

## **Office of Management and Budget Clearance Package Supporting Statement**

### **National Survey on Correctional Contraband (NSCC)**

#### **PART A. Justification**

##### **1. Overview**

The National Institute of Justice proposes to collect information on contraband and contraband interdiction modalities across local and state correctional facilities through a web-based survey, entitled “National Survey on Correctional Contraband (NSCC).” The goal of the NSCC is to expand the knowledgebase of contraband, including the prevalence of contraband and contraband-related violence in correctional facilities, the points of entry for contraband into facilities, and the use of contraband interdiction technologies and policies. Because there have been no systematic approaches to collecting these data in the past, this survey will provide the field with a preliminary understanding of contraband issues and of the availability of contraband-related data recorded by correctional facilities. NIJ is mandated by the Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10121) to provide for research in pursuit of improving the functioning of the criminal justice system and reducing crimes. The proposed data collection, as detailed in this application, comports with that mandate.

Correctional facilities in the United States face persistent challenges related to contraband. The production, distribution, and use of contraband in correctional facilities pose serious dangers to correctional staff, inmates, visitors, victims of crime, and even the public. For example, prison fights, riots, or escapes can be caused or facilitated by smuggled drugs or weapons. Contraband cellphones can be used to transmit unlawful information, threaten witnesses, and manage criminal enterprises. It is critical to understand emerging trends and issues with contraband, as well as to identify effective ways to interdict contraband. The proposed survey, involving a representative sample of local jails and adult prisons operated by state correctional agencies, as well as private facilities contracted by local jails and/or state correctional agencies, holds high promise as an important first step to develop a comprehensive understanding of the prevalence and management of correctional contraband in the United States.

##### **2. Circumstances of Information Collection**

###### **a. National Survey of Correctional Contraband**

In correctional institutions, contraband items such as drugs, alcohol, cell phones, cigarettes, and makeshift weapons can be used by inmates to spread violence, engage in criminal activity, create underground economies, and perpetuate existing addictions (CSJ, 2015; Dillon, 2001; Gore et al., 1995; Swann and James, 1998; Turnbull et al., 1994; Wolff et al., 2007). Contraband in correctional facilities is therefore a cause of serious concern for inmate and staff safety. In addition, drug use in prison can pose public health risks like HIV transmission (Calzavara et al., 2003; Jürgens et al., 2009), while the creation of alcohol can spread potentially fatal illnesses like botulism (Center for Disease Control, 2012). Similarly, contraband weapons can be used to facilitate escapes from prison (Peterson, 2015; U.S. Sentencing Commission, 2008), and

contraband cell phones in correctional facilities can be used to intimidate witnesses, further criminal enterprises, and compromise public safety (GAO, 2011; NLECTC 2014; NTIA, 2010).

To combat contraband, correctional administrators have adopted numerous policies, practices, and technologies aimed at keeping contraband out of facilities. There are three broad categories of interdiction modalities. First, administrators work to prevent introduction of contraband to the facility through a combination of searches and technological detection strategies. For example, correctional officers will inspect visitors, staff, inmates, and vehicles for unauthorized items during visits, upon entry to the facility, and before and after being transported (ACA, 2008). Second, administrators seek to detect and remove contraband once it has entered the facility by searching inmates and cells, employing cell phone detection technologies, gathering intelligence, etc. (ACA, 2008; NTIA, 2010; U.S. DOJ, 2014). Third, administrators may implement strategies designed to reduce the demand for contraband, such as through drug or alcohol abuse programs (GAO, 2011; Holsinger, 2002).

Despite the risks of contraband, and the prevalence of policies aimed to stop its spread, current knowledge and practice in correctional management are limited by the dearth of reliable information on the issue. There exists no comprehensive data on the scope of contraband or interdiction modalities that can shed light on the prevalence and management of correctional contraband in the United States. Thus, NIJ, in partnership with the Urban Institute (Urban), aims to develop a systematic understanding of correctional contraband through an administrative survey of correctional facilities in the United States. The development of the survey was guided by the following four objectives:

- To estimate the prevalence and types of contraband known to correctional facilities
- To determine the methods by which contraband is introduced to inmates
- To quantify the occurrence of contraband-related violence and misconduct in correctional facilities
- To understand the types of interdiction modalities used in correctional facilities

NIJ and Urban consulted several professional organizations, including the American Correctional Association, the Association of State Correctional Administrators, the American Jail Association, the National Sheriff's Association, the Bureau of Justice Statistics, and the National Institute of Corrections, to ensure these objectives reflect current knowledge gaps and address the need of correctional agencies.

