

Census of State and Local Prosecutor Offices Serving Tribal Lands

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DERIVATION

Title I

THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968
(Public Law 90-351)

42 U.S.C. § 3711, *et seq.*

AN ACT to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes.

As Amended By

THE OMNIBUS CRIME CONTROL ACT OF 1970
(Public Law 91-644)

THE CRIME CONTROL ACT OF 1973
(Public Law 93-83)

THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974
(Public Law 93-415)

THE PUBLIC SAFETY OFFICERS' BENEFITS ACT OF 1976
(Public Law 94-430)

THE CRIME CONTROL ACT OF 1976
(Public Law 94-503)

THE JUSTICE SYSTEM IMPROVEMENT ACT OF 1979
(Public Law 96-157)

THE JUSTICE ASSISTANCE ACT OF 1984
(Public Law 98-473)

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE ACT OF 1986
(Public Law 99-570-Subtitle K)

THE ANTI-DRUG ABUSE ACT OF 1988
TITLE VI, SUBTITLE C - STATE AND LOCAL NARCOTICS CONTROL
AND JUSTICE ASSISTANCE IMPROVEMENTS
(Public Law 100-690)

THE CRIME CONTROL ACT OF 1990
(Public Law 101-647)

BRADY HANDGUN VIOLENCE PROTECTION ACT
(Public Law 103-159)

VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1994
(Public Law 103-322)

NATIONAL CHILD PROTECTION ACT OF 1993, AS AMENDED
(Public Law 103-209)

and

CRIME IDENTIFICATION TECHNOLOGY ACT OF 1998
(Public Law 105-251)

BUREAU OF JUSTICE STATISTICS
CHAPTER 46 - SUBCHAPTER III
[TITLE I - PART C]

42 USC § 3731 **[Sec. 301.] Statement of purpose**

It is the purpose of this subchapter [part] to provide for and encourage the collection and analysis of statistical information concerning crime, juvenile delinquency, and the operation of the criminal justice system and related aspects of the civil justice system and to support the development of information and statistical systems at the Federal, State, and local levels to improve the efforts of these levels of government to measure and understand the levels of crime, juvenile delinquency, and the operation of the criminal justice system and related aspects of the civil justice system. The Bureau shall utilize to the maximum extent feasible State governmental organizations and facilities responsible for the collection and analysis of criminal justice data and statistics. In carrying out the provisions of this subchapter [part], the Bureau shall give primary emphasis to the problems of State and local justice systems.

42 USC § 3732 **[Sec. 302.] Bureau of Justice Statistics**

(a) Establishment. There is established within the Department of Justice, under the general authority of the Attorney General, a Bureau of Justice Statistics (hereinafter referred to in this subchapter [part] as “Bureau”).

(b) Appointment of Director; experience; authority; restrictions. The Bureau shall be headed by a Director appointed by the President, by and with the advice and consent of the Senate. The Director shall have had experience in statistical programs. The Director shall have final authority for all grants, cooperative agreements, and contracts awarded by the Bureau. The Director shall report to the Attorney General through the Assistant Attorney General. The Director shall not engage in any other employment than that of serving as Director; nor shall the Director hold any office in, or act in any capacity for, any organization, agency, or institution with which the Bureau makes any contract or other arrangement under this Act.

(c) Duties and functions of Bureau. The Bureau is authorized to—

(1) make grants to, or enter into cooperative agreements or contracts with public agencies, institutions of higher education, private organizations, or private individuals for purposes related to this subchapter [part]; grants shall be made subject to continuing compliance with standards for gathering justice statistics set forth in rules and regulations promulgated by the Director;

(2) collect and analyze information concerning criminal victimization, including crimes against the elderly, and civil disputes;

(3) collect and analyze data that will serve as a continuous and comparable national social indication of the prevalence, incidence, rates, extent, distribution, and attributes of crime, juvenile delinquency, civil disputes, and other statistical factors related to crime, civil disputes, and juvenile delinquency, in support of national, State, and local justice policy and decisionmaking;

(4) collect and analyze statistical information, concerning the operations of the criminal justice system at the Federal, State, and local levels;

- (5) collect and analyze statistical information concerning the prevalence, incidence, rates, extent, distribution, and attributes of crime, and juvenile delinquency, at the Federal, State, and local levels;
- (6) analyze the correlates of crime, civil disputes and juvenile delinquency, by the use of statistical information, about criminal and civil justice systems at the Federal, State, and local levels, and about the extent, distribution and attributes of crime, and juvenile delinquency, in the Nation and at the Federal, State, and local levels;
- (7) compile, collate, analyze, publish, and disseminate uniform national statistics concerning all aspects of criminal justice and related aspects of civil justice, crime, including crimes against the elderly, juvenile delinquency, criminal offenders, juvenile delinquents, and civil disputes in the various States;
- (8) recommend national standards for justice statistics and for insuring the reliability and validity of justice statistics supplied pursuant to this chapter [title];
- (9) maintain liaison with the judicial branches of the Federal and State Governments in matters relating to justice statistics, and cooperate with the judicial branch in assuring as much uniformity as feasible in statistical systems of the executive and judicial branches;
- (10) provide information to the President, the Congress, the judiciary, State and local governments, and the general public on justice statistics;
- (11) establish or assist in the establishment of a system to provide State and local governments with access to Federal informational resources useful in the planning, implementation, and evaluation of programs under this Act;
- (12) conduct or support research relating to methods of gathering or analyzing justice statistics;
- (13) provide for the development of justice information systems programs and assistance to the States and units of local government relating to collection, analysis, or dissemination of justice statistics;
- (14) develop and maintain a data processing capability to support the collection, aggregation, analysis and dissemination of information on the incidence of crime and the operation of the criminal justice system;
- (15) collect, analyze and disseminate comprehensive Federal justice transaction statistics (including statistics on issues of Federal justice interest such as public fraud and high technology crime) and to provide technical assistance to and work jointly with other Federal agencies to improve the availability and quality of Federal justice data;
- (16) provide for the collection, compilation, analysis, publication and dissemination of information and statistics about the prevalence, incidence, rates, extent, distribution and attributes of drug offenses, drug related offenses and drug dependent offenders and further provide for the establishment of a national

clearinghouse to maintain and update a comprehensive and timely data base on all criminal justice aspects of the drug crisis and to disseminate such information;

(17) provide for the collection, analysis, dissemination and publication of statistics on the condition and progress of drug control activities at the Federal, State and local levels with particular attention to programs and intervention efforts demonstrated to be of value in the overall national anti- drug strategy and to provide for the establishment of a national clearinghouse for the gathering of data generated by Federal, State, and local criminal justice agencies on their drug enforcement activities;

(18) provide for the development and enhancement of State and local criminal justice information systems, and the standardization of data reporting relating to the collection, analysis or dissemination of data and statistics about drug offenses, drug related offenses, or drug dependent offenders;

(19) provide for research and improvements in the accuracy, completeness, and inclusiveness of criminal history record information, information systems, arrest warrant, and stolen vehicle record information and information systems and support research concerning the accuracy, completeness, and inclusiveness of other criminal justice record information;

(20) maintain liaison with State and local governments and governments of other nations concerning justice statistics;

(21) cooperate in and participate with national and international organizations in the development of uniform justice statistics;

(22) ensure conformance with security and privacy requirement of section 3789g of this title and identify, analyze, and participate in the development and implementation of privacy, security and information policies which impact on Federal and State criminal justice operations and related statistical activities; and

(23) exercise the powers and functions set out in subchapter VIII [part H] of this chapter [title].

(d) Justice statistical collection, analysis, and dissemination. To insure that all justice statistical collection, analysis, and dissemination is carried out in a coordinated manner, the Director is authorized to—

(1) utilize, with their consent, the services, equipment, records, personnel, information, and facilities of other Federal, State, local, and private agencies and instrumentalities with or without reimbursement therefor, and to enter into agreements with such agencies and instrumentalities for purposes of data collection and analysis;

(2) confer and cooperate with State, municipal, and other local agencies;

(3) request such information, data, and reports from any Federal agency as may be required to carry out the purposes of this chapter [title];

(4) seek the cooperation of the judicial branch of the Federal Government in

gathering data from criminal justice records; and

(5) encourage replication, coordination and sharing among justice agencies regarding information systems, information policy, and data.

(e) Furnishing of information, data, or reports by Federal agencies. Federal agencies requested to furnish information, data, or reports pursuant to subsection (d)(3) of this section shall provide such information to the Bureau as is required to carry out the purposes of this section.

(f) Consultation with representatives of State and local government and judiciary. In recommending standards for gathering justice statistics under this section, the Director shall consult with representatives of State and local government, including, where appropriate, representatives of the judiciary.

42 USC § 3733 **[Sec. 303.] Authority for 100 per centum grants**

A grant authorized under this subchapter [part] may be up to 100 per centum of the total cost of each project for which such grant is made. The Bureau shall require, whenever feasible as a condition of approval of a grant under this subchapter [part] , that the recipient contribute money, facilities, or services to carry out the purposes for which the grant is sought.

42 USC § 3735 **[Sec. 304.] Use of data**

Data collected by the Bureau shall be used only for statistical or research purposes, and shall be gathered in a manner that precludes their use for law enforcement or any purpose relating to a particular individual other than statistical or research purposes.

Pilot Test Report

Census of State and Local Prosecutor Offices Serving Tribal Lands (CSLPOSTL)



at the UNIVERSITY of CHICAGO

PRESENTED TO:

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Statistics (BJS)

PRESENTED BY:

NORC at the University of Chicago
55 E. Monroe
Chicago, IL 60603

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INTRODUCTION

The Bureau of Justice Statistics (BJS) funded a new program to collect information about the services provided by state and local justice agencies on tribal lands. The program, called the State and Local Justice Agencies Serving Tribal Lands (SLJASTL), will collect information from both state and locally funded law enforcement agencies and prosecutor offices. As part of the SLJASTL program, two separate surveys were developed and will be fielded to collect this information, the Census of State and Local Law Enforcement Agencies Serving Tribal Lands (CSLLEASTL) and the Census of State and Local Prosecutor Offices Serving Tribal Lands (CSLPOSTL). The pilot data collection for each survey provided an opportunity to obtain feedback from respondents on the survey content, burden and data collection procedures. NORC conducted two separate pilot efforts, one with law enforcement agencies and one with prosecutor offices. This report will describe the development and piloting of the CSLPOSTL survey. Recommendations for survey and data collection revisions will also be discussed. The CSLPOSTL pilot was conducted from May 2015 to October 2015. Data was collected from 6 prosecutor offices.

RESPONDENT SELECTION AND RECRUITMENT

For the main CSLPOSTL data collection effort, it is anticipated that prosecutor offices will be screened as part of National Survey of Prosecutors data collection, though alternate screening efforts are being discussed. Prosecutor offices stating that they provided services on tribal lands in 2014 will be included in the CSLPOSTL fielding. For the CSLPOSTL pilot, the Association of Prosecuting Attorneys (APA) identified prosecutor offices that were believed to provide services on tribal lands. When identifying offices, consideration was given to the state the office was located in, if the office had jurisdiction on tribal lands, any federal mandates that impacted jurisdiction on tribal lands (i.e. Public Law 280), and the office's availability and willingness to participate. Once identified, these offices were contacted to establish that they met these criteria. If they met these criteria and were still willing to participate, they were then included in the pilot study sample. If offices were later found to be ineligible based on study criteria (i.e. they did not prosecute crimes that occurred on tribal lands), the office was removed from the pilot respondent list and was replaced by a new office identified by APA. When replacing offices, emphasis was placed on selecting prosecutor offices in states that were not already represented in the pilot.

