2010, and 2013. Most recently, OJJDP worked with a research contractor, CSR Incorporated to conduct a review completed in December 2015 (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.

OJJDP has also connected with data providers at the National Juvenile Courts Data Archive workshops in 2013 (Baltimore, MD) and 2015 (Burlington, VT). In a number of states data providers for juvenile court data also provide juvenile correction data, so the workshops are an important venue to discuss common issues and topics such as data sharing and privacy/security concerns.

Finally, through the two projects listed above the *Juvenile Justice Model Data Project* and the *Initiative to Develop Juvenile Reentry Measurement Standards* is working with the Council of Juvenile Correctional Administrators to improve the quality, coverage, and timeliness of the locally collected data reported to the CJRP.

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 3.4 hours. Due to differences in facility characteristics, staffing, and population housed, not all facilities will have the same hour burden. For example, there is a roughly even split between those who submit their data electronically, and those who 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 2013 CJRP, most juveniles are housed in public facilities (about 69 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.

Estimated Hour Burden for the CJRP			
Data/Facility Type	Number of Facilities	Hour Burden per Facility	Total Hours
Manual Data Providers			
Public Facilities	531	8 hours	4,248 hours
Private Facilities	686	2 hours	1,372 hours

Electronic Data Providers			
Public Facilities	510	3 hours	1,530 hours
Private Facilities	659	1.5 hours	988.5 hours
Total Hour Burden			8,138.5 hours
Estimated Average Response Burden	2,386	3.4 hours	

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.

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 2015. 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.

Costs of Implementing the CJRP	
Fiscal Year (FY)	Cost
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**
2013	\$615,000
2014	\$360,000
2015	\$695,283

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 the addition of two questions to this collection which have been previously approved by OMB. They will be added under Section I—General Information, questions 19 and 20 (see below). These questions, which are currently included on the approved JRFC form (CJ-15) (the sister collection to the CJRP), will collect facility information about deaths of young persons in custody.

The addition of these questions was determined to be necessary in consultation with the Bureau of Justice Statistics to be responsive to the mandate of the Deaths in Custody Reporting Act of 2013 (see Appendix K) which charges the United States Attorney General to collect information on the “death of any person who is detained, under arrest, or is in the process of being arrested, is en route to be incarcerated, or is incarcerated at a municipal or county jail, State prison, State-run boot camp prison, boot camp prison that is contracted out by the State, any State or local contract facility, or other local or State correctional facility (including any juvenile facility).”

19. During the YEAR between October 1, 2016 and September 30, 2017, did ANY young persons die while assigned a bed at this facility at a location either INSIDE or OUTSIDE of this facility?

20. How many young persons died while assigned beds at this facility during the year between October 1, 2016 and September 30, 2017?

Deaths in juvenile facilities are rare, and we anticipate there will be no additional burden to facilities in responding to these two questions.

Deaths in Juvenile Residential Facilities Collected via the Juvenile Residential Facility Census	
Year	Number of Deaths
2012	14
2010	11
2008	14
2006	15
2004	27
2002	26

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 (NJJDAP). The NJJDAP analyzes the CJRP data and produces standard fact sheets, bulletins, and reports for publication by OJJDP. This includes a *Juveniles in Residential Placement* bulletin as part of OJJDP's Juvenile Offenders and Victims National Report Series. The National Report offers a comprehensive statistical overview of the problems of juvenile crime, violence, and victimization and the response of the juvenile justice system. This series provide a baseline of data for juvenile justice professionals, policymakers, the media, and concerned citizens (see Attachment L).

The data are also released through OJJDP's online Statistical Briefing Book, located at <http://www.ojjdp.gov/ojstatbb/> which offers users standard tables and figures, as well as interactive data analysis tools to create customized crosstabs.

The CJRP data files are 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>). 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 2010, and we anticipate ICPSR will release the 2011 CJRP and 2012 JRFC in 2016.

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 2014 and 2015 American Society of Criminology Annual Meeting to educate researchers and students about OJJDP data availability. For the past five years, OJJDP also partnered with NIJ and the Bureau of Justice Statistics to issue a 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>).

Additionally, in 2015 OJJDP has taken steps to produce graphical displays from new data being released to take advantage of new dissemination vehicles such as the OJJDP listserv, Twitter, and other social media outlets. The new “Data Snapshot” (see Attachment M) provides a visual representation of some of the trends in 2013 CJRP data.

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.