In partnership with the American Correctional Association, NIJ and Urban also facilitated work groups with correctional administrators from New York, Colorado, Arkansas and Ohio. Not only did they provide broad guidance on the scope and breadth of the survey through various examples on how contraband has entered and been discovered in their facilities, but they helped NIJ and Urban ensure the feasibility of collecting reliable information on the proposed survey questions. In addition, these administrators read over the survey and provided detailed line-by-line feedback on the survey instrument. Comments included creating more precise ranges for questions concerning inmate populations and providing more concrete detail to ensure consistent responses.

b. NSCC data collection approach

The NSCC is among the first to compile comprehensive information on contraband issues, as well as current policy and practice in the management and interdiction of contraband. The survey primarily consists of two parts, one pertaining to the characteristics of correctional facilities that are relevant to contraband and the other pertaining to contraband issues such as contraband recoveries, incidents, and interdiction modalities. NIJ proposes the following plan to administer the NSCC (see Table 1 for an overview of data collection)

**Table 1.** *Overview of data collection*

<b>Facility type</b>	State correctional facilities (Prisons)	Local correctional facilities (Jails)
<b>Roster</b>	Census of State and Federal Adult Correctional Facility (Bureau of Justice Statistics)	Census of Jails (Bureau of Justice Statistics)
<b>Sampling method</b>	Stratified random sampling	Stratified random sampling
<b>Strata</b>	(1) region, (2) population size, and (3) percent inmates allowed to leave facility	(1) region, (2) staff size, and (3) percent pretrial defendants
<b>Recruitment mode</b>	Through state headquarters and individual facilities (n~300)	Through individual facilities (n~300)

A representative sample of state prisons and local jails across the country (including facilities privately operated on behalf of state or local correctional agencies) will be invited to participate in the survey. For jail respondents, NIJ will send the survey to a central reporter from the agency that manages the facility (e.g., a Sheriff's Office, County or Regional Department of Corrections, etc.). Typically, the central reporter will be an administrative warden or commander/captain within a Sheriff's department overseeing the jail facility.

For state prisons, NIJ will rely on several methods for collecting information at the facility-level. Because state prisons and their data are managed by the headquarters of a state's correctional department, NIJ will initially send the survey to the central reporter from a state department of corrections and ask them to complete the survey on behalf of the facilities selected in that state. We anticipate that some of these central points of contact will then complete the survey themselves, while others will assemble responses to the survey questions from others within the department of corrections or from the facility directly (e.g., personnel from the department's statistics and research division, Human Resources department, policy/administrative division, etc.). If directed by the central reporter in a state, NIJ may also reach out to some of the facilities directly to complete the survey. The Bureau of Justice Statistics currently relies on a similar approach to collect facility-level data for its Census of State and Federal Adult Correctional Facilities, as well as to collect data on individual state prisoners in response to the Death in Custody Reporting Act of 2013 (H.R. 1447). NIJ and Urban also confirmed the feasibility of this approach through the focus groups with the correctional administrators from New York, Colorado, Arkansas and Ohio.

**Table 2. Stratified Sampling of Jails (n=299)**

	<b>Proportion of Pretrial Population: Low</b>			<b>Proportion of Pretrial Population: Medium</b>			<b>Proportion of Pretrial Population: High</b>		
	<b>Correctional Staff Size</b>			<b>Correctional Staff Size</b>			<b>Correctional Staff Size</b>		
<i>Region</i>	Small	Medium	Large	Small	Medium	Large	Small	Medium	Large
<i>Central</i>	7	16	7	7	11	5	8	11	8
<i>Northern</i>	0	2	5	0	2	8	0	0	5
<i>Pacific</i>	4	4	2	2	3	7	1	1	4
<i>Southern</i>	10	13	14	5	10	12	5	14	15
<i>Western</i>	10	5	2	10	10	7	8	11	8