The prosecutor offices approached and determined to be eligible for the pilot survey were located in:

ID Number	State	Notable Attributes	Status
200100	Minnesota	PL-280	Survey returned and debriefing completed
200200	South Dakota	Optional PL-280	Survey returned and debriefing completed
200300	Washington State	Optional PL-280	Survey returned and debriefing completed
200400	California	PL-280	Survey returned and debriefing completed
200500	California	PL -280	Survey returned and debriefing completed
200600	Washington State	Optional PL-280	Survey not returned
200700	Utah	Optional PL-280	Survey not returned
200800	Michigan	Non-PL-280	Survey returned; debriefing not completed
200900	Alaska	Alaska	Survey not returned

QUESTIONNAIRE DEVELOPMENT

Core questions and topics were provided by BJS and the CSLPOSTL questionnaire was developed as a collaborative effort between BJS and NORC, with feedback provided by APA. In December 2014, an Expert Panel met over two days to review the contents of the questionnaire and provide feedback, including changes to response options, question wording, and substantive content. The wording of the eligibility screening questions was also discussed. Members of the panel included individuals from BJS, APA, and NORC, as well as prosecutors and law enforcement from across the country to serve as subject matter experts. During the meeting, the draft pilot questionnaire was reviewed question by question. After feedback from the Expert Panel meeting was incorporated, the updated draft questionnaire was circulated and additional input solicited by email from the Expert Panel members.

The draft questionnaire was then formatted for printing to align with other similar self-administered surveys conducted by NORC on behalf of BJS and with input from NORC's Desktop Publishing staff. The formatted questionnaire was reviewed by staff from BJS, with suggested formatting changes implemented over a period of four weeks. Review of the final draft of the questionnaire was an iterative process, with a full review of the questionnaire made by BJS each time changes were implemented to either the content or formatting.

DATA COLLECTION

As prosecutor offices were identified and agreed to participate, each office was sent a hardcopy version of the questionnaire with an introductory letter describing the purpose of the pilot survey. The letter was sent on BJS letterhead and was signed by the BJS Director. A postage paid FedEx shipping label and addressed envelope were also included to facilitate return of the completed questionnaire. Respondents also had the option of scanning and returning the questionnaire by email or fax. Respondents were encouraged to return the survey by a specific date, which was typically three weeks from the date at which the survey was mailed to the office contact.

For those offices that did not complete the questionnaire by the provided deadline, regular phone calls and emails were made to offices reminding them to complete and return the questionnaire. APA staff also made outreach to non-responding offices. Upon receipt of a completed survey, staff from NORC contacted the pilot respondent to schedule a telephone debriefing interview, in which responses to the survey questions were reviewed. For those offices in which multiple staff or departments completed the survey, NORC scheduled the debriefing interview with the person who completed the majority of the survey.

The debriefing call included a review of the question text, response choices provided, overall ease of providing information, and the terminology used for each question. Additionally, the length of time needed to complete the survey, any difficulty in providing information, and preferred modes of completing the survey were discussed on this call. Results were recorded by the NORC staff member conducting the debriefing call and were reviewed following the call for completeness. In one case, the office provided additional information following the call via email at their own discretion. Debriefing interviews averaged 45 minutes.

DATA REVIEW

The CSLPOSTL pilot survey had four separate sections – screener questions; administration; staffing, budgets, and training; and caseloads. Within each section are several questions related to the topic. For the purpose of this pilot survey, a fifth section was included to elicit feedback from participating offices immediately upon completion of the survey. This section will not be included in the survey for the main data collection effort. Question specific feedback is provided in Appendix A of this report. Note that not all respondents provided feedback on each question or provided only positive feedback on the question. In these instances, responses were not provided in Appendix A.

All questions were completed as appropriate by respondents except for the following:

Question Number	Number of Missing Responses	Percent Missing
A9	1	20%
A11	1	20%
A6, all parts	1	20%
A5	1	20%
A4	1	20%
C4 – Total cases referred	3	50%
C4 – Cases referred for incidents occurring on tribal lands	4	67%

The average time to complete the survey, when including question C4, was 2.4 hours. The estimated time to complete the survey without providing any response to question C4 was 1.1 hours. Those offices that left referral counts for incidents occurring on tribal lands blank estimated that it would take anywhere from several hours to many weeks to gather the information requested for incident counts occurring on tribal lands. For those offices that left both columns blank, respondents indicated that the office did not collect or track this information at all and that it would be impossible to provide.

The following questions produced inconsistencies within the response data:

Question Number	Inconsistent Response
A3	Should have answered yes; wrote in a response indicating that a tribe they have jurisdiction over has its own court system instead.
A13	Selected both item 6 (law enforcement training) and 8 (no activities) – clarified that should have only selected item 6.
A15	Office left ‘no’ responses blank because they would have preferred to select ‘not applicable’.
B3a	No response provided for ‘part time’ staff. In reviewing the recorded responses, the respondent likely should have entered 0.
B5	One respondent provided a percentage range rather than single percentage estimate; a second respondent wrote in ‘unknown’; and a third respondent left this item blank.
C3	One respondent checked ‘do not track’ but provided counts for C3a and a second wrote ‘unknown’. Both respondents were indicating that they do not track information asked in C3b.

Reported Questionnaire Burden

Office	Time to complete questionnaire without C4	Time to complete questionnaire with C4 – Total referral count	Time to complete only C4 – Referrals from Tribal Lands incidents only
200100	1 hour	1 hour	Do not track information
200200	30 minutes	Do not track information	Do not track information
200300	45 minutes	Do not track information	Do not track information
200400	2 hours	3 hours	4 hours
200500	1 hour	Not provided	5 to 6 hours
200800	Not provided	Do not track information	Do not track information

For question C4, respondents left either both columns or the referral count for tribal lands blank for one of two reasons; the office did not track the information or the amount of time to provide the information would have prevented participation in the survey. Respondents reported a minimum of one to four hours to retrieve the information requested in question C4 regarding case counts that were referred to their office, if they were able to retrieve this information at all.

RECOMMENDATIONS

Overall, it took much longer to receive completed surveys back than anticipated. The initial due date was typically between two to three weeks for each office, though some offices received a shorter due date if they were late to join the Pilot Survey or stated that they could accommodate a shorter due date. Offices were asked if a due date might encourage faster response. Pilot respondents reported that a due date would potentially prevent the survey from being deprioritized by an office, though prosecutor offices frequently reported that participation in the survey was hindered by lack of staff and other resources within their offices. Offices recommended between two to four weeks as a reasonable amount of time to complete the survey and suggested that anything longer than four weeks would result in the survey being deprioritized further and decrease the chance of the survey being completed.

Offices were also asked about the best mode in which to contact them. Most offices reported that email correspondence was preferred, with no clear preference on follow up outreach. Some offices reported that email would be the best method to reach them while others thought that a phone call would be the most effective way to contact the office. Many offices also reported that they would have completed the survey online, with the assistance of a hard copy survey, or would have completed the survey in a PDF form document and returned it via email. The majority of offices did state the hardcopy survey was useful when requesting assistance from other staff within their office or tracking their own completion of the survey prior to returning the survey.

Based on the eight questions which served to elicit feedback about the survey and the in-depth debriefing interviews, the following changes to the survey instrument are recommended:

- A paragraph similar to one used in the Law Enforcement survey should be used to clarify that an office should select 'yes' or an affirmative response for a question if it applies to any one of the tribes they have jurisdiction over or provide services to.

- Offices seemed to have the most difficulty responding to question C3 and C4. This was due having insufficient tracking systems, procedures or staff in place to report incidents that occurred on tribal land and, for some offices, difficulties in defining “tribal lands” in some states. This was primarily because the majority of offices felt that there was no need to track this information at their office. Agencies also reported difficulties in defining “tribal lands” and geographic boundaries in their particular area. As discussed above, respondents reported needing between 120 to 240 minutes to respond to question C4, if this data was available. As this question is most critical for the SLJASTL program, it is recommended that during the main data collection language is included that responders skip the question if it cannot be answered in a timely manner.
- If questions C3 and C4 remain in the questionnaire, there should be separate boxes for ‘do not track’ for both total counts and tribal land-only counts.
- Some respondents felt that a “not applicable” or “secondary provider” column for questions A5 and A6 would be helpful and capture more accurate information. Some respondents left some of these items blank rather than selecting ‘no’ because they felt that it implied that they might provide these services for non-tribal areas but not tribal areas or that they might be a primary provider for these types of crimes/activities.
- At question A12, the term “mandated point of contact” may need to be revised. For PL-280 states in particular, this was interpreted to mean a point of contact appointed by the government under the PL-280 mandate. One office suggested “agency head” as an alternate term and another suggested “tribal liaison”.
- A skip instruction should be inserted after A7, indicating to skip to A10 if the respondent selects ‘no’ at A7.
- A skip instruction should be inserted after B7, indicating to skip to B9 if the respondent selects ‘no’ at B7.
- A ‘Do not track’ box should be added to B5.
- Change the text to ask about cases referred to the offices at C4 as opposed to cases referred from the office.

APPENDIX A: CSLPOSTL PILOT TEST DEBRIEFING RESPONSES

Question Feedback-Law Enforcement Agencies

S1. – Screener

Respondent ID	Feedback
200100	This office serves both a non-PL-280 and a PL-280 tribe so they were not quite sure how to answer as a result of this, though ultimately went with the most inclusive answer.
200200	This respondent had a difficult time completing the questionnaire in general and also determining if it was applicable to her office. The office has jurisdiction over non-tribal members who commit crimes in the county. The entire county is considered to be tribal lands, but they have no jurisdiction over enrolled tribal members who commit crimes or crimes involving enrolled tribal members as victims. As a result, questions that included the phrase “on tribal lands” were difficult to interpret because she felt she had to intuit exactly what we were asking and answer accordingly. She suggested some clarifying text at the start of the survey to define tribal lands or a question that captures the circumstances of the office would be helpful and provide a reference point when answering questions in the survey.
200300	Since this particular office is located in an optional PL-280 state, the office only has jurisdiction over tribal members for certain offense types. Though there might have been some initial confusion for this office in determining the answer to this question, the respondent acknowledged that there are circumstances where they would have jurisdiction, answered yes to this question, and then screened in to the survey.

S2.

Respondent ID	Feedback
200500	The respondent was a little confused about why we asked S1 first as this question asks about PL-280. It makes one of these two questions seem redundant for a PL-280 state. The respondent suggested switching the position of questions S1 and S2 or changing the question text to: “Does your office have any other basis of jurisdiction or function to any other agencies outside of PL-280?”

Are the screener questions a comprehensive and accurate way to identify agencies that provide services on tribal lands? Is the terminology too restrictive or too general?

Respondent ID	Feedback
200200	The respondent suggested that the wording of the screener in general may be too geared toward PL-280 states. They were able, more or less, to answer the screener questions, but the focus on ‘tribal lands’ makes this not applicable to them, at least not without emphasis on the clarification that it can be either native or non-native in some combination. This respondent is located in a county that is considered to be “tribal lands” entirely, but both tribal members and non-tribal members reside within the county. The office only has jurisdiction over those crimes committed by non-tribal members.

A1. – Agreements/Contracts/Types of Functions

Respondent ID	Feedback
200200	In section A, it would be helpful to have clarifying text that indicates if these apply in some or all circumstances or to any or all of the tribes/villages, to say yes. For this question specifically, may want to add a category of “Other state statutes”.
200300	They do not have any MOUs with the tribe, but the tribe may ask their office to let the tribe have jurisdiction depending on the type of the case. The options provided covered most circumstances and there were no additional suggestions.

A2.

Respondent ID	Feedback
200200	The office has jurisdiction, but only in certain circumstances. There might be some difficulty answering this for geographically “checkerboard” areas. Another question where a non-PL-280 questionnaire might be useful.
200300	This question was easy to answer because they only have one recognized tribe.
200500	This question was a little tricky because they provide some level of service to all tribes in the county, but their unit is called the “tribal gaming unit” specifically, so they may provide different levels of functions to various tribes in 2015 that they did not do in 2014.

A3.

Respondent ID	Feedback
200500	Fine, but maybe put “Alaska” in front of villages

A4.

