

SUPPORTING STATEMENT – PART A

Survey of State Criminal Investigative Agencies on Law Enforcement Use of Force (SSCIA)

Overview

The Bureau of Justice Statistics (BJS) requests clearance to conduct the 2016 Survey of State Criminal Investigative Agencies on Law Enforcement Use of Force (SSCIA). BJS will conduct the survey with all 49 state criminal investigative agencies (SCIAs) with the goals to understand 1) the role of SCIAs in investigating use of force cases for other law enforcement agencies, and 2) the data elements these agencies collect on incidents and their outcomes. This project is being conducted to determine if the SCIAs collect nationally representative data on use of force outcomes or case dispositions, which could be used to measure excessive force. These data could be used to meet the requirements of Section 210402 of the Violent Crime Control and Law Enforcement Act of 1994 (VCCLEA), which specifically requires the Attorney General to acquire data about the use of excessive force by law enforcement officers.

BJS has attempted to measure excessive force data through the Police Public Contact Survey (PPCS) and the Law Enforcement Management and Administrative Statistics (LEMAS) survey, but each collection has had its limitations. The PPCS surveys residents 16 years or older on force threatened or used against them during their most recent police contact. Residents are asked if they felt that any of the force used or threatened against them was excessive, but this is not defined and is based on perception. Since the PPCS is resident based, it is unable to measure the extent of excessive force in incarcerated and homeless populations. BJS has also attempted to collect administrative data on excessive force through the LEMAS surveys. The 2003 and 2007 LEMAS waves included questions about the annual number of citizen complaints on use of force and the dispositions of these complaints. Complaints classified as ‘sustained’ were used as a measure of excessive force. However, Hickman and Poore (2015) conducted within-agency comparisons across the 2003 and 2007 LEMAS waves and demonstrated that among the largest agencies there were extreme changes in the number of citizen complaints reported across the years, ranging from a decline in 1,000 complaints to increases of more than 3,000.

Currently, BJS and the Federal Bureau of Investigation (FBI) are collaborating on data collection activities related to police use of force to include officer-involved shootings, incidents with police that result in serious bodily injury to a subject, and incidents that result in a subject’s death. This joint FBI-BJS effort will lead to the development of an incident-based data collection from law enforcement agencies on police use of force and expand upon BJS’s Arrest Related Death (ARD) Program (OMB 1121-0249). These data collection activities do not capture case outcomes and rely on timely reporting. Case disposition data is often not available until after an investigation has concluded.

There are two types of investigation outcomes that may be provided when a use of force incident is investigated: administrative and criminal. An administrative or departmental outcome will provide a determination as to whether the officer followed departmental policies in the use of force. This type of investigation is typically handled internally by the law enforcement agency that employs the officer. A criminal outcome provides the legality of the use of force. If a use of

force is determined to be legally justified then there is no criminal wrongdoing on the part of the officer. However, if the use of force was found to be *unjustified* then it would be considered excessive and the officer may be held criminally liable. Criminal investigations may be conducted internally or by an external law enforcement agency. The President’s Task Force on 21st Century Policing (2015) recommended that law enforcement agencies use external and independent criminal investigations.¹

Obtaining criminal disposition for a use of force incident would allow BJS to better estimate excessive force from administrative data. BJS has met with the Association of State Criminal Investigative Agencies (ASCIA) to discuss the role of SCIA in the investigation of use of force incidents. In some states, the criminal investigative agency serves as the primary body that local and county law enforcement agencies use as the independent investigator. However, at a national level, it is unknown if this approach is common. All but one state (Hawaii) has a SCIA.

These state criminal investigative agencies may be able to provide data that would allow BJS to provide a national estimate on excessive force. However, it is unclear what types of use of force events are investigated by these agencies. Additionally, there are no known estimates of the number of agencies that receive investigative services (or could receive investigative services) from SCIA. Therefore, the current project seeks to better understand how many jurisdictions these agencies provide use of force investigative services to, the types of use of force cases investigated and the data elements collected at the incident level including administrative and criminal outcomes. The SSCIA will not include collecting incident-based use of force data from the SCIA.