**Table 3. Stratified Sampling of Prisons (n=286)**

	<b>No Inmates Allowed to Leave Facility</b>			<b>Some Inmates Allowed to Leave Facility</b>		
	<b>Inmate Size</b>			<b>Inmate Size</b>		
<i>Region</i>	Small	Medium	Large	Small	Medium	Large
<i>Central</i>	17	3	1	1	10	22
<i>Northern</i>	16	7	2	2	10	14
<i>Pacific</i>	9	3	0	8	5	11
<i>Southern</i>	20	12	0	7	24	27
<i>Western</i>	14	5	1	2	16	17

The jail and prison samples were developed from the universes enumerated in the Census of Jails (OMB No. 1121-0147) and Census of State and Federal Adult Correctional Facility (OMB No. 1121-0147), respectively. As shown in Table 2, a stratified probability sample of approximately 300 jails were selected based on the region, staff size, and the proportion of pretrial defendants in each jail. The region and size of organizations as study subjects are widely and conventionally used for stratification. However, the proportion of pretrial defendants is a unique grouping measure for the proposed data collection as jails house both pretrial defendants and convicted offenders, the former of whom would have an increased risk of contraband-related activities as they frequently move in and out of the facility for court hearings.

Likewise, Table 3 presents the stratified probability sample of 286 prison facilities selected on the size of the inmate population, whether inmates are allowed to leave the facility, and region. Like the proportion of pretrial defendants used for the jail sample, stratifying by whether inmates are allowed to leave a facility is a unique measure that is relevant for the study of contraband. Based on focus group feedback with correctional administrators, prisons with more inmates leaving and returning to the facility (e.g., for work release, furlough, etc.) may have a greater levels of contraband and/or exposure to different types of contraband.

Assuming an 85 percent response rate, these stratified samples would be sufficient to yield an estimate with a margin of error of plus or minus 5 percent at a 95 percent level of confidence. Given the nature of the survey, this level of precision is perfectly adequate.

NIJ expects data collection to be conducted through a web-based platform to facilitate data entry and transfer for survey participants, as well as data verification and report preparation. As a data collection agent, Urban has been selected to provide day-to-day operations and management of the survey, and will also collect various paradata (e.g., respondent response mode, the time of survey completion, the time interval between respondent access to the survey and completion of the survey, etc.) that will allow NIJ to better evaluate the success of the online data collection effort and help reconcile potential inconsistencies in survey responses.

c. NSCC data collection process

As noted above, data collection operations will be conducted by Urban. Urban will provide the respondents from the state departments of corrections and local jails with a full package of the NSCC materials both via mail and electronically. The package will include an introductory brochure of the NSCC, endorsement letters from professional organizations to encourage survey participation, the survey questionnaire, and detailed instructions on how to complete the survey. The primary mode of data collection will be an online self-administered survey, but those who have technical difficulty may be given an option to complete the paper questionnaire and return it by mail. Project staff will track when the survey respondents open and complete a data entry session on the survey website and periodically follow up with those who remain inactive for an extended period of time or do not open a session. Further, project staff will review survey responses and consolidate invalid, redundant, or anomalous responses as needed.

### **3. Necessity of information collection**

Under Title 34 U.S.C 10122, NIJ is directed to initiate research and develop tools and technologies relating to prevention, detection, investigation, and prosecution of crime at the federal, state, and local level (see Attachment A). In correctional institutions, contraband items such as drugs, alcohol, cell phones, cigarettes, and makeshift weapons can be used by inmates to engage in criminal activity, spread violence, create underground economies, and perpetuate existing addictions (CSJ, 2015; Wolff et al., 2007). For instance, contraband weapons can be used to facilitate escapes from prison (Peterson, 2015; U.S. Sentencing Commission, 2008), while contraband cell phones can be used to intimidate witnesses, further criminal enterprises, and compromise public safety (GAO, 2011; NLECTC 2014).

