



U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Statistics

Washington, D.C. 20531

MEMORANDUM TO: Jennifer Park
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Office of Management and Budget

THROUGH: Melody Braswell, Justice Management Division
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FROM: Todd Minton
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SUBJECT: Nonsubstantive change request for the Annual Survey of Jails:
OMB Control No: 1121-0094

DATE: January 31, 2017

The Bureau of Justice Statistics (BJS) is requesting a nonsubstantive change for the Annual Survey of Jails (ASJ), one of three data collections (ASJ, DCRP annual summary form, and the Survey of Jails in Indian Country) under OMB Control No: 1121-0094 (most recent clearance date of 01/26/2016). The change would adjust the reference date in the ASJ from December 31 (also referred to as yearend) to the last weekday in the month of June (also referred to as midyear). The midyear reference date was previously used in the ASJ between 1982 and 2014, but in an effort to reduce burden on respondents and minimize data collection costs, BJS changed the reference date to yearend in its most recent clearance request to allow for ASJ to be fielded with the Deaths in Custody Reporting Program (DCRP). In addition, BJS's collections on persons in prison, on probation, or on parole also utilize the yearend reference year, so the change would bring the jail collection into alignment with the other correctional data collections.

When BJS used the new yearend reference date to collect data on jail inmates in 2015, the results suggested that there were seasonal differences in the population size, with fewer inmates at yearend than at midyear (about 4% lower on average from 2000 to 2015). This was illustrated in the annual bulletin *Jail Inmates in 2015* (available at <http://www.bjs.gov/index.cfm?ty=pbdetail&iid=5872>). Although the jail population fluctuates throughout the year, these fluctuations are taken into account in the average daily population. On average since 1990 the midyear count has been within less than 1% of the average daily population. As a result, BJS decided to revert to using the midyear count as the official statistic for the jail population.

The ASJ track changes in the demographic characteristics of the jail population as well as changes in the size of the jail population, jail capacity and crowding, the flow of inmates moving

into and out of jails, and use of jail space by other correctional institutions. These statistics are part of BJS's core corrections statistics, as they contribute fundamentally to BJS's mission of describing movements of offenders through the criminal justice system. If we did not revert back to a midyear reference period, it would undo BJS's efforts to meet the needs of jail administrators, researchers, and policy makers in understanding changes in jail population and in developing policies that can adequately address these changes.

In addition to BJS's concerns with the ASJ reporting period, on December 19, 2016, the U.S. Department of Justice submitted an information collection request to the Office of Management and Budget (Federal Register/Vol. 81, No. 243), available online at <http://www.federalregister.gov/documents/2016/12/19/2016-30396/agency-information-collection-activities-proposed-collection-comments-requested-new-collection-death> to shift the responsibility of the Deaths in Custody data collection from BJS, which may collect data only for statistical and research purposes, to the Bureau of Justice Assistance. Thus, BJS is planning to suspend the DCRP data collection efforts in jails and prisons for reporting year 2018.

There are two aspects of this request that will change the data collection timeline and respondent burden:

- 1) Fielding of the ASJ with a midyear reference period will change the data collection period from January-September to July-October.
- 2) Since the ASJ and DCRP will be separate data collections for the 2017 reporting year, respondents in the ASJ will also receive the DCRP annual summary form (ASF). The DCRP-ASF is a shorter form consisting of a subset of the items in the ASJ used to calculate mortality rates and an aggregate count of inmate deaths under the jurisdiction of the jail. The average reporting time for the ASJ is 75 minutes and the DCRP-ASF is 15 minutes. See table 1 (below) for the original summary of burden hours associated with the DCRP-ASJ and the Survey of Jails in Indian Country. As a result of the requested change, the burden will increase by 15 minutes for each of the 938 respondents that will receive both the DCRP-ASF and the ASJ for a total of 235 additional hours for the combined 3,000 respondents (2,062+938) (see table 2 below). As a result, the total burden of hours associated with the three jail data collection will increase from 2,711 to 2,946 hours.

We do not expect the data collections to incur any financial costs to jail respondents. The information requested is of the type and scope jails normally collected as part of their operations and no special hardware or accounting software or system is necessary to provide information for this data collection. Thus, the data collection does not incur any capital, startup, or system maintenance costs to respondents. Furthermore, purchase of outside accounting or information collection services, if performed by the respondent, is part of usual and customary business practices, not specifically required for providing information to BJS.

Table 1. Original Summary of Total Respondent Burden for the DCRP-ASJ, DCRP-ASF, and the Survey of Jails in Indian Country

Reporting mode	Purpose of contact	Number of data providers	Number of responses	Average reporting time	Total burden hours
Online and mail	DCRP-ASJ (CJ-9A/5 and CJ-10A/5)	938	938	75 min	1,173
Fax and mail	SJIC (CJ-5B)	80	80	75 min	100
Online and mail	DCRP annual summary (CJ-9 and CJ-10)	2062	2062	15 min	516
Online and mail	DCRP death records	600	900	30 min	450
Email and telephone	Data quality follow-up	872	872	5 min	73
Telephone	DCRP-ASJ verification call	3,000	3,000	8 min	400
Total					2,711

Table 2. Summary of burden hours for the DCRP, ASJ, and the Survey of Jails in Indian Country

Reporting mode	Purpose of contact	Number of data providers	Number of responses	Average reporting time	Total burden hours
Online and mail	ASJ (CJ-5 and CJ-5A)	938	938	75 min	1,173
Fax and mail	SJIC (CJ-5B)	80	80	75 min	100
Online and mail	DCRP annual summary (CJ-9 and CJ-10)	3000	3000	15 min	750
Online and mail	DCRP death records	600	900	30 min	450
Email and telephone	Data quality follow-up	872	872	5 min	73
Telephone	DCRP-ASJ verification call	3,000	3,000	8 min	400
Total					2,946