A. Justification

1. Necessity of Information Collection

Under Title 42, United States Code, Section 3732 (see Attachment 1), BJS is directed to collect and analyze statistical information concerning the operation of the criminal justice system at the federal, state, and local levels. BJS disseminates high quality information and statistics to inform policy makers, researchers, criminal justice practitioners, and the general public. The Criminal Justice Statistics Program encompasses a wide range of criminal justice topics, including victimization, law enforcement, prosecution, courts and sentencing, and corrections.

Released in May, 2015, the President’s Task Force on 21st Century Policing (President’s Task Force) recommendation 2.2 stated that: “Law enforcement agencies should have comprehensive policies on the use of force that include training, investigations, prosecutions, data collection, and information sharing. These policies must be clear, concise, and openly available for public inspection.” Under this recommendation, Action Item 2.2.2, states: “These policies should also mandate external and independent criminal investigations in cases of police use of force resulting in death, officer-involved shootings resulting in injury or death, or in-custody deaths.” SCIA have become a resource for local and county law enforcement agencies and act as an external and independent investigator. SCIA are state agencies “having responsibility for the division,

¹ 2.2.2 Action Item: *These policies should also mandate external and independent criminal investigations in cases of police use of force resulting in death, officer-involved shootings resulting in injury or death, or in-custody deaths.* (President’s Task Force on 21st Century Policing., 2015).

unit, or bureau primarily created for the purpose of general criminal investigation having statewide jurisdiction and whose personnel have full peace officer power” (ASCIA, 2016).

There is little known about the involvement of SCIA's on investigating use of force cases. If SCIA's are taking a major role with investigating law enforcement use of force incidents, then the data collected on the incidents and ultimately investigation outcomes would be a valuable source in determining the prevalence of excessive force. The SSCIA seeks to gain information on the role SCIA's have in external and independent criminal investigations and the extent to which SCIA's are serving as the investigator on law enforcement use of force cases.

The survey instrument items cover three broad topical areas: coverage, investigative processes and case management. The three sections are described in more detail below.

Coverage

Approximately half of the SCIA's are located within a state police agency. These agencies will have officers that will be conducting law enforcement tasks related to routine patrol and making arrests that put them in situations in which force may need to be used. It is important to understand what is being investigated internally and if they are not investigating their own incidents of use of force, if they are using another law enforcement agency for this purpose.

The survey asks SCIA's to report on the number of internal cases investigated in 2013, 2014 and 2015. There are two reasons for asking for these three years. In early 2015, the ASCIA president asked members to report on the total number of cases for 2013-2014, without separating by year. BJS would like to obtain the counts by year in order to determine annual workload and to also assess reliability in what has already been reported by these agencies. Second, we are including 2015 as this is the last full calendar year of data that will have been collected prior to survey administration. If no cases were investigated internally, SCIA's will be asked why not. For internal use of force investigations, it is possible that a regional office from outside the area of the event may be used to conduct the investigation. This may help to maintain independence between the investigators and the event in question. It is currently unknown if this approach is taken. A similar set of questions are asked on the number of cases investigated externally or for other law enforcement agencies. SCIA's will be asked to provide the total number of cases investigated for other agencies in the same three year period. If the SCIA's have not conducted any external investigations on use of force they will be asked to report why.

The types of use of force cases SCIA's may investigate are currently unknown. The President's Task Force recommended that only the most serious forms of force (i.e., shootings, deaths and severe injury) be investigated externally. However, the types of force cases investigated varies from state to state. For example, the Tennessee Bureau of Investigation only investigates officer-involved shootings while the Georgia Bureau of Investigation investigates officer-involved shootings and uses of force that result in severe injury or death. SCIA's that are brought in to conduct investigations may investigate other types of force if they are requested. In order to obtain information on the types of cases investigated for other law enforcement agencies, the SSCIA will ask how often cases are investigated by injury severity and level of force used by officer.