Respondent ID	Feedback
200100	The respondent reported that this question seemed odd as any time you prosecute a case, it falls under a statute, so this seems a little redundant or strange.
200200	The response for the office should be not applicable because they do not have authority to prosecute. She answered no instead, but did not feel completely correct.
200300	This is pretty broad wording that covers most circumstances at this office. There are some ‘grey areas’ that may not be clear cut and make it difficult to answer this question, but was not the case for this office.
200500	The respondent said no because they did not include PL-280 as a federal mandate. Reference PL-280 if we want to have respondents refer to that (or not).

A5.

Respondent ID	Feedback
200500	This was also a tricky question to answer because what they deal with in relation to the tribes is informally based. They contract with the county sheriff for local services. They have an agreement with the tribes and the state of California pursuant to the 1992 tribal compact with the state wherein a special fund was created to allow a DA office to be funded. They did not include that because they were not sure if this fell under it.

	He felt like the question was asking what agreements or MOUs they had in place to coordinate prosecution, not what serves as the funding vehicle.
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A6.

Respondent ID	Feedback
200100	This office provides these services because they have jurisdiction over tribal lands and not due to any specific agreement with the tribe. Also, the word 'for' is inaccurate. "Does your office provide or administer the following services for crimes that take place on tribal lands?" might be a preferred way to ask this question. The respondent did not want their responses to be construed as if they were doing this for or on behalf of the tribe or as a favor to the tribe. They have a mandate to perform these activities.
200300	The respondent left this question blank as they do not provide services for tribes. They provide services to everyone; this is not specific to the tribe. The respondent was not sure how to answer this question since they provide services for all individuals. If we're looking to find services provided specifically to the tribe only and not also to the general public, then the wording is good, but otherwise we may want to revise or add some clarification about who we include.
200400	This question was clear, though we may want to state 'check no if you offer no other programs'.

A7.

Respondent ID	Feedback
200100	Either the office has jurisdiction or they do not. The word 'agreement' does not capture the relationship adequately. This question is also redundant.
200400	Easy to answer, but might be more difficult for some non-PL 280 states.
200500	This question was pretty clear and ties back to A5. It may be redundant with A6; A7 was interpreted to being specific to prosecution.

A8. – Information Sharing

Respondent ID	Feedback
200300	What is meant by "these cases"? All cases they prosecute go to state court. There may be other offices that have some activity in tribal court, but they do not. It may be a little out of order because we ask about cases in tribal court. A skip at A7 may be needed if you answer no to A7. Maybe add a 'not applicable for this question'.

A9.

Respondent ID	Feedback
200100	Same problem as A7. The office does not have an agreement in place, they have a mandate.
200300	There may be other offices that have some activity in tribal court, but they do not. It may be a little out of order because we ask about cases in tribal court. A skip may be needed at A7 if you answer no to A7, you do not need to answer A9. Maybe also add a 'not applicable' for this question also.

A10.

Respondent ID	Feedback
200200	This question was a little difficult to answer. Everybody on the Tribal Council was considered to be “officials”. They live in a low-density area and a close-knit community, so most interactions are informal and frequent with a variety of tribal officials.
200300	This question touches on some political issues within the tribe that may be difficult to address in the question. The respondent did not elaborate on this point. The respondent was able to answer the question, but did note that depending on the time of year that the questionnaire is received in relation to when elections are held and who is in office, they could have completely different answers from time to time based entirely on who is working on behalf of the tribe.
200500	If this question only intends to ask about meetings with tribal council members, then it needs to be more specific. The office also included non-tribal members that work with the tribe when they answered.

A11.

Respondent ID	Feedback
200200	The office meets on an informal basis; they have a gentleman’s agreement. They do not honor it formally, but they honor it in practice.

A12.

Respondent ID	Feedback
200500	Fine, but what do we mean by “mandated” – should it be federally mandated or mandated by tribe or mandated by agency? However, they do have a primary point of contact in the office that is designated by the office to act as the point of contact for the tribe.

A13.

Respondent ID	Feedback
200300	The office does not hold LE trainings exclusively for the tribe, but they do provide these services for the broader community and tribal members and staff attend – it may help to add clarifying text that states if we’re asking whether these services being provided exclusively to the tribe or as a part of larger service options. There are a lot of crossover events because this is a small community. There is a lot of mingling of staff at events that are not specifically for the tribe. You may also want to add an open ended field with the ‘other’.
200500	Pretty good question but add a paragraph about “if you provide to one or more tribes” check yes.

A14.

Respondent ID	Feedback
200200	Not applicable would have been helpful for this question. Instead they answered no.
200300	Selected ‘no’ because statistics are not classified as happening specifically on tribal lands. They do some geographic determinations on the cases, but they pertain more to billing cities for prosecution work. “We do not do that for geography

	because it may still be non-tribal folks on tribal lands. There may also be jurisdictional issues. And some crimes, such as juvenile, always fall under state jurisdiction.”
--	--

A15.

Respondent ID	Feedback
200200	This is a difficult question to answer. The office technically provides these services to non-natives on tribal lands because the entire county is tribal lands.
200300	They would access this data on any case, whether it is on tribal land or not. So this ‘no’ is not specific for tribal cases, but applies to all cases.
200400	Maybe provide some instructional text to check ‘no’ if they do not apply. Might want to change the ‘no’ to ‘no/not applicable’. This question caught his attention because prosecutors typically do not enter this information.

A16.

Respondent ID	Feedback
200300	They do not enter the numbers directly, but the local sheriff’s office does.

B1.

Respondent ID	Feedback
200500	Easy to answer, but this gets tricky because the fiscal year is from July to June. Maybe say “fiscal year ending in 2014” if you want to capture the 2013-2014 year or “ending in 2015” if you want 2014-2015.

B2. - Staffing

Respondent ID	Feedback
200300	All staff handle cases on tribal land, but they do not have anybody assigned specifically to tribal land.

B3.

Respondent ID	Feedback
200100	Indicate that you should answer ‘0’ if no employees were present.
200300	To provide this would require a change to the office structure itself. The respondent is not able to provide this information.
200500	They provided an estimate. The office used FTE numbers that they budgeted for during the fiscal year rather than counting actual people because it would have been time-consuming to provide.

B4. - Budgets

Respondent ID	Feedback
200100	It is impossible to provide an exact number.
200200	The clarification text was not necessarily needed; they disregarded this when answering and only included the salary of the prosecuting attorney since the office operates out of a county building.
200400	This was very easy to provide. They probably did not need clarifying text on what an office budget was.
200500	Understood question perfectly, but he’s not a budget person and this was the

	number that was provided by the person in his office that handles the budget. He's not sure how accurate it was to answer. However, he knows that the cost of services is significantly higher than the budgeted amount.
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B5.

Respondent ID	Feedback
200100	This question was difficult to answer because they do not track expenditures for tribal lands separately. The estimate was very ball-park in nature. There would never be a circumstance in which this information would be tracked. The respondent also recommended changing the word choice of 'arising'.
200200	The respondent provided a best guess, but would not be able to provide an exact number due to non-electronic filing system of cases. All counts would have to be manual.
200300	This information would be burdensome to start tracking and is also contingent on law enforcement to determine if this occurs on tribal land or not, not prosecutors.
200400	The estimate took a little figuring out to provide. It took probably about five to ten minutes to roughly calculate. It would be pretty difficult to provide an exact number because he would have had to estimate how much a case would have cost, as well as additional resources to break down a specific number for this.
200500	They do not have a way of distinguishing this in the budget. This was an estimate. It's very difficult to tell if a crime actually occurred on a reservation or not. The respondent took the full office operating budget and divided the tribal gaming budget by the total budget. They do not budget based on number of cases but rather what jurisdiction/unit activities are in.

B6.

Respondent ID	Feedback
200500	Not quite sure exactly how to answer. Right now they are trying to solicit funds directly from the tribe to the office, which is how they're supposed to be getting paid, but they are currently receiving no funds from the tribe. It might help to clarify what we mean by direct vs. indirect. (For example, does indirect mean paid out of a special distribution fund or a third party?)

B7.

Respondent ID	Feedback
200200	Add 'county government' into clarification text if we were going to add anything.
200400	The clarification text was helpful.

B8.

Respondent ID	Feedback
200100	The respondent recommended adding a skip instruction for this question from B7.
200300	This question was pretty clear – no federal grants, so funding sources are straight forward.
200400	We may want to consider adding 'tribal funding' source if you were going to add more options.

200500	This question is fine, but makes B6 seem redundant. We could drop B6 because B7 and B8 both cover the same information. Additionally, B6 does not specify when.
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B9.

Respondent ID	Feedback
200300	This question was pretty clear, but depends on what you are looking for. Most training goes through the prosecutor's association that they participate in. Typically there is training which includes jurisdiction issues as a matter of course of their ongoing education. They do attend informal events as well.

B11.

Respondent ID	Feedback
200300	The question was okay. Technically, most training ties back to prosecutor's association at the state level and not to the regional bar association.

C1. – Number and types of cases; case dispositions

Respondent ID	Feedback
200100	The respondent was not sure what 'arising on' means. The respondent was prompted for an acceptable substitute but was not able to come up with one. They mentioned this for other questions that contained the word 'arising', but were also not able to suggest an alternative term for those questions either. It is not clear if this is a global issue.
200500	This question was fine. We may want to add "calendar year".

C2.

Respondent ID	Feedback
200300	Options 4 and 5 (domestic violence and child abuse/neglect) are already included in the first two categories, so including these options may be redundant or not needed.
200500	This question was fine, but the term "types" is pretty broad. It seems like it's asking for two different questions because we ask by severity of the crime [felony, misdemeanor] and also by specific types of crime. They could have checked other but did not, because it seems like it makes it seem like an exclusive list if we only answer a few. Maybe drop the other? Or take case types from C4 for consistency.

C3.

Respondent ID	Feedback
200100	The numbers provided were estimates. The respondent was no very confident in the answers. It would have been impossible to provide exact numbers. They will likely never track tribal offenses. There are budgetary constraints, as well as staffing and other resource constraints, plus there is no real need to track this information in their office.
200200	It is unlikely that the office would ever be able to provide this – they would have to do a manual search. It would have taken about half a day to pull this information.
200300	Easy information to provide for part A. Declines are a little tougher to provide, so the office manager pulled this data. For part B, technically they could provide this if the only qualifier was 'boundaries of the reservation'. It would be difficult to

	estimate how many weeks it would take to pull this information from their system even with that qualifier. They have this information for cities, but pulling this in for reservations would be difficult. As a result, he was not able to provide numbers for all parts of this question.
200500	The numbers he provided are fairly close to exact. The total is much more accurate to tribal only. They can track every case that comes in, but they do not necessarily have the ability to distinguish between tribal or non-tribal. If the case is brought in to the gaming unit, it is counted as "tribal".

C4.

Respondent ID	Feedback
200100	The respondent is not sure exactly how accurate the numbers were. The respondent asked legal assistance staff to provide this information. It took them about a week or two to pull and get back to respondent. For tribal numbers, there is no ability to provide this information at this office. Providing it would require a major structural change within the office, as well as resources and funds that are not available.
200200	These were clear and they were unable to provide the information as they do not track this electronically. There is a single person working in the office, so the burden of providing or tracking this would be too high for the purposes of this survey. To provide tribal counts, this would have taken half a day as well. To provide a total number, they would have needed to ask a clerk. The clerk may or may not have provided this if they had asked for it because they are not required to provide level of information to the prosecutor office.
200300	They could pull the numbers for the overall data, but it would come from multiple sources. Some of this data could be pulled, but it would have to be pulled by statute, and then by offense date. It would be fairly burdensome. They do not track it because the courts already track this and there is no need for the office to track this information as well. Some of the higher profile items would be easy to provide (i.e. homicides) but the lower types would be harder and all numbers would be estimates. They do not need this for any internal reporting purpose so they just do not have it.
200400	The definitions were helpful to have. If they would not have been provided, they would have pulled in a lot of other information. It actually made the process easier and less time consuming. However, these two questions [C3 and C4] probably took about, in total, two hours to complete. The time spent was split between the two categories of total referrals and tribal land only referrals. Providing estimates would have taken about the same amount of time because he wanted to provide 'good estimates'. They have the most tribes and casinos of any tribe so they make an extra effort to track this. It's possible that they receive more funding/assistance than other agencies. Because LE is a primary responder for so many casinos and tribes, they anticipate they will have a high volume of cases to process and provide appropriate resources, which allows for more sophisticated and robust tracking system. They have the most sovereign tribes of any county in the country.