Despite the substantial safety risks and implications of contraband, current knowledge and practice in correctional management are limited by the lack of basic information about how much contraband is brought into facilities and seized by correctional staff. The Bureau of Justice Statistics maintains several data collections on inmates in correctional facilities, such as the Annual Survey of Jails and the Census of State and Federal Adult Correctional Facilities, but these do not provide detailed information on the types or levels of contraband in correctional facilities, nor on the policies, practices, and technologies in place to prevent, detect, and remove contraband. It is also beyond the scope of these data collection efforts to specifically identify incidents caused by or related to contraband, such as assaults with weapons and violations for alcohol or drug use.

There is limited empirical research on contraband, conducted by professional correctional organizations (e.g., the American Correctional Association) and academic researchers. However, these studies are lacking in many important ways. First, the existing knowledgebase is outdated and does not reflect the fast-evolving landscape of correctional contraband (e.g., contraband brought in by drones) and anti-contraband technologies. Second, extant studies are typically based on one or two specific facilities, lacking any sense of generalizability. Third, the depth of existing research is not sufficient enough to shed light on specific contraband issues and contraband management practices. Lastly, there is practically no systematic information about various ways in which contraband is introduced to the facility (i.e., “entry points”); the consequences of contraband violations for inmates, staff, and visitors; the link between facility characteristics (e.g., staff-to-inmate ratio, program offerings, etc.); or the effectiveness of policies on detecting and removing contraband.

To address these critical knowledge gaps, the NSCC aims to collect detailed information on the facility characteristics that may be associated with how much contraband that enters a facility; the prevalence of different types of contraband and contraband-related critical incidents; the contraband-related consequences and outcomes for staff, visitors, and offenders; the use of interdiction modalities across correctional facilities; and the mechanisms through which contraband enters facilities. The NSCC will specifically focus on differentiating between different types of contraband and interdiction modalities, allowing correctional agencies to learn about important details of the issue as well as possible solutions.

- a. Statutory and regulatory information

Under Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (sections 201 and 202); and 34 U.S.C. 10121, NIJ is directed to provide for and encourage research and demonstration efforts for the purpose of— (1) improving Federal, State, and local criminal justice systems and related aspects of the civil justice system; (2) preventing and reducing crimes; (3) insuring citizen access to appropriate dispute-resolution forums; and (4) identifying programs of proven effectiveness, programs having a record of proven success, or programs which offer a high probability of improving the functioning of the criminal justice system. The proposed data collection comports with this mandate as it will develop a fundamental understanding of emerging trends and issues with contraband and identify effective ways to interdict contraband.

#### **4. Needs and Uses**

- a. A national database on correctional contraband

Given that the NSCC will provide comprehensive data on correctional contraband in the U.S. that have yet to be compiled, it is reasonable to expect that the potential use of the NSCC will be broad in scope and content. As a first-ever national database on correct contraband and contraband interdiction modalities, the NSCC will serve as the nation’s leading source for information on correctional contraband. There will be federal, state, and local government users of the data, as well as academic researchers, nonprofits, and the media that analyze the NSCC data for policy and scholarly discussion. For instance, the NSCC will be a critical resource for

answering questions about the scope and spread of particular types of contraband in prisons and jails across the country. Specifically, users of the NSCC could examine how some contraband are more common in prisons compared to jails, or in one geographic region over another. Likewise, the information provided on facility characteristics and interdiction modalities will be an invaluable resource on the ways correctional administrators can minimize the amount of contraband that enters their facilities.

To facilitate the wide use of the NSCC data, NIJ and Urban will prepare the NSCC data for public dissemination. The NSCC data will be archived at the National Archive of Criminal and Justice Data for public access. Further, Urban will work with NIJ to produce a number of timely scholarly reports and practitioner-friendly publications highlighting major findings from the analyses of the NSCC data.

#### b. Uses and users of the NSCC data

There are a number of specific uses for and users of the NSCC data. In particular, the **National Institute of Justice** will be a primary consumer of the information provided by the proposed data collection. The results of the NSCC will help NIJ identify research priorities pertaining to contraband and correctional management. NIJ emphasizes the needs and requirements of Federal, state, local and tribal criminal justice systems by prioritizing a balance between basic and applied research to support improved outcomes in practitioner communities.