Another informational need pertains to the coverage of SCIA's within their state and with other states. It is unknown which local and county agencies use SCIA's to investigate use of force incidents. If certain SCIA's, such as those in states that contain the most populous areas, do not provide these services then obtaining a nationally representative sample of use of force dispositions cannot be achieved. The SSCIA will ask SCIA's to document the percent of agencies they covered in their state over the three year period and to describe the agencies they do provide services for and do not (if applicable) by population size. Lastly, SCIA's will be asked if they have ever provided investigations to agencies in other states.

Investigative Processes

The investigative processes section of the SSCIA seeks to better understand how SCIA's become involved in external investigations on use of force, if they also provide other types of investigative services, and how they close out use of force cases. There is no information on how SCIA's become involved as the primary investigator on law enforcement use of force cases. It may be mandated by state legislation or by proclamation of the governor. SCIA's may have written agreements (i.e., memorandum of understanding) with agencies to provide this service. SCIA's that have MOUs or be mandated at the state level may be more prone to providing systematic coverage of these cases compared to SCIA's that may just be invited without any formal agreement. More recently there has been a push by state agencies to mandate external investigation and/or collection of use of force data, so SCIA's that do not currently have a state mandate will be asked if they are aware of any pending legislation that could impact their coverage in the future.

SCIA's will be asked if they act as the primary investigatory body for any criminal activity that occurred prior to the use of force. This question examines caseload as well as the degree of involvement of the SCIA's in a local or county agency's incidents. It is important to understand the types of relationships between agencies.

Lastly, SCIA's will be asked about the disposition or resolution of cases involving use of force. This question allows us to understand the types of outcomes that may be obtained from SCIA agencies. If SCIA's do not make recommendations on the legality of the case and only provide case findings, BJS will not be able to obtain investigation dispositions. This would limit the ability to obtain the data possible to determine if force was excessive. It is also unclear if SCIA's only make legal determinations or if they will also assist in determining if the officer acted within department policy. Either outcome would allow BJS to examine excessive use of force in more detail than is currently available.

Case Management

The last section of the survey, case management, examines how SCIA's currently maintain case records involving use of force investigations. This will allow BJS to determine how easily reportable the incident and outcome data are for SCIA's. SCIA's will be asked about the format in which case files are stored (e.g., paper or electronic) and where they are physically stored. They will also be asked if their records management system allows them to easily identify when a case involved law enforcement use of force and can easily be selected from other cases. SCIA's will be asked about specific data elements related to the incident and how accessible the information is for reporting purposes. Data elements were taken from the ARD CJ-11A form and also include

items from the new FBI data collection. The SSCIA also includes outcome specific elements that are not being captured by these other collections.

The SSCIA is planned to be administered from October 2016 to December 2016. During this 2-month period, the instrument will be administered to all 49 SCiAs.

2. Needs and Uses

BJS Needs and Uses

The goal of the SSCIA is to determine the type of use of force cases investigated by SCiAs, the jurisdictions they provide services to and the type of information collected and stored on these cases. BJS will use this information 1) to obtain an understanding of the extent to which SCiAs are providing external and independent investigation on use of force cases as recommended by the President's Task Force; and 2) to determine if the data collected by SCiAs can provide national-level estimates on excessive use of force and would support a data collection if needed. If BJS proceeds with a data collection after results have been analyzed from the SSCIA, then we will coordinate with the ARD and FBI to make sure there is no duplication of efforts and the SCiAs are only reporting to one collection.

In some states, the criminal investigative agency serves as the primary body that local and county law enforcement agencies use as the external investigator, which is recommended by the President's Task Force. The SSCIA seeks to provide the following estimates:

- Number of internal use of force cases investigated by SCiAs, by state, 2013-2015
- Number of external use of force cases investigated by SCiAs, by state, 2013-2015
- Percent of SCiAs who have provided investigative services to agencies in other states
- Prevalence of SCiAs not conducting any internal and external investigations
- Types of use of force cases investigated externally by injury severity and frequency
- Types of use of force cases investigated externally by level of force used and frequency
- Percent of local and county jurisdictions covered by SCiAs, by state
- Prevalence of how SCiAs become involved in use of force investigations
- Number/percent of SCiAs mandated by state legislation or governor proclamation
- Number/percent of SCiAs agencies that conduct predicate offense investigations by frequency
- Prevalence of how SCiAs close out cases
- Prevalence of type of record storage
- Percent of accessible case data elements

The results of the SSCIA will be used to determine if SCiAs can provide national coverage and the costs for collecting such data from SCiAs.