200500	All of the counts that were provided were crimes coming through tribal gaming unit, and not necessarily crimes that occurred specifically on tribal lands – he couldn't get a more accurate number via other methods. The office is unable to pull information for crimes that occur specifically on tribal lands. Numbers are only as good as what is being inputted. Important to distinguish between tribal related and non-tribal related. It'd be much easier to report "tribal related" vs. "on tribal lands". Additionally, do we mean 'filed' when we say 'referred'? This took a very long time to answer. Probably took five or six hours to pull, over multiple sessions, so probably took several days and delayed return of the survey for several days as well.
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General Questions:

Was it difficult to complete the survey?

Respondent ID	Feedback
200200	There needed to be some substantial wording changes or a box where they could explain how this survey would apply to their situation in order to reduce the difficulty of the survey for this particular office.
200500	The survey was mostly time consuming, not difficult. The respondent understands that it had to be generic. It would have been extremely helpful to have information on how this data is going to be used. They were not sure how serious the responses needed to be.

Were additional definitions needed?

Respondent ID	Feedback
200200	She was not sure what the purpose of the survey was. Without some understanding of how the data will be used, they were not sure exactly how to answer.

What systems/records did you use to complete the survey?

Respondent ID	Feedback
200200	Own personal knowledge.
200400	They have their own internal CMS that tracks the statistics for case purposes. He also referred to some budget statistics and internal budget documents that he stores on his computer, such as a budgeting spreadsheet.

About how long did it take you to complete the survey?

Respondent ID	Feedback
200200	30 minutes
200300	About 45 minutes
200400	Four hours total

Were you able to complete the survey all at once or did it require multiple sessions?

Respondent ID	Feedback
200100	Multiple sessions
200300	Completed all at once
200400	Multiple sessions

200500	Multiple sessions
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Was the level of effort to complete the survey appropriate for the questions the survey asked?

Respondent ID	Feedback
200100	It was of medium difficulty and no, not appropriate.
200300	Sometimes unsure about what data we were trying to get, but did not feel overwhelming. Respondent remarked it might have been easier for them to complete the survey because they do not have jurisdiction over tribes.
200500	Hard to know if they do not know how the data is going to be used. If the survey was going to determine the amount of funding, they would spend much more time on it. If it's just for general information, they might not spend as much time.

Were any of these questions not applicable to your agency? Which ones?

Respondent ID	Feedback
200200	She's not sure why we were asking these questions. Not sure if the focus should be on interaction or just funding and needs for funding or just on the funding needs. It's difficult to capture the nuance on 'cooperation' with tribes on a survey to survey basis, but the statistics/funding information may be easier to capture and more useful in the long-run. Cooperation with the tribe is not the problem; it is how funding is determined. Because of a need to hit certain numbers in order to maintain funding levels, different agencies are less likely to share/work together. If funding did not force policing/prosecution in this direction, she feels that cooperation between agencies and tribes would be better. As a result, she's not sure that the nuance of relationships with the tribe could be captured in a survey and suggested that our questions regarding interactions with the tribe could be dropped.

In your opinion, would it be better to provide a due date for the survey or should we ask for it to be returned as soon as possible?

Respondent ID	Feedback
200100	The respondent did not think it would make much of a difference one way or another.
200200	A due date would be okay, but a web survey would have been faster to complete. A more concise survey would have meant it was returned sooner.
200300	A due date is fine as long as it is reasonable. Four weeks should be sufficient to complete the survey.
200400	Ask for a due date – two to four weeks would be appropriate
200500	Depends on what the survey is for. This is more important in how quickly the survey will get returned. Two to three weeks should be enough time to complete the survey.

In your opinion, what mode of communication would be most effective in reminding you to complete the survey: telephone calls, e-mails, faxes or mailings?

Respondent ID	Feedback
200100	Telephone calls and emails.
200200	Email

200300	In the mail and follow it up by phone. Prefer electronic survey wherever possible.
200400	Email is the best way. Would have completed a survey online but would want the paper survey to make it easier to gather data.
200500	Emails were the best. Preferred interactive Adobe form to forward and have accountability from other staff. PDF allows them to complete it on their smartphone and then work on it there. They can also work on it offline without having an internet.

APPENDIX B: CSLPOSTL CONTACTING MATERIALS

**U.S. Department of Justice**

Office of Justice Programs

Bureau of Justice Statistics

Washington, D.C. 20531

Dear <<FIRST_NAME>> <<LAST_NAME>>:

The U.S. Department of Justice, Bureau of Justice Statistics (BJS) is conducting a pilot test of the survey instrument for its *Census of State and Local Justice Agencies Serving Tribal Lands* (SLJASTL) and is asking your agency to participate. The goal of the SLJASTL is to identify the justice system attributes, policies, and practices of non-tribal prosecutorial activities on tribal lands. The study will be most impactful if it is informed by persons, like you, who are directly involved in the provision of prosecutorial services on tribal lands. NORC at the University of Chicago is the data collection agent for the SLJASTL. The Association of Prosecuting Attorneys (APA) is also assisting us with this important study.

Your participation in the pilot test is voluntary. However, without your input, we will not have a complete picture of the quality of the instrument and data collection procedures before the main study is launched. Consistent with its mission, BJS is authorized to collect these data and will use them solely for research and statistical purposes only as described in Title 42, U.S.C. §3735 and §3789g. We take confidentiality and human subject protection very seriously. Your cooperation in providing us this information will greatly assist this study. To participate in the pilot survey, please fill out the enclosed questionnaire in its entirety and return it to NORC, using the provided envelope. It should take about thirty minutes to fill out.

Upon receipt of your completed questionnaire, an NORC representative will contact you to arrange a time to discuss the survey. The debriefing should only take a few minutes of your time and we will use your feedback to revise the questionnaire and data collection procedures prior to the national data collection effort. In order to complete the pilot test in a timely manner, we ask that you complete the survey by June 3, 2015.

We hope that you will be able to help us with this review. If you need assistance with the questionnaire, please contact NORC toll-free at 1- 877-253-2087 or via e-mail at sljastl@norc.org. Also, please feel free to contact Andrew Tiedt, the BJS Project Manager, at 1-202-616-3892 or via e-mail at Andrew.Tiedt@usdoj.gov should you have any questions about the pre-test activities.

Sincerely,

William J. Sabol, Ph.D.
Director

Enclosure

**Census of State and Local Prosecutor Offices Serving Tribal Lands
Pilot Test
Feedback Script/Questionnaire**

Hi,

My name is _____ and I'm calling on behalf of the Bureau of Justice Statistics regarding the Census of State and Local Prosecutor Offices Serving Tribal Lands pilot. May I please speak to _____?

I'm calling regarding the Census of State and Local Prosecutor Offices Serving Tribal Lands pilot survey you recently completed for us. Thank you so much for completing the survey. Could we schedule a time to conduct a debriefing of the survey? It shouldn't take more than one hour.

If can do right away....make sure they have copy of completed survey in front of them.

Great, so let me walk you through the basic process of how the debriefing will work. We'll go through the survey questions, and for each I'll ask you a couple of questions about the clarity of the question, the response choices and your overall ease at providing the information. We will also talk about how long the survey took to complete and review your responses to the feedback questions on the survey. I have your survey responses in front of me. Do you have any questions before we start?

For each question, probe for:

Anything that was unclear or confusing in the wording or any terminology that needed to be better defined.

Any response options that were unclear, confusing, overlapping, or missing.

Any requested information that was not available and could not be reasonably provided. **If not able to provide:** What steps would be necessary to get the information?

Form SLJASTL-15a

RETURN TO
 NORC
 55 E Monroe Street
 19th Floor
 Chicago, IL 60603

**U.S. Department of Justice
 Bureau of Justice Statistics**
 (NORC acting as data collection agent)



**Census of State and Local Prosecutor
 Offices Serving Tribal Lands**

Please record the eight digit PIN assigned to your office, the name of the current prosecutor, the office name and address for your office below.
 If you are unable to locate the PIN assigned to your office, please contact SLJASTL@norc.org.

PIN

PROSECUTOR'S NAME

OFFICE NAME

STREET ADDRESS

CITY

STATE

ZIP

INFORMATION SUPPLIED BY

NAME

TITLE

TELEPHONE

Area Code

Number

Extension

FAX

Area Code

Number

EMAIL ADDRESS

The Census of State and Local Prosecutor Offices Serving Tribal Lands (CSLPOSTL) is a census of all prosecutor offices that have jurisdiction over and/or provided services on tribal lands in 2015. Information collected on this form will provide needed information to prosecutor offices, federal agencies, and stakeholders working on tribal lands. Your assistance is greatly appreciated.

INSTRUCTIONS

1. Please answer all questions with reference to the prosecutor's office specified above.
2. For all questions, the phrase "in 2015" refers to **January 1, 2015 through December 31, 2015**, unless otherwise specified.
3. Some questions ask for exact counts of staff persons in the prosecutor's office or of types of cases handled by the office. If you are unable to provide an exact count in response to any such question, please provide your best estimate. If your office does not track certain information, please mark the "do not track" checkbox.
4. For any series of yes or no response questions, please check either "yes" or "no" for each option.
5. Please submit your completed form by mailing it to NORC in the enclosed postage-paid envelope or by faxing each page toll-free to NORC at 1-866-315-7129.
6. If you have questions or if you need assistance in completing the survey, please contact NORC via e-mail at SLJASTL@norc.org or call 1-877-253-2087.

BURDEN STATEMENT

Federal agencies may not conduct or sponsor an information collection, and a person is not required to respond to a collection of information, unless it displays a currently valid OMB Control Number. Public reporting burden for this collection of information is estimated to average 60 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspects of this collection of information, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, NW, Washington, DC 20531. The Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 USC 3732), authorizes this information collection. Although this survey is voluntary, we need your participation to make the results comprehensive, accurate, and timely.

Screener Questions

Your office has been selected for this survey based on an affirmative response on the 2014 National Survey of Prosecutors to an item that asked if your office had jurisdiction to prosecute criminal cases when the crime occurred on tribal lands or based on your office's proximity to tribal lands.

Please answer the following questions:

S1. In 2015 did your office have jurisdiction to prosecute criminal offenders who allegedly committed crimes involving tribal or non-tribal persons on tribal lands? *The term "tribal lands" includes areas labeled Indian Country, federal or state recognized reservations, trust lands, Alaska Native villages, and/or tribal communities.*

- 1 ☐ Yes
2 ☐ No
3 ☐ Unknown

S2. In 2015 did your office provide any justice services other than prosecution or participate in justice-related activities on tribal lands? *Some examples of other services and activities include participation in task forces, victim notification, consulting services, training and technical assistance.*

- 1 ☐ Yes
2 ☐ No → If you responded No to both S1 and S2, please stop here and mail/fax survey to the location provided on the previous page
3 ☐ Unknown

S3. For crimes occurring on tribal lands, whom did your office have the authority to prosecute in 2015? *Your office may have varying authority across different tribal lands. When answering this question, please respond "yes" if it applies to at least one of the tribes or villages with which your office had an agreement.*

Authority to prosecute crimes involving	Yes	No
a. Indian offenders, Indian victims.	1 ☐	2 ☐
b. Indian offenders, non-Indian victims	1 ☐	2 ☐
c. Non-Indian offenders, Indian victims.	1 ☐	2 ☐
d. Non-Indian offenders, non-Indian victims	1 ☐	2 ☐
e. Other (specify): _____	1 ☐	2 ☐

Section A. Administration

Agreements/Contracts/Types of Functions Performed/Information sharing

A1. In 2015, under what authority did your office exercise jurisdiction for the prosecution of Indian or non-Indian offenders whose crimes occurred on tribal lands?