For **Federal, State, and Local policymakers**, the NSCC will serve as an essential tool in the numerous correctional agencies that face substantial contraband issues. Criminal justice stakeholders and policymakers responsible for the management of correctional facilities will be able to use the NSCC data and benchmark their contraband interdiction efforts relative to other agencies nationally. They will be able to identify similar facilities and examine the extent of their contraband-related issues and the use of contraband interdiction technologies.

Likewise, **correctional administrators across the country** from all types of facilities will be able to use this information to highlight contraband issues and identify effective interdiction modalities and policies. For example, stakeholders interviewed during our work groups to develop the survey stated that this survey would be a benefit to the field if it could demonstrate the extent of the contraband problem they face in their facilities and in prisons and jails across the country. This would allow them to speak with the lawmakers in their jurisdictions about the prevalence of contraband and its consequences for staff and inmate safety. The NSCC will highlight the use of different interdiction modalities, allowing administrators to identify possible ways to prevent the spread of contraband and bolster institutional safety and security.

In particular, researchers will have the opportunity to study the relationship between contraband interdiction modalities and levels of contraband. There has been a rapid rise of technological products aimed at preventing unauthorized items from entering correctional facilities, such as drone detection technologies, cell phone signal blockers or access control devices, and an array of metal and object detectors. These technologies are often expensive and should be purchased only by the agencies that are most likely to realize a net benefit. The NSCC, along with concurrent qualitative data collected by NIJ and Urban on contraband, will provide preliminary

information on the effectiveness of these technologies and the recommendations for their implementation based on the unique conditions of each facility.

In regards to scholarly discussion, **researchers and scholars** will be able to identify correlates of the levels of contraband recoveries and incidents. The NSCC will capture several facility-level indicators that may influence how much contraband enters a facility or how much is detected and removed. This includes facilities' staffing levels, the size of their inmate populations (and the degree to which these are overcapacity), their architectural designs, and physical security levels. These variables have been thoroughly examined in previous studies as indicators of correctional violence and other critical incidents, but they have yet to be included in a comprehensive study of contraband.

#### c. Post data collection analyses and anticipated products

Upon completion of data collection, NIJ and Urban will inspect the quality and integrity of data (e.g., missing patterns and invalid responses) and troubleshoot any issues as needed. The final data will be prepared with the goal of developing a comprehensive understanding of the prevalence and management of correctional contraband in the United States. Given the bifurcated design of data collection for state correctional facilities (i.e., prisons) and local correctional facilities (i.e. jails), it is anticipated that the data will be examined separately for prisons and jails. Similarly, analytic weights for missing data, if needed, will be created separately for prisons and jails so that the final data will be representative of state and local correctional facilities in the United States, respectively.

Most of the analyses to be performed will be descriptive and exploratory in nature. The project team will produce descriptive statistics on a number of measures, regarding the production, distribution, and use of contraband in correctional facilities and examine systematic variations across the region, size, and type of correctional facilities if any. Using a multivariate regression framework, the project team will also shed light on the type of facilities that are likely to encounter contraband incidents while controlling for inmate and facility characteristics, including current practice in contraband management.

Once the project team is sufficiently informed of the current landscape of correctional contraband and contraband interdiction modalities in the United States, NIJ anticipates producing multiple reports from the NSCC. First, Urban will develop and submit manuscripts for publication in academic, refereed journals. One of these articles will focus on the prevalence and types of contraband across correctional facilities based on findings from the NSCC data. This article will assess the degree to which contraband varies across facility types and geographies, and given the dearth of extant research on contraband, it will be of interest to academics who study correctional management. A second article will focus on the state of contraband interdiction modalities in the U.S. This will include a description of the types of interdiction modalities currently used and their spread across prisons and jails of varying security levels and geographic regions.

In addition to these academic publications, NIJ anticipates working with Urban to produce a series of deliverables that provide clear, practical information about contraband, the methods by



which contraband enters correctional facilities, which interdiction modalities administrators use to prevent and remove contraband, how administrators select and implement these interdiction modalities, and