Needs and Uses by Others

As noted earlier, the ASCIA has shown great interest in the results of this survey. The ASCIA Use of Force Committee was created in May 2015 in order to provide guidance to agencies on use of force investigations. In order to gain a better understanding of case load, ASCIA asked member agencies to provide the number of cases investigated in 2013 and 2014. Based on the information provided and an overwhelming response to be a part of the Use of Force Committee

(the largest for ASCIA), ASCIA would like to better understand practices nationally. ASCIA fully supports the SSCIA and has provided a letter of support (Attachment 2) that will be sent with the survey invitation. ASCIA plans to use the results of the SSCIA to help develop best practices and standards across member agencies. ASCIA does not know the extent to which members are handling cases, how the information is captured and stored, and their cases loads. ASCIA would like to identify areas where needs may exist and be able to provide necessary support.

Anticipated Products

BJS anticipates producing a report and an agency-level data file from the SSCIA collection. Detailed information on the report to be produced is discussed under *16. Project Schedule and Publication Plan*.

At the time of the initial publication from the SSCIA, BJS will release fully-documented data files for public use through the National Archive of Criminal Justice Data at the University of Michigan.

3. Use of Information Technology

The SSCIA instrument has been designed for an online data collection that will export survey data and paradata in various data formats as specified by BJS. This software will allow BJS's contractor RTI to send an email to respondents explaining the SSCIA survey and containing a hyperlink to the questionnaire. Additionally, the software allows for real-time online tracking of respondents allowing BJS to track the completion of each agency's responses.

Agencies may have a number of reasons for not responding via the internet; for example, some might not have reliable internet access and others might find it difficult to complete online because of the need to involve multiple people in preparing the response. Agencies that require a paper instrument will have the ability to obtain a paper version. Agencies will be able to download from the survey site a PDF version of the survey that can be printed or e-mailed to agency staff. Respondents can then complete the survey and transcribe it into the online survey instrument, or scan and return the completed form via mail or e-mail. Agencies will also be emailed a paper copy of the instrument they can print during non-response follow-up.

The dataset and supporting documentation will be made available at the National Archive of Criminal Justice Data at the Inter-University Consortium for Political and Social Research (ICPSR) and at Data.gov. Access to these data will allow analysts to identify the specific responses of individual agencies and to conduct statistical analyses. These data will have agency name, ORI and state that will permit public use in combination with other data files with similar identifiers.

The BJS-produced findings from the SSCIA will be provided to the public in electronic format. These reports will be available on the BJS website as PDF files.

4. Efforts to Identify Duplication

Internal to DOJ

Based on a review of the federal statistical system, in general, and law enforcement surveys in particular, BJS has determined that the SSCIA will not duplicate efforts found in other existing collections. The Police Public Contact Survey (PPCS; OMB #1121-0260) surveys residents 16 years or older on force threatened or used against them during their most recent police contact and whether it was excessive. The SSCIA focuses on administrative data collected by state criminal investigative agencies.

The Body-Worn Camera Supplement to the Law Enforcement Management and Administrative Statistics (LEMAS) survey (OMB #1121-0354) included revised civilian complaint questions from the 2003 and 2007 LEMAS waves. This is currently in data collection and it is too early to determine if the revised questions will be able to provide a better estimate on excessive force. However, the SSCIA will not be collecting data on dispositions only the number of cases investigated.

The Arrest-Related Deaths (ARD; OMB #1121-0339) program collects information on persons killed while under or in the process of arrest. While force is used in many ARD incidents, the collection also includes persons who die by natural causes, intoxications, and suicide while in police custody. ARD does not make any determination about whether the force was appropriate or excessive and is limited to fatal incidents.

The FBI's national collection on use of force will collect similar data elements as ARD but will also collect data on firearm discharges at or in the direction of a person and any uses of force that result in severe bodily injury. The collection will not include disposition of the case and therefore, determination of excessive force will not be possible.