- | | Yes | No | Unknown |
|--|----------------------------|----------------------------|----------------------------|
| a. Federal and/or state legislation authorizes (e.g., Public Law 280) | 1 ☐ | 2 ☐ | 3 ☐ |
| b. Memoranda of Understanding (MOUs), Mutual Aid Agreements (MAA), or other written agreements for service between tribal government and the state or jurisdictional neighbors | 1 ☐ | 2 ☐ | 3 ☐ |
| c. Informal or unwritten agreements between jurisdictional neighbors (county governments and the tribe/tribal courts) . . | 1 ☐ | 2 ☐ | 3 ☐ |
| d. Agreements to provide services to tribes without recognized lands or to tribal communities recognized at the state, but not federal level. | 1 ☐ | 2 ☐ | 3 ☐ |
| e. Other agreements (specify):
_____ | 1 ☐ | 2 ☐ | 3 ☐ |

A2. Please provide the names of all the tribal lands or villages for which your office provided prosecution services in 2015. *If your office provides services to more than 5 tribes, please check the box below and include a hardcopy list with this survey.*

1. _____
 2. _____
 3. _____
 4. _____
 5. _____
- ☐ A printed list of tribes is included

Your office may have formal or informal agreements with one or more tribes. When answering the following questions, please respond 'yes' if it applies to at least one of the tribes or villages with which your office has an agreement. As a reminder, the term 'tribal lands' includes areas labeled Indian Country, federal or state recognized reservations, trust lands, Alaska Native villages, and/or tribal communities.

A3. In 2015, did any tribes or villages for which your office prosecuted crimes that occur on tribal lands have their own tribal court system?

- 1 ☐ Yes
2 ☐ No
3 ☐ Unknown

A4. In 2015, what types of formal or informal written policies or agreements did your office have to coordinate with tribes or villages involving the prosecution of crimes occurring on tribal lands?

Type of agreement	Yes	No	Unknown
a. Data and information sharing agreements	1 ☐	2 ☐	3 ☐
b. Prosecution services provision agreements	1 ☐	2 ☐	3 ☐
c. Social services coordination	1 ☐	2 ☐	3 ☐
d. Case referral agreements	1 ☐	2 ☐	3 ☐
e. Other (specify): _____	1 ☐	2 ☐	3 ☐

A5. In 2015, which of the following services did your office provide or administer for crimes occurring on tribal lands? Please include services or programs offered to all residents that were also open to tribal members.

Type of service	Yes	No	Unknown
a. Prosecution	1 ☐	2 ☐	3 ☐
b. Victim and/or witness services	1 ☐	2 ☐	3 ☐
c. Law enforcement training	1 ☐	2 ☐	3 ☐
d. Community outreach/crime prevention	1 ☐	2 ☐	3 ☐
e. Diversion programs	1 ☐	2 ☐	3 ☐
f. Other (specify): _____	1 ☐	2 ☐	3 ☐

A6. In 2015, did your office have an agreement to prosecute offenses on behalf of the tribe?

- 1 ☐ Yes
 2 ☐ No → Skip to A9
 3 ☐ Unknown → Skip to A9

A7. In 2015, did your office prosecute these cases in state court, tribal court, or both?

- 1 ☐ Only State Court
 2 ☐ Only Tribal Court
 3 ☐ Both
 4 ☐ Unknown

A8. In 2015, did your office prosecute felony cases, misdemeanor cases, or both under this agreement?

- 1 ☐ Felony
 2 ☐ Misdemeanor
 3 ☐ Both
 4 ☐ Unknown

Information sharing

A9. In 2015, did your office hold meetings or other events with tribal officials (e.g., tribal council, Tribal Chief of Police, and tribal elders)?

- 1 ☐ Yes
 2 ☐ No → Skip to A11
 3 ☐ Unknown → Skip to A11

A10. In 2015, how often did your office have contact with tribal officials (e.g., tribal council, Chief of Police, and tribal elders)?

- 1 ☐ At least once a week
 2 ☐ Once a month
 3 ☐ A few times a year
 4 ☐ Once
 5 ☐ Other (specify): _____
 6 ☐ Unknown

A11. In 2015, which of the following activities were conducted with the tribe(s)? Please include activities offered to all residents that were also open to and attended by tribal members.

Type of activity	Yes	No	Unknown
a. Meeting with local businesses.	1 ☐	2 ☐	3 ☐
b. Meeting with school officials	1 ☐	2 ☐	3 ☐
c. Back-to-school events	1 ☐	2 ☐	3 ☐
d. Presentations on crime prevention	1 ☐	2 ☐	3 ☐
e. Information sharing	1 ☐	2 ☐	3 ☐
f. Law enforcement training	1 ☐	2 ☐	3 ☐
g. Other (pow-wow, health fair, etc., specify): _____	1 ☐	2 ☐	3 ☐
h. No Activities	1 ☐	2 ☐	3 ☐

A12. In 2015, did your office have any agreements with tribal governments for prosecutorial diversion? An example would be that your office agreed to stay prosecution while the offender completed a tribal program.

- 1 ☐ Yes
 2 ☐ No
 3 ☐ Unknown

A13. In 2015, did your office have any agreements with tribal governments for all or part of an offender's sentence to be monitored by the tribal government?

- 1 ☐ Yes
 2 ☐ No
 3 ☐ Unknown

A14. In 2015, did the tribe normally provide your office with the following information:

Type of information	Yes	No	Unknown
a. Prior convictions	1 ☐	2 ☐	3 ☐
b. Tribal enrollment status of offenders/victims	1 ☐	2 ☐	3 ☐
c. Status of land on tribal lands (whether trust or fee simple)	1 ☐	2 ☐	3 ☐
d. Current copies of tribal domestic violence protective orders	1 ☐	2 ☐	3 ☐
e. Tribal codes/statutes	1 ☐	2 ☐	3 ☐
f. Violations of any prosecutorial diversion agreements	1 ☐	2 ☐	3 ☐
g. Violations of state/tribal sentencing agreements	1 ☐	2 ☐	3 ☐

A15. In 2015, did your office provide the tribe with the final disposition for cases prosecuted by your office regarding crimes that occurred on tribal lands?

- 1 ☐ Yes
 2 ☐ No
 3 ☐ Unknown

A16. In 2015, did your office have an agreement with tribal governments regarding the following?

Type of agreement	Yes	No	Unknown
a. Obtaining search warrants for tribal lands . . .	1 ☐ 2 ☐ 3 ☐		
b. Serving search warrants on tribal lands . . .	1 ☐ 2 ☐ 3 ☐		
c. Serving arrest warrants on tribal lands . . .	1 ☐ 2 ☐ 3 ☐		
d. Enforcing subpoenas on tribal lands	1 ☐ 2 ☐ 3 ☐		
e. Exchanging information on jail detainees with tribal governments	1 ☐ 2 ☐ 3 ☐		
f. Extraditing persons from tribal lands	1 ☐ 2 ☐ 3 ☐		
g. Rendering witnesses or victims from tribal lands	1 ☐ 2 ☐ 3 ☐		

A17. In 2015, was there an identified point of contact within your office for tribal affairs?

- 1 ☐ Yes
 2 ☐ No
 3 ☐ Unknown

A18. In 2015, was there an identified point of contact at the U.S. Attorney's office regarding crimes occurring on tribal lands?

- 1 ☐ Yes
 2 ☐ No
 3 ☐ Unknown

A19. In 2015, how often did your office have contact with the U.S. Attorney's office regarding tribal lands?

- 1 ☐ At least once a week
 2 ☐ Once a month
 3 ☐ A few times a year
 4 ☐ Once
 5 ☐ Other (specify): _____
 6 ☐ Unknown

Section B. Staffing, Budgets, Training

Staffing

In this section, please refer specifically to your fiscal year for 2015. Your office may have one or multiple formal or informal agreements with one or more tribes. When answering the following questions, please respond 'yes' if it applies to at least one of the tribes or villages with which your office has an agreement.

B1. The reference period for only this portion of the survey is fiscal year 2015. What were the dates of your office's fiscal year for 2015?

- 1 ☐ Calendar year (January 1, 2015 to December 31, 2015)
 2 ☐ Fiscal year starting on July 1, 2014 and ending on June 30, 2015
 3 ☐ Other budget cycle: (Please indicate the dates of your office's 2015 budget cycle)

_____ to _____
 mm dd yyyy mm dd yyyy

B2. As of June 30, 2015, how many total litigating attorneys (including the Chief Prosecutor) worked in your office? If you cannot provide an exact count, please provide your best estimate and check the "Estimate" box.

Number of Prosecutors Estimate Unknown

- a. Full time. _____ ☐ ☐
 b. Part time _____ ☐ ☐

B3. In fiscal year 2015, did your office assign staff specifically to cases occurring on tribal lands?

- 1 ☐ Yes
 2 ☐ No
 3 ☐ Unknown

B4. As of June 30, 2015, how many litigating attorneys (including the Chief Prosecutor) had responsibility for prosecuting cases occurring on tribal lands? If all prosecutors could handle cases, please enter the total number of prosecutors in your office. If no prosecutors handle tribal cases, please enter 0. If you cannot provide an exact count, please provide your best estimate and check the "Estimate" box.

Number of Prosecutors Estimate Unknown

- a. Full time. _____ ☐ ☐
 b. Part time _____ ☐ ☐

B5. In 2015, what percentage of total staff time was spent prosecuting cases occurring on tribal lands?

_____ % ☐ Estimate ☐ Unknown

Budgets

- B6. What was your office's total annual operating budget for fiscal year 2015?** *Operating budget is defined as all recurring fixed and variable costs associated with the management and administration of your system. It does not include non-recurring fixed capital costs, such as building construction and major equipment purchase.*

\$ _____ .00 ☐ Estimate ☐ Unknown

- B7. In fiscal year 2015, did your office track operating budget separately for crimes occurring on tribal lands?**

- 1 ☐ Yes
2 ☐ No, but planning to do so in the future
3 ☐ No, no plans to do so
4 ☐ Unknown

- B8. In fiscal year 2015, did your office receive funding directly or indirectly from any tribe to support prosecutorial functions?** *This includes monetary and in-kind contributions, such as office space or heating.*

- 1 ☐ Yes
2 ☐ No → **Skip to B10**
3 ☐ Unknown → **Skip to B10**

- B9. How much funding did your agency receive in fiscal year 2015 from tribes directly or indirectly?** *If you cannot provide an exact amount, please provide your best estimate and check the 'Estimate' box.*

\$ _____ .00 ☐ Estimate ☐ Unknown

- B10. In fiscal year 2015, did your office receive any funding from non-tribal sources directly to support prosecutorial functions on tribal lands?** *This funding can include grants or funding from outside sources, such as BIA, county government, state government, or federal government as well as other sources, such as private funding.*

- 1 ☐ Yes
2 ☐ No → **Skip to B12**
3 ☐ Unknown → **Skip to B12**

- B11. In fiscal year 2015, from what sources did your office receive this funding?**

Type of source	Yes	No	Unknown
a. Federal funding source	1 ☐ 2 ☐ 3 ☐		
b. State funding source	1 ☐ 2 ☐ 3 ☐		
c. Municipal funding source.	1 ☐ 2 ☐ 3 ☐		
d. Private funding source.	1 ☐ 2 ☐ 3 ☐		
e. Other (specify): _____	1 ☐ 2 ☐ 3 ☐		

Training

- B12. Did prosecutors in your office receive formal or informal training on tribal jurisdiction, law, or culture prior to working with tribal lands at any time during calendar year 2015?**

