



U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Statistics

Washington, D.C. 20531

MEMORANDUM

TO: Shelly Martinez
Desk Officer
Office of Management and Budget

THROUGH: Lynn Murray
Clearance Officer
Justice Management Division

Jeri Mulrow
Acting Director

Devon Adams
Chief, Criminal Justice Data Improvement Program

FROM: Allina Lee
Statistical Policy Advisor

SUBJECT: Non-substantive Change to OMB# 1121-0314 Firearm Inquiry Statistics (FIST) Program – adding four new questions to survey instrument

DATE: April 12, 2016

The purpose of this memorandum is to advise OMB of and request approval for proposed changes to the approved Firearm Inquiry Statistics (FIST) Program survey instrument.

Briefly, the FIST program collects data on firearm background check activities from a sample of local agencies authorized to conduct background checks and combines these data with data obtained from state reporting agencies, the Federal Bureau of Investigation (FBI), and the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) to produce a national estimate of firearm applications, denials, and reasons for denials. Since 1995, BJS has conducted the FIST survey. The Regional Justice Information Service (REJIS) was competitively awarded a cooperative agreement in FY 2014 to, under BJS's direction, continue its efforts to administer the FIST data collection.

Proposed survey revisions

As part of our overall effort to improve the FIST methodology and respond to increased interest by policymakers, government officials, and the public about why applications for firearm transfers are denied, we continue to strategize ways to collect more reliable and complete information about reasons for denials. As discussed in the methodology section of the FIST publication, Background Checks for Firearm Transfers, 2012 – Statistical Tables,¹ collecting data on reasons for denial is complicated by several factors, in particular

¹ BJS is currently in process of finalizing the Background Checks for Firearm Transfers – Statistical Tables, 2014. The publication is expected to be released in June 2016.

differences in the methods checking agencies follow to track and record reasons for denial and variations in how Federal and state law prohibitions are classified. A key challenge to collecting these data is also high item nonresponse – some agencies do not report data to FIST, though the reasons for not doing so are not always clear.

We are proposing to add four new questions to the FIST survey instrument to obtain better information on if and how agencies collect data on reasons for denial. Our goal is to better understand the processes followed to track and report this information and identify what resources could help to improve these processes. The questions are designed to obtain more detailed information on how agencies track denials, why agencies are unable to track denials (if applicable), and what resources would enable them to begin tracking summary statistics of denials (if applicable). One of the proposed questions asks respondents to estimate what proportion of the agency's denials are made up of various major categories, including felony arrests, charges, and convictions, domestic violence convictions and protective (restraining) orders, and state law prohibitions. Attachment I highlights the new instructions and questions for ease of review.

In addition to the new questions, we also propose to retain the survey screener questions only for those states (Minnesota, Nebraska, and Washington) where the checking/permitting function can vary amongst local agencies within the state, e.g. in some counties a sheriff's office may be doing checks, while in others the local police department does the checks, or in some cases both do the checks. By contrast, in a place like Iowa, for example, the checking/permitting authority is always the local sheriff and there is no deviation from this authority (i.e., no local police departments do the checks). BJS's experience has shown that, in places where there is certainty about who is a checking/permitting agency, the screener questions may inadvertently confuse the respondent and result in agencies inaccurately exempting themselves from the survey. In other words, in most cases, the screener questions do not reduce respondent burden and may cause agencies to mistakenly believe they are ineligible to participation in the survey.

A copy of the revised FIST survey can be found in Attachment II.

Pretest results

REJIS sent the revised survey and a brief evaluation form to obtain feedback on the new proposed questions to 9 local agencies that did not provide data on reasons for denial for the 2012 FIST collection. The objective of the pretest was to get feedback on the wording and organization of the new questions. Six agencies responded, of which 5 returned the evaluation form and 3 provided data in addition to completing the evaluation form.

Overall, the feedback received was positive. All 5 respondents that returned an evaluation form reported that the questions were either easy or somewhat easy to understand and that the ordering made sense. Four out of 5 respondents reported that the new Q4 included the most common methods used to track reasons for denial, and all 5 respondents reported that the new Q8 included the most common barriers to tracking reasons for denial. All 5 respondents also reported they would be able to provide the requested estimates of reasons for denial (new Q6). Attachment III provides a summary of the pretest results.

Burden

The approved respondent burden for the current FIST survey is 25 minutes. This approved estimated burden included 10 questions about activities related to appeals, arrests, and reversals. Due to historically high item nonresponse, these questions were removed from the 2013-2014 FIST survey instrument.

The additional questions we are proposing to add will not require respondents to query or tabulate new or additional information. Rather, they are designed to obtain information on processes and resources. The new proposed Q10 asks respondents to provide an estimate of denials by categories that they should already maintain, which should not result in any increased burden. Respondents also have the option to skip this question if they are not able to provide the information. Additional clarification and instructions have also been added to the form which has increased the amount of time required to review and complete the survey. BJS feels that the additional instructions and guidance are critical elements to include and will actually serve to reduce burden by providing better clarification and thus alleviating confusion. Even if there would be an additional

response burden associated with the new questions, BJS estimates it would not exceed the time respondents spent answering the 10 questions on the prior form related to appeals, arrests, and reversals, so the 25 minute estimate is still practical.

Three respondents provided data during pretesting, and 2 completed a survey and an evaluation sheet. The average respondent burden was 25 minutes (20 and 30 minutes) for the agencies that returned both an evaluation form and submitted a survey. The remaining agencies reported the estimated time spent completing the evaluation form.²

Based on these responses, the deletion of questions related to arrests and appeals, and the fact that the additional questions will not require respondents to query or tabulate new or additional information, we anticipate the estimated burden will remain 25 minutes annually.

Web-form

As detailed in the approved OMB clearance package, the FIST web-form was designed and tested with input from survey methodologists, subject matter experts, and background checking agency stakeholders. The web-form is intended to encourage participation by providing a secure, convenient mode of responding to the FIST survey and is intended to streamline the survey process by eliminating questions that the respondent may not need to see, thus also reducing response burden. It is also designed to reduce item nonresponse by requiring that a response to critical items is submitted before continuing to the next question.

Each FIST participant will continue to be provided a unique User ID and password that will allow secure access to the web form. In order to reduce any differences in response as a result of the mode by which a respondent chooses to participate in the survey (mode effects), particularly mode effects due to the different web and mail response modes, the web-form was designed to mimic the visual presentation of the paper survey as much as possible. The wording of the questions is consistent between the two modes.

The modifications to the web-form will be finalized upon receiving OMB's approval of the proposed changes. Screenshots of the current web-form are provided to show the layout and sequence, which will be updated with the new questions upon approval.

Implementation plan

Pending OMB approval of the proposed survey changes, REJIS will complete the modifications to the web-form and paper survey and redraw the FIST sample. The 2015 FIST data collection is scheduled to begin in May 2016.

Summary

BJS seeks OMB approval of the above noted changes to the FIST survey. We will work to expeditiously respond to any OMB inquiries and/or requests for additional information.

Thank you in advance for your time and consideration.

Attachments:

Attachment I: List of new proposed FIST survey questions and instructions

Attachment II: Revised FIST survey (proposed)

Attachment III: Summary of pretest results

Attachment IV: Screenshots of current FIST web-form

² The agency that reported a burden of 45 minutes indicated in a follow up call that they were initially confused by the request, which resulted in a higher than accurate burden to complete the evaluation form.