External to DOJ

In 2015, the ASCIA conducted a 1-item survey to member agencies. Agencies were asked to report the number of officer-involved shooting cases investigated between 2013 and 2014. This was the first attempt by SCIA's to understand their involvement in use of force cases in their states. The SSCIA expands on this item to include other types of use of force investigation (e.g., severe bodily injury or death not caused by a firearm) not just officer involved shooting incidents. The SSCIA will also break out counts by year (2013, 2014 and 2015) rather than having agencies aggregate over the two year period.

Other than the limited survey conducted by the ASCIA, there is little known regarding the role of SCIA's providing external investigations for local and county law enforcement agencies. No other research studies examining this topic were found through a literature search.

5. Efforts to Minimize Burden

In an effort to minimize respondent burden, the SSCIA is formatted to facilitate efficient response with definitions, clear instructions, and survey questions that were refined through expert consultation and pilot testing. The number of items on the questionnaire will be limited to those that collect the information necessary to meet analytic goals. BJS has also attempted to minimize the complexity of the questions. BJS engaged in multiple conversations with Vernon Keenan, Director Georgia Bureau of Investigation, Mark Gwyn, Director Tennessee Bureau of

Investigation and ASCIA, and Paul Wormeli, an ASCIA consultant, on the role of SCIAAs in investigations of use of force incidents in order to develop a draft of the survey. BJS then conducted a brief pilot test of the questionnaire with five SCIAAs (all members of ASCIA) from April to May 2016 (Attachment 3). Data and feedback collected were used to ensure that the items were easily answered by SCIAAs and would produce the most useful information.

The respondent burden from the pilot test was 30 minutes to 3 hours for completion, depending on the availability and accessibility of required information. The high estimate of 3 hours was due to one agency having to provide exact counts for items 2 and 6 (detailed explanation below). When asked if estimated counts could be provided, the agency estimated the time to complete would be 1.5 hours rather than 3 hours. Allowing for agencies to estimate counts, rather than go back through records for exact counts, reduced the expected burden estimates.

Three key issues were raised by the pilot sites to the broader context of the survey. First, the definition of use of force was unclear and could cause respondents to misreport data. We addressed this issue by including a definition on “use of force investigation” on the cover page of the instrument and by moving up the question on the types of use of force cases investigated. Second, the pilot sites indicated that it was unclear if the questions were referencing all use of force investigations their agency conducted or just the subset of use of force investigations that were conducted for other agencies (i.e., external investigations). This issue was addressed by adding further clarification to the introduction on the cover, adding more instructions to the first section of the survey, and by developing two separate questions to explore activity around (1) internal and (2) external use of force investigation. Third, the pilot sites recommended that the best mode of administration was via the web with an electronic version suitable for printing (i.e., a corresponding PDF instrument). Based on this feedback the primary data collection mode will be online (see Attachment 4 for screenshots of the online instrument), but we also offer a downloadable PDF that can be mailed, faxed or emailed.

A number of edits and revisions to individual questions were made based on the expert testing and are shown in Attachment 3. The final SSCIA questionnaire that will be used for data collection is in Attachment 5.

6. Consequences of Less Frequent Collection

The SSCIA will be the first BJS statistical collection to survey SCIAAs on issues pertaining to law enforcement use of force investigations. The benefits of collecting these data now rather than later include-

- understanding the role of SCIAAs on external use of force investigations and the jurisdictions covered.
- determining if the data collected by SCIAAs can be used to provide a national estimate or fill a gap on excessive force to meet the VCCLEA mandate.

If the results of the SSCIA reveal that the SCIAAs do not provide national coverage on investigating use of force, there may be a need to conduct this survey later. States are passing mandates for law enforcement agencies to collect use of force data, and the Task Force has recommended law enforcement agencies use external investigators. The mandates will likely

increase the workload of SCIAAs. For example, until recently the Georgia Bureau of Investigation (GBI) conducted all office-involved shooting and force resulting in death or severe injury investigations in the state except for the Atlanta Police Department. As of 2016, the Atlanta Police Department has decided to have the GBI as the investigator on these cases. At the last ASCIA Use of Force Committee meeting on May 1, other agencies reported seeing an increase in law enforcement agencies asking for their services.