- 1 ☐ Yes
2 ☐ No
3 ☐ Unknown

- B13. What kind of training was received in calendar year 2015?**

Type of source	Yes	No	Unknown
a. Training on tribal legal systems.	1 ☐ 2 ☐ 3 ☐		
b. Training on traditional conflict resolution. . .	1 ☐ 2 ☐ 3 ☐		
c. Cultural training	1 ☐ 2 ☐ 3 ☐		
d. Training on sovereignty and jurisdictional issues	1 ☐ 2 ☐ 3 ☐		
e. Other (specify): _____	1 ☐ 2 ☐ 3 ☐		

- B14. In calendar year 2015, approximately how many hours of training on tribal jurisdiction, law, or culture did prosecutors who prosecute cases occurring on tribal lands receive in the following situations?** *If you cannot provide an exact count, please provide your best estimate and check the "Estimate" box.*

Hours per prosecutor	Estimate	Unknown
a. Initial training prior to working on tribal lands . . . _____	☐	☐
b. Yearly training thereafter . . . _____	☐	☐

- B15. In calendar year 2015, did your office engage in any joint training opportunities with tribal governments?**

- 1 ☐ Yes
2 ☐ No → **Skip to C1**
3 ☐ Unknown → **Skip to C1**

- B16. In calendar year 2015, what entities in your region provided opportunities for joint training with tribes?**

Type of source	Yes	No	Unknown
a. State prosecuting associations	1 ☐ 2 ☐ 3 ☐		
b. Regional bar associations	1 ☐ 2 ☐ 3 ☐		
c. Indian legal services	1 ☐ 2 ☐ 3 ☐		
d. State Government or government contractors.	1 ☐ 2 ☐ 3 ☐		
e. Non-profit organizations	1 ☐ 2 ☐ 3 ☐		
f. Your office	1 ☐ 2 ☐ 3 ☐		
g. Tribal government	1 ☐ 2 ☐ 3 ☐		
h. Other (specify): _____	1 ☐ 2 ☐ 3 ☐		

Section C. Caseloads

Number and types of cases

C1. During calendar year 2015, did your office prosecute cases arising on tribal lands?

- 1 ☐ Yes
2 ☐ No
3 ☐ Unknown

C2. What types of cases arising on tribal lands were handled by your office in 2015?

Type of cases	Yes	No	Unknown
a. Felonies	1 ☐ 2 ☐ 3 ☐		
b. Misdemeanors	1 ☐ 2 ☐ 3 ☐		
c. Juvenile delinquency	1 ☐ 2 ☐ 3 ☐		
d. Domestic violence	1 ☐ 2 ☐ 3 ☐		
e. Juvenile status offenses (e.g., truancy, etc)	1 ☐ 2 ☐ 3 ☐		
f. Child abuse/neglect	1 ☐ 2 ☐ 3 ☐		
g. Child in Need of Services/Child in Need of Assistance (or other similar case types)	1 ☐ 2 ☐ 3 ☐		
h. Civil commitments/Mental health commitments	1 ☐ 2 ☐ 3 ☐		
i. Other (specify): _____	1 ☐ 2 ☐ 3 ☐		

C3. Please provide the total number of matters referred to your office for investigation/prosecution and the number of matters charged by your office in 2015. A referred case is a case submitted to your office for investigation and possible prosecution. If you cannot provide an exact count, please provide your best estimate and check the Estimate box.

☐ Please check this box if the information is collected by your office, but would be too burdensome to report

Referrals in 2015	Number of cases referred to your office in 2015	Number of cases charged by your office in 2015	Estimate	Unknown
a. For crimes occurring on tribal and non-tribal lands	_____	_____	☐	☐
b. For crimes occurring on tribal lands only	_____	_____	☐	☐

C4. In 2015, what were the more common reasons for declinations of prosecution for crimes occurring on tribal lands?

Type of cases	Yes	No	Unknown
a. Office lacks jurisdiction over the offender	1 ☐ 2 ☐ 3 ☐		
b. Office lacks jurisdiction over the location	1 ☐ 2 ☐ 3 ☐		
c. Agreement that tribe would handle the case	1 ☐ 2 ☐ 3 ☐		
d. Agreement that US Attorney's office would handle the case	1 ☐ 2 ☐ 3 ☐		
e. Other (specify): _____	1 ☐ 2 ☐ 3 ☐		

C5. In 2015, can your office's reported case counts be reported separately for cases occurring on and off tribal lands?

- 1 ☐ Yes
2 ☐ No
3 ☐ Unknown

The following crime categories conform to the Federal Bureau of Investigation's (FBI) Uniform Crime Reporting (UCR) definitions. These definitions are included at the end of this survey for your convenience.

C6. For each of the following crimes, please provide the number of cases referred to your office in the last calendar year for which you have statistics. If the exact number is not known, please provide an estimate and indicate this in the appropriate column for that offense. If a count is unknown, please indicate this in the appropriate column for that offense.

Please indicate the year for which your office has provided statistics:

_____ Year

Please check this box if the information is collected by your office, but would be too burdensome to report ☐

Most serious charge at referral	Cases occurring both off and on tribal lands. Total number of cases referred to your office in 2015.	Estimate: (Place a check mark if the recorded counts are estimates)	Unknown or Do not Track: (Place a check mark in the box if unknown or not tracked)	Cases occurring only on tribal lands. Total number of cases referred to your office in 2015.	Estimate: (Place a check mark if the recorded counts are estimates)	Unknown or Do not Track: (Place a check mark in the box if unknown or not tracked)
a. Murder	_____	☐	☐	_____	☐	☐
b. Rape	_____	☐	☐	_____	☐	☐
c. Robbery	_____	☐	☐	_____	☐	☐
d. Aggravated Assault	_____	☐	☐	_____	☐	☐
e. Simple assault	_____	☐	☐	_____	☐	☐
f. Burglary	_____	☐	☐	_____	☐	☐
g. Larceny/Motor Vehicle Theft	_____	☐	☐	_____	☐	☐
h. Drug Trafficking	_____	☐	☐	_____	☐	☐
i. Drug Possession	_____	☐	☐	_____	☐	☐
j. Weapons	_____	☐	☐	_____	☐	☐
k. Driving under the influence	_____	☐	☐	_____	☐	☐

FBI UCR DEFINITIONS

Murder and non-negligent manslaughter: The willful (non-negligent) killing of one human being by another.

Rape: Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.

Other assaults (simple): Assaults and attempted assaults where no weapon was used or no serious or aggravated injury resulted to the victim. Stalking, intimidation, coercion, and hazing are included.

Burglary: The unlawful entry of a structure to commit a felony or a theft, including attempted forcible entry.

Larceny-theft (except motor vehicle theft): The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Motor vehicle theft: The theft or attempted theft of a motor vehicle.

Drug trafficking: The violation of laws prohibiting the production and distribution, of certain controlled substances.

Drug possession: The unlawful cultivation, purchase, use or possession of controlled substances.

Weapons: carrying, possessing, etc.: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Driving under the influence: Driving or operating a motor vehicle or common carrier while mentally or physically impaired as the result of consuming an alcoholic beverage or using a drug or narcotic.

Please submit your completed form by mailing it to NORC in the enclosed postage-paid envelope or by faxing each page toll-free to NORC at 1-866-315-7129.

If you have questions or concerns, or if you need assistance in completing the survey, please contact NORC via e-mail at SLJASTL@norc.org, or call 1-877-253-2087.

Prosecutor Offices Unknown Universe Screener Postcard

The Bureau of Justice Statistics (BJS) is conducting the Census of State and Local Prosecutor Offices Serving Tribal Lands, the first study to collect information from all non-tribal prosecutor offices that provide services to tribal lands. Please answer the following questions, which will determine your office's eligibility for the study. Return this postcard to NORC via mail, or scan it and email to SLJASTL@norc.org, or fax it to 1-866-315-7129. If you have any questions, please contact us at SLJASTL@norc.org or call 1-877-253-2087. [WE WILL HAVE A BRE METER FOR MAILING BACK THE POSTCARD AT NO COST TO THE RESPONDENT]

Thank you for your assistance with this important effort.

S1. In 2015 did your office have jurisdiction to prosecute criminal offenders who allegedly committed crimes involving tribal or non-tribal persons on tribal lands? *The term "tribal lands" includes areas labeled Indian Country, federal or state recognized reservations, trust lands, Alaska Native villages, and/ or tribal communities.*

Yes

No

Unknown

S2. In 2015 did your office provide any justice services other than prosecution or participate in justice-related activities on tribal lands? *Some examples of other services and activities include participation in task forces, victim notification, consulting services, training and technical assistance.*

Yes

No

Unknown



U. S. Department of Justice
Office of Justice Programs

Bureau of Justice Statistics

Washington, D.C. 20531

[Date]

[SUID]

(PNAME) (PTITLE)
(AGENCYNAME)
(PADDR)
(PCITY), (PSTATE) (PZIP)

Dear (PNAME),

Criminal jurisdiction over crimes that occur on tribal lands is complex, with many tribal lands having overlapping responsibilities of federal, state and tribal prosecutors. Currently, national data collections are able to document the responsibilities, activities and workloads of federal and tribal prosecutors, but little is known about the level of effort this responsibility has on the work of state and local prosecutor offices. State and local prosecutor offices that service tribal lands are faced with navigating complex legal relationships with their tribes, with different recruitment issues, with increased training needs, with increased resource needs and with increased community relationship demands. Documenting the operations of prosecutor offices that service tribal lands is essential to support requests for funding and to target funds to areas of greatest need.

The Bureau of Justice Statistics (BJS), the principal statistical agency of the U.S. Department of Justice, will be sending an important survey to all state and local prosecutor offices that provide services on tribal lands. This survey, called the Census of State and Local Prosecutor Office Serving Tribal Lands (CSLPOSTL) includes all state and local prosecutor offices that may have jurisdiction or provide justice services on tribal lands in 2015. The survey will ask about the types of agreements prosecutor offices have with tribal governments, the number and types of cases over which prosecutor offices have jurisdiction, and the amount of time spent prosecuting cases arising on tribal lands. The CSLPOSTL survey is part of a larger effort within BJS's State and Local Justice Agencies Serving Tribal Lands (SLJASTL) program. The SLJASTL is the first national effort to collect data from state and local law enforcement agencies and prosecutor offices serving tribal lands.

The Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. 3732), provides authorization for this information collection. The request for information is in accordance with the clearance requirement of the Paperwork Reduction Act of 1980, as amended (44 U.S.C. 3507).

If you have questions regarding the CSLPOSTL data collection, please contact NORC, the data collection agent at SLJASTL@norc.org or at 1-877-253-2087. If you have general comments about the SLJASTL program, please contact Suzanne Strong of BJS at Suzanne.M.Strong@usdoj.gov or at (202) 616-3666.

Please respond to this survey when you receive it. We expect that the data collected will be valuable to researchers, prosecutors, and policy-makers at the tribal, local, state, and federal levels.

Sincerely,

Jeri M. Mulrow, Acting Director



at the UNIVERSITY of CHICAGO

1 North State Street
16th Floor
Chicago IL 60602
office (312) 759-5200
fax (312) 759-4004
www.norc.org

[Date]

[SUID]

(PNAME)
(PTITLE)
(PADDR)
(PCITY), (PSTATE) (PZIP)

Dear (PNAME),

The Department of Justice, Bureau of Justice Statistics (BJS) is currently conducting the **Census of State and Local Prosecutor Offices Serving Tribal Lands (CSLPOSTL)**, a survey of all prosecutor offices that reported having jurisdiction or providing services on tribal lands in 2015. The CSLPOSTL survey is part of a larger effort by BJS called the State and Local Justice Agencies Serving Tribal Lands (SLJASTL) program.

The CSLPOSTL is the only national effort to collect data on the jurisdiction and justice services provided by non-tribal prosecutor offices on tribal lands. Information on agreements with tribes, functions performed on tribal lands, staff working on tribal lands, budget and caseload will inform decision makers about the work that state and local prosecutor offices conduct on tribal lands. The terms tribal lands and justice services are defined as:

Tribal Lands: includes areas labeled as Indian Country, federal or state recognized reservations, trust lands, Alaska Native villages including those administered by Alaska Native Corporations, and/or tribal communities.