7. Special Circumstances

No special circumstances have been identified for this project.

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

The research under this clearance is consistent with the guidelines in 5 CFR 1320.6. The 60-day notice for public commentary was published in the Federal Register, Volume 81, Number 88, pages 27475-27476 on Friday, May 6, 2016 (Attachment 6). The 30-day notice for public commentary was published in the Federal Register, Volume 81, Number 135, pages 45542-45543, on Thursday, July 14, 2016 (Attachment 7). Public comments were received in response to the 60-day notice on June 25 from IndyMedia asking for a copy of the instrument. They were sent the instrument and provided no further comments. On July 5, we received a letter from The Arc's National Center on Criminal Justice and Disability requesting we capture data on various types of disabilities a subject of law enforcement use of force may have had (see Attachment 14). We responded by letting them know we would not be capturing incident level data on use of force and were trying to understand what state criminal investigative agencies are currently collecting. The instrument asks agencies to note if they collect data on the subject's apparent physical or mental impairment. Originally this item only included mental health and intoxication as examples but it was expanded to also include intellectual disability and physical disability as examples in response to this comment.

BJS shared a draft of the SSCIA questionnaire with ASCIA members who have been actively involved in the ASCIA Use of Force Committee. These ASCIA members served as the pilot testing sites. The initial survey was sent on March 11, 2016. ASCIA members were given 2 weeks to complete the survey and provide feedback. The eight expert reviewers from the five ASCIA agencies (Table 1) were given an electronic draft of the instrument and asked to comment on question wording, response categories, and overall structure and layout of the survey. Responses were primarily received as written annotations within the document.

Table 1. Expert Reviewers for the SSCIA Instrument

Vernon Keenan Chair, ASCIA Use of Force Committee Director, Georgia Bureau of Investigation Decatur, GA 30037	Mark Gwyn ASCIA President Director, Tennessee Bureau of Investigation Nashville, TN 37216
Doug Burig Deputy Director, Bureau of Criminal Investigation Pennsylvania State Police Harrisburg, PA 17110	Layne Barnum Major, Criminal Investigation Division Louisiana State Police Baton Rouge, LA 70806
Jim Shaw Inspector Michigan State Police Lansing, MI 48909	Natalie Ammons Assistant Director's Office Georgia Bureau of Investigation Decatur, GA 30037
Jason Locke Deputy Director Tennessee Bureau of Investigation Nashville, TN 37216	Jeff Roesler Special Agent in Charge Georgia Bureau of Investigation Decatur, GA 30037

A 60-minute debriefing call was conducted on April 1, 2016. During the call, BJS and RTI facilitated discussion on all the instrument items and reviewed recommended changes with the five pilot sites. Additional feedback was solicited on the introduction, question ordering, mode of data collection and reference periods. A number of changes to the survey were made based on the feedback (see Attachment 3). After the survey was revised, it was sent back out to the Georgia Bureau of Investigation and Pennsylvania State Police for further review and comments. No additional comments were received from either agency.

9. Paying Respondents

Neither BJS nor RTI will provide any payment or gift of any type to respondents. Respondents will participate on a voluntary basis.

10. Assurance of Confidentiality

According to 42 U.S.C. 3735 Section 304, the information gathered in this data collection 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. The data collected through the SSCIA represent institutional characteristics of publicly-administered SCIA's. The fact that participation in this survey is voluntary and that information about individual agency responses will be available to the public is included on the first page of the survey instrument. BJS will not release the names, phone numbers or email of the actual persons responsible for completing the SSCIA.

11. Justification for Sensitive Questions

There are no questions of a sensitive nature in the proposed SSCIA survey.

12. Estimate Respondent Burden

BJS estimated the respondent burden for the proposed SSCIA at 44 hours (Table 2) based on the pilot test. The total estimated burden per respondent for initial survey administration is 50 minutes. The SSCIA questionnaire includes 22-items containing 86 variables; 23 require reporting of amounts or descriptive information and 63 require checking a single item. We estimate approximately 1/3 of SCIA's may need additional follow-up by telephone to clarify answers or fill-in missing values. Follow-up burden is estimated to be an additional 10 minutes. The average estimated burden across all agencies is 53 minutes (not shown).