Justice services: includes prosecutorial activities and any justice services other than prosecution including participation in task forces, victim notification, consulting services, training and technical assistance.

For your convenience, any knowledgeable person from your office may respond to the CSLPOSTL in one of several ways:

Electronically: To complete the survey on behalf of your office, we encourage you to download and complete a fillable PDF survey and return it via email to SLJASTL@norc.org. To access the PDF survey, please type the following address into your internet browser and use the unique PIN assigned to your office to identify your survey:

URL: XXXXXXXXXX

PIN: <<pin>>

Paper: If you prefer to complete a paper version of the survey, complete and return the enclosed questionnaire in the postage-paid envelope. You can also fax each page toll-free to 1-866-315-7129 or e-mail a scanned copy to SLJASTL@norc.org. Please retain a photocopy of your completed reply for your records.

To ensure the results are comprehensive, accurate and timely, we would greatly appreciate if you complete and return the survey within the next four weeks. Upon completion of the study, BJS will make the findings from the CSLPOSTL available on its website at <http://www.bjs.gov/>. If you have any questions, please feel free to e-mail NORC at SLJASTL@norc.org or call NORC toll free, at 1-877-253-2087. We thank you in advance for your participation in this important national study.

Sincerely,

David Herda
Senior Survey Director, NORC at the University of Chicago
Enclosures

Prosecutor Unknown Universe Telephone Contacting Script

Hello, may I please speak with (RESPONDENT).

IWER: IF R NO LONGER WORKS THERE, ASK FOR PERSON WHO CURRENTLY HOLDS R's POSITION.
RECORD FIRST AND LAST NAME OF NEW R AND COMMUNICATE THE PURPOSE OF THE CALL.

My name is (NAME) from NORC at the University of Chicago. We are working on behalf of the Department of Justice, Bureau of Justice Statistics to collect data for the Census of State and Local Prosecutor Offices Serving Tribal Lands study. I am calling today to determine whether your office is eligible for this study which collects much needed information from state and local prosecutor offices working on tribal lands. This should only take a few moments of your time.

SCREENING QUESTIONS

S1. In 2015 did your office have jurisdiction to prosecute criminal offenders who allegedly committed crimes involving tribal or non-tribal persons on tribal lands? *The term "tribal lands" includes areas labeled Indian Country, federal or state recognized reservations, trust lands, Alaska Native villages, and/ or tribal communities.*

Yes

No

Unknown

S2. In 2015 did your office provide any justice services other than prosecution or participate in justice-related activities on tribal lands? *Some examples of other services and activities include participation in task forces, victim notification, consulting services, training and technical assistance.*

Yes

No —STOP HERE AND THANK THE INFORMANT FOR HIS/HER TIME, LETTING THE INFORMANT KNOW THAT THE SURVEY IS FOR ALL OFFICES THAT DO PROVIDE SERVICES ON TRIBAL LANDS

Unknown

Your office is eligible for the study and you are invited to participate in a short survey. The survey asks questions on topics such as agreements to work on tribal lands, services provided, information sharing, staffing, training and offenses as they relate to your agency's work on tribal lands. Would you be the best person to send materials about the survey?

IF YES, COLLECT CONTACT INFORMATION AND PREFERRED MODE TO RECEIVE THE SURVEY.

IF NO, ASK WHO THE MATERIALS SHOULD BE MAILED TO AND REQUEST CONTACT INFORMATION AND PREFERRED MODE.

Thank you for your time today.

If you have any questions as you complete the survey, please call us toll-free at 1-877-253-2087.
Thank you in advance for your participation!

THANK YOU REMINDER POSTCARD TEXT

Census of State and Local Prosecutors Serving Tribal Lands (CSLPOSTL)

The Bureau of Justice Statistics (BJS) is conducting a census of all state and local prosecutor offices serving tribal lands and **we respectfully request a response from your office!**

This nation-wide data collection effort will provide much needed information on the relationships that state and local prosecutor offices have with tribes, the staff and budget for work on tribal lands and the offenses that occur on tribal lands. It is extremely important that your office respond so we have complete information.

If you have already completed the Census of State and Local Prosecutor Offices Serving Tribal Lands (CSLPOSTL) survey for the Survey of State and Local Justice Agencies Serving Tribal Lands program, please accept our sincere thanks. If not, please do so today. If you did not receive the survey or it was misplaced, please call NORC toll-free at 1-877-253-2087 or via e-mail at SLJASTL@norc.org. Again, thank you for your help.

David Herda
Senior Survey Director, NORC at the University of Chicago

Telephone Script - Census of State and Local Prosecutor Offices Serving Tribal Lands (CSLPOSTL)

Hello, may I please speak with (RESPONDENT).

IWER: IF R NO LONGER WORKS THERE, ASK FOR PERSON WHO CURRENTLY HOLDS R's POSITION.
RECORD FIRST AND LAST NAME OF NEW R AND COMMUNICATE THE PURPOSE OF THE CALL.

My name is (NAME) from NORC at the University of Chicago. We are working on behalf of the Department of Justice, Bureau of Justice Statistics to collect data for the State and Local Justice Agencies Serving Tribal Lands program. We recently sent you a packet with the prosecutor offices survey, called the Census of State and Local Prosecutor Offices Serving Tribal Lands (CSLPOSTL). Do you recall receiving these materials?

NO, did not receive materials:



BJS is conducting the first nation-wide study to collect information from all non-tribal prosecutor offices that work on tribal lands. Your office was identified as having jurisdiction on tribal lands in 2014. Did your office continue to have jurisdiction on tribal lands in 2015?

☐ **YES:** Thank you. The current survey asks questions on topics such as authority to work on tribal lands, services provided, information sharing, staffing, training and offenses as they relate to your office's work on tribal lands. There is a short survey for your office to complete. I can send this information to you via mail or e-mail. The survey can be completed on hardcopy or electronically using a fillable PDF survey. How would you like to receive the survey?



RESPOND AS APPROPRIATE BASED ON RESPONDENTS ANSWER AND CONFIRM ADDRESS/E-MAIL

☐ **NO:** I would like to ask some clarifying questions. Does your office have jurisdiction to prosecute criminal offenders who allegedly committed crimes involving tribal or non-tribal persons on tribal lands? The term "tribal lands" includes areas labeled as Indian Country, federal or state recognized reservations, trust lands, Alaska Native villages including those administered by Alaska Native Corporations, and/or tribal communities. Or did your office provide justice services other than prosecution or participate in justice-related activities on tribal lands? Some examples of other services and activities include participation in task forces, victim notification, consulting services, training and technical assistance.

☐ **YES:** Thank you. Did your office have jurisdiction or provide justice services on tribal lands in 2015?



☐ **YES:** Thank you. Your office is eligible for the study. There is a short survey for your office to complete. The current survey asks questions on topics such as jurisdiction on tribal lands, services provided, information

sharing, staffing, training and caseload as they relate to your office's work on tribal lands. I can send the survey to you via mail or e-mail. The survey can be completed on hardcopy or online. How would you like to receive the survey?



RESPOND AS APPROPRIATE BASED ON RESPONDENTS ANSWER AND CONFIRM ADDRESS/E-MAIL. ALSO COMPLETE SECTION S BASED ON THE R's RESPONSES. IF R HAS TIME OFFER TO COMPLETE THE SURVEY BY TELEPHONE.

☐ **NO:** Thank you for your time, I will update our records accordingly.

☐ **NO:** Thank you for your time, I will update our records accordingly.

YES, did receive materials:



Great! Do you have any questions about the survey or the purpose of the study?

IF RESPONDENT INDICATES THAT THEY HAVE THE MATERIALS AVAILABLE OR IF THEY HAVE TIME DURING THE CALL, WALK THROUGH SECTION S/OFFER TO COMPLETE THE SURVEY BY TELEPHONE.

Your completed survey can be returned to NORC using the pre-addressed, pre-paid envelope, which was included in the package. You also have the option of the completing the information on-line. The materials include the web address and a pin to use when accessing the questionnaire. Any knowledgeable staff person may complete the survey on behalf of your office.

If you have any questions as you complete the survey, please call us toll-free at 1-877-253-2087. Thank you in advance for your participation!

Respondent's Direct Telephone Line

Hello! My name is (NAME) from NORC at the University of Chicago. We are conducting the State and Local Justice Agencies Serving Tribal Lands program on behalf of the Bureau of Justice Statistics. You should have received a packet in the mail with the prosecutor survey for this effort called the Census of State and Local Prosecutor Offices Serving Tribal Lands. I am following up to see if you have any questions about the survey and to ask that the survey be returned to NORC as soon as possible. If you have any questions about the survey, please call our toll free number 1-877-253-2087. Please also contact us if you think that the survey does not apply to your office or if we should contact someone else in your office for survey completion. Again, our toll free number is 1-877-253-2087. Thank you!

Administrative Assistant or Secretary's Telephone Line

Hello! My name is (NAME), calling from NORC at the University of Chicago. We are conducting the State and Local Justice Agencies Serving Tribal Lands program on behalf of the Bureau of Justice Statistics. (RESPONDENT'S NAME) should have received a package containing the questionnaire called the Census of State and Local Prosecutor Offices Serving Tribal Lands. I am following up to see if (RESPONDENT) has any questions about the survey and to ask that the survey be returned to NORC as soon as possible. If there are any questions about the survey, please call our toll free number 1-877-253-2087. Please also contact us if you think that the survey does not apply to your office. Again, our toll free number is 1-877-253-2087. Thank you!



U. S. Department of Justice
Office of Justice Programs

Bureau of Justice Statistics

Washington, D.C. 20531

[Date]

[SUID]

(PNAME)

(PTITLE)

(PADDR)

(PCITY), (PSTATE) (PZIP)

Dear (PNAME),

I am writing to you today to request your participation in the Bureau of Justice Statistics' (BJS's) **Census of State and Local Prosecutor Offices Serving Tribal Lands (CSLPOSTL)**. With this request BJS is collecting data from all non-tribal prosecutor offices that have jurisdiction or provided justice services on tribal lands in 2015. The CSLPOSTL data will help us understand agreements between tribal and state and local prosecutor offices, the types of functions that non-tribal prosecutor offices perform on tribal lands, the budget and staffing allocated to this work and the number of cases non-tribal prosecutors are involved in. I encourage your office to respond within the next four weeks so the information you and others to provide can be used to provide empirical support for the problems and needs faced by prosecutor offices providing services on tribal lands.

The survey can be delegated to any knowledgeable person at your office. Your office may respond to the CSLPOSTL in one of several ways by:

1. Downloading and completing the electronic PDF version of the survey located at:

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Completed PDF surveys can be e-mailed to SLJASTL@norc.org or printed and faxed to: 1-866-315-7129. Please confirm that your office's name and PIN ({PIN}) are on the first page of the survey.

2. Complete and return the enclosed questionnaire in the postage-paid envelope. Please retain a copy of your completed reply for your records.

BJS is authorized to conduct this work under the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. 3732). I thank you in advance for your participation in this important national study. If you have any questions about how to complete or submit the CSLPOSTL, please e-mail NORC, the data collection agent at SLJASTL@norc.org or call toll free at 1-877-253-2087. If you have any comments about the data collection, please contact Suzanne Strong of BJS at Suzanne.M.Strong@ojp.usdoj.gov.

Sincerely,

Jeri M. Mulrow, Acting Director

Enclosures

Dear NAME:

About two months ago, we sent you an invitation to participate in the U. S. Department of Justice sponsored Census of State and Local Prosecutor Offices Serving Tribal Lands (CSLPOSTL). **According to our records, as of XXX we have not yet received a completed survey from your office.** We are contacting you again because it is extremely important that we receive a response from #OFFICENAME# to ensure that the database of non-tribal prosecutor offices with jurisdiction or providing services on tribal lands in 2015 is complete. You may delegate the survey to a knowledgeable staff person.

For your convenience, you may download a copy of the CSLPOSTL survey online at:

XXXXXXXXXXXXXXXXXXXXXXX.