Table 2: Estimated Burden Hours for 2016 SSCIA

	Number of respondents	Estimated burden (in minutes)	Total burden hours
Survey administration (all)	49	50	40.8
Telephone follow-up (1/3)	16	10	2.7
TOTAL			43.5

13. Estimate of Cost Burden

BJS anticipates that one or more persons per surveyed agency will spend time reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collected information. Regardless of whether the response is by one or by more than one person, the average for the total burden for each agency is estimated to be 53 minutes. Assuming a pay rate approximately equivalent to the GS-12 / 01 level (\$72,620 per year), the estimated agency cost of employee time would be approximately \$34.45 per hour. A census of 49 agencies times the average employee pay rate, the total respondent employee time cost burden is estimated at \$1,550.

There are no anticipated costs to respondents beyond the employee time expended during completion of the survey instrument.

14. Estimate of Costs to the Federal Government

The SSCIA is being developed and conducted under a multi-year cooperative agreement under the BJS Analytic Resource Center cooperative agreement. Table 3 reflects the cost to administer the SSCIA.

Table 3. Estimated costs for the SSCIA

Category	Cost
<u>BJS costs</u>	
Staff salaries	
GS-12 Statistician (15%)	\$12,000
GS-15 Supervisory Statistician (3%)	\$7,000
GS-13 Editor (5%)	\$5,000
Other Editorial Staff	\$5,000
Front-Office Staff (GS-15 & Directors)	\$2,000
Subtotal salaries	\$31,000
Fringe benefits (28% of salaries)	\$8,680
<i>Subtotal: Salary & fringe</i>	<i>\$39,680</i>
Other administrative costs of salary & fringe (15%)	\$5,952
Subtotal: BJS costs	\$45,632
<u>Data Collection Agent (RTI)</u>	
Personnel (including fringe)	\$17,654
Travel	\$848
Supplies	\$463
Consultant/Contracts	\$0
Other	\$0
Total Indirect	\$26,492
Subtotal Data Collection Agent Costs	\$45,457
TOTAL COSTS	\$91,089

15. Reasons for Change in Burden

N/A. This is the first time SSCIA will be fielded.

16. Project Schedule and Publication Plan

The data collection for SSCIA is scheduled to begin October 2016. The data collection period is 2 months. Table 4 contains the project schedule.

Table 4. Project Schedule

Stage	Type of contact	Date	Attachment Number
Survey invitation email with URL, login instructions and ASCIA endorsement letter	All	Day 1	8, 2
Completion thank you email	Respondents	Periodic	9
1 st non-response email	Non-respondents	Day 15	10
2 nd non-response email	Non-respondents	Day 29	11
Non-response calls	Non-respondents	Day 43	12
End of study email	Non-respondents	Day 71	13
Analysis	N/A	Months 2-4	N/A
Report	All	Months 4-6	N/A

BJS will work with RTI on the statistical analysis and publication of the data from the SSCIA. Contingent on the processing and delivery of the final data file, BJS anticipates releasing one report spring 2017. The report tentatively titled, *Use of Force Investigations by State Criminal Investigative Agencies*, will present the estimates discussed under 2. Needs and Uses. This report will provide the number of use of force investigations conducted 2013-2015 internally and externally by state, the percent of jurisdictions covered by state, and the types of use of force cases handled. The report will also describe how SCIAAs become involved with external investigations, the number of states with a mandate, and how SCIAAs close out cases. The report will also discuss how case record information is stored and how accessible the data is.

17. Display of Expiration Date

The expiration date will be shown on the survey form.

18. Exception to the Certificate Statement

BJS is not requesting an exception to the certification of this information collection.

19. Contacts for Statistical Aspects and Data Collection

- a. BJS contacts include:

Shelley Hyland, PhD
 202-616-1706
 Shelley.Hyland@usdoj.gov

- b. Persons consulted on data collection and analysis:

Travis Taniguchi, PhD
 RTI International

Azot Derecho
 RTI International