Completed hardcopy surveys can be e-mailed to SLJASTL@norc.org or printed and faxed to: 1-866-315-7129.

If you believe that your office did not have jurisdiction or provide prosecutorial services on tribal lands in 2015, please call or email us so that we may update our records. Please reference these definitions when making this determination:

Tribal Lands: includes areas labeled as Indian Country, federal or state recognized reservations, trust lands, Alaska Native villages including those administered by Alaska Native Corporations, and/or tribal communities.

Justice services: includes any justice services other than prosecution including participation in task forces, victim notification, consulting services, training and technical assistance.

If you recently completed and returned the CSLPOSTL questionnaire to us, please accept our sincere thanks. If not, please do so today. Responding now will eliminate the need for us to continue to contact you about the CSLPOSTL.

If you need assistance while completing the questionnaire or would like a hardcopy survey, please call 1-877-253-2087 or send an e-mail to SLJASTL@norc.org.

Thank you in advance,

David Herda
Senior Survey Director, NORC at the University of Chicago



U. S. Department of Justice
Office of Justice Programs

Bureau of Justice Statistics

Washington, D.C. 20531

[Date]

[SUID]

(PNAME) (PTITLE) (PADDR)
(PCITY), (PSTATE) (PZIP)

Dear (PNAME),

The data collection for the Bureau of Justice Statistics' (BJS's) **Census of State and Local Prosecutor Offices Serving Tribal Lands (CSLPOSTL)** is coming to a close. We have not yet received a response from your office. In the event that you did not receive the CSLPOSTL questionnaire, enclosed is a replacement copy. I respectfully encourage you complete the questionnaire as soon as possible so that we may end data collection.

For your convenience, you can respond to the CSLPOSTL in one of several ways and the survey can be completed by any knowledgeable person at your office by:

1. Downloading and completing the electronic PDF version of the survey located at:
XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Completed PDF surveys can be e-mailed to SLJASTL@norc.org or printed and faxed to: 1-866-315-7129. Please confirm that your office's name and PIN ({PIN}) are on the first page of the survey.

2. Completing and returning the enclosed questionnaire in the postage-paid envelope. Please retain a copy of your completed reply for your records.

We thank you in advance for your participation in this important national study. Although this survey is voluntary, we would appreciate if you complete the survey as soon as possible to make the results comprehensive, accurate and timely. Upon completion of the study, BJS will make the findings from the CSLPOSTL available on its website at <http://www.bjs.gov/>. If you have any questions, please e-mail BJS's project manager at Suzanne.M.Strong@ojp.usdoj.gov or call (202) 616-3666.

Sincerely,

Jeri M. Mulrow, Acting Director
Enclosures

LAST CHANCE POSTCARD TEXT

Data collection for the Census of State and Local Prosecutors Serving Tribal Lands is scheduled to end on XXX!

We have not yet received a response from your office.

It is extremely important that we have empirical data to document the role that prosecutor offices have on tribal lands. Without data from your office, we will not have a complete understanding of the relationship that prosecutor offices have with tribes and their presence on tribal lands. We have been in contact with your office and hope you will participate in this effort. If you did not receive a questionnaire, or if it was misplaced, please contact NORC (acting as a data collection agent for the Bureau of Justice Statistics) toll-free at 1-877-253-2087 or by e-mail at SLJASTL@norc.org. We will also be happy to assist you with completing the questionnaire. Thank you for your help with this important survey!

Census of State and Local Prosecutor Offices Serving Tribal Lands (CSLPOSTL)
Telephone Retrieval Script

Hello, may I please speak with (RESPONDENT).

My name is (NAME) from NORC at the University of Chicago. You recently completed a questionnaire for the Census of State and Local Prosecutor Offices Serving Tribal Lands (CSLPOSTL) survey for the Survey of State and Local Justice Agencies Serving Tribal Lands program. We received your completed questionnaire and I want to thank you for your participation. I'm calling now to confirm that we have everything recorded correctly and completely for your office. It is very important that we have complete data from all offices to ensure an accurate representation of the work that publicly funded prosecutor offices have on tribal lands. This should only take a few minutes of your time.

BEGIN READING QUESTION(s) THAT IS (ARE) MISSING INFORMATION OR HAVE INCONSISTENT RESPONSES.

«DATE»

«AH_SAL» «AH_FN» «AH_LN»«AH_COMMA» «AH_TITLE»
«ATTN» «A_SAL» «A_FN» «A_LN»
«AGENCY_NAME»
«AH_ADD»
«AH_ADD2»
«AH_CITY», «AH_STATE» «AH_ZIP_A»

Dear «AH_SAL» «AH_FN» «AH_LN»,

On behalf of the Bureau of Justice Statistics (BJS) and NORC at the University of Chicago, I would like to thank you for your participation in the 2015 Census of State and Local Prosecutor Offices Serving Tribal Lands. I truly appreciate your support and <<effort, the efforts of «DP_SAL» «DP_FN» «DP_LN»>> in completing the questionnaire, as it is vital to the success of this national collection.

This letter confirms that we have processed your survey and the data you provided are ready for inclusion in our analysis file. We anticipate that the report, *Census of State and Local Prosecutor Offices Serving Tribal Lands, 2015*, will be published in the fourth quarter of 2017. The report will be available on our website www.bjs.gov.

If you have questions or updates to the contact information for you or your agency, you may contact the NORC team at (877) 253-2087 or by email at SLJASTL@norc.org. You may also contact me, Suzanne Strong, at (202) 616-3666 or Suzanne.M.Strong@ojp.usdoj.gov.

Sincerely,

Suzanne M. Strong
Statistician and Project Manager, Census of State and Local Prosecutor Offices Serving Tribal Lands
Bureau of Justice Statistics



U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Statistics

Washington, D.C. 20531

Dear <<FIRST_NAME>> <<LAST_NAME>>:

The U.S. Department of Justice, Bureau of Justice Statistics (BJS) is conducting a pilot test of the survey instrument for its *Census of State and Local Justice Agencies Serving Tribal Lands* (SLJASTL) and is asking your agency to participate. The goal of the SLJASTL is to identify the justice system attributes, policies, and practices of non-tribal prosecutorial activities on tribal lands. The study will be most impactful if it is informed by persons, like you, who are directly involved in the provision of prosecutorial services on tribal lands. NORC at the University of Chicago is the data collection agent for the SLJASTL. The Association of Prosecuting Attorneys (APA) is also assisting us with this important study.

Your participation in the pilot test is voluntary. However, without your input, we will not have a complete picture of the quality of the instrument and data collection procedures before the main study is launched. Consistent with its mission, BJS is authorized to collect these data and will use them solely for research and statistical purposes only as described in Title 42, U.S.C. §3735 and §3789g. We take confidentiality and human subject protection very seriously. Your cooperation in providing us this information will greatly assist this study. To participate in the pilot survey, please fill out the enclosed questionnaire in its entirety and return it to NORC, using the provided envelope. It should take about thirty minutes to fill out.

Upon receipt of your completed questionnaire, an NORC representative will contact you to arrange a time to discuss the survey. The debriefing should only take a few minutes of your time and we will use your feedback to revise the questionnaire and data collection procedures prior to the national data collection effort. In order to complete the pilot test in a timely manner, we ask that you complete the survey by April 20, 2015.

We hope that you will be able to help us with this review. If you need assistance with the questionnaire, please contact NORC toll-free at 1- 877-253-2087 or via e-mail at sljastl@norc.org. Also, please feel free to contact Andrew Tiedt, the BJS Project Manager, at 1-202-616-3892 or via e-mail at Andrew.Tiedt@usdoj.gov should you have any questions about the pre-test activities.

Sincerely,

William J. Sabol, Ph.D.
Director

Enclosure

**Census of State and Local Prosecutor Offices Serving Tribal Lands
Pilot Test
Feedback Script/Questionnaire**

Hi,

My name is _____ and I'm calling on behalf of the Bureau of Justice Statistics regarding the Census of State and Local Prosecutor Offices Serving Tribal Lands pilot. May I please speak to _____?

I'm calling regarding the Census of State and Local Prosecutor Offices Serving Tribal Lands pilot survey you recently completed for us. Thank you so much for completing the survey. Could we schedule a time to conduct a debriefing of the survey? It shouldn't take more than one hour.

If can do right away....make sure they have copy of completed survey in front of them.

Great, so let me walk you through the basic process of how the debriefing will work. We'll go through the survey questions, and for each I'll ask you a couple of questions about the clarity of the question, the response choices and your overall ease at providing the information. We will also talk about how long the survey took to complete and review your responses to the feedback questions on the survey. I have your survey responses in front of me. Do you have any questions before we start?

For each question, probe for:

Anything that was unclear or confusing in the wording or any terminology that needed to be better defined.

Any response options that were unclear, confusing, overlapping, or missing.

Any requested information that was not available and could not be reasonably provided. **If not able to provide:** What steps would be necessary to get the information?

S1. – Screener

Clarity?	
Response options?	
Ability to provide?	

S2.

Clarity?	
Response options?	
Ability to provide?	

S3.

Clarity?	
Response options?	
Ability to provide?	

Are the screener questions a comprehensive and accurate way to identify offices that provide services on tribal lands? Is the terminology too restrictive or too general?

A1. – Agreements/Contracts/Types of Functions

Clarity?	
Response options?	
Ability to provide?	

A2.

Clarity?	
Response options?	
Ability to provide?	

A3.

Clarity?	
Response options?	
Ability to provide?	

A4.

Clarity?	
Response options?	
Ability to provide?	

A5.

Clarity?	
Response options?	
Ability to provide?	

A6.

Clarity?	
Response options?	
Ability to provide?	

A7.

Clarity?	
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Response options?	
Ability to provide?	

A8.

Clarity?	
Response options?	
Ability to provide?	

A9.

Clarity?	
Response options?	
Ability to provide?	

A10. – Information Sharing

Clarity?	
Response options?	
Ability to provide?	

A11.

Clarity?	
Response options?	
Ability to provide?	

A12.

Clarity?	
Response options?	

Ability to provide?	
---------------------	--

A13.

Clarity?	
Response options?	
Ability to provide?	

A14.

Clarity?	
Response options?	
Ability to provide?	

A15.

Clarity?	
Response options?	
Ability to provide?	

A16.

Clarity?	
Response options?	
Ability to provide?	

B1.

Clarity?	
Response options?	
Ability to provide?	

B2. - Staffing

Clarity?	
Response options?	
Ability to provide?	

B3.

Clarity?	
Response options?	
Ability to provide?	

B4. - Budgets

Clarity?	
Response options?	
Ability to provide?	

B5.

Clarity?	
Response options?	
Ability to provide?	

B6. - Budgets

Clarity?	
Response options?	
Ability to provide?	

B7.

Clarity?	
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Response options?	
Ability to provide?	

B8.

Clarity?	
Response options?	
Ability to provide?	

B9. - Training

Clarity?	
Response options?	
Ability to provide?	

B10.

Clarity?	
Response options?	
Ability to provide?	

B11.

Clarity?	
Response options?	
Ability to provide?	

C1. – Number and types of cases; case dispositions

Clarity?	
Response options?	

Ability to provide?	
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C2.

Clarity?	
Response options?	
Ability to provide?	

C3.

Clarity?	
Response options?	
Ability to provide?	

C4.

Clarity?	
Response options?	
Ability to provide?	

If the information is estimates: What level of effort would be needed to provide actual values in this chart?

General Questions:

Was it difficult to complete the survey?

Were additional definitions needed? If your office prosecutes cases on more than one tribal land – Was it clear that the questions were asking about services provided to any tribe and not for all tribes with which you have jurisdiction?

What systems/records did you use to complete the survey?

About how long did it take you to complete the survey?

Were you able to complete the survey all at once or did it require multiple sessions?

Was the level of effort to complete the survey appropriate for the questions the survey asked?

Were any of these questions not applicable to your agency? Which ones?

In your opinion, would it be better to provide a due date for the survey or should we ask for it to be returned as soon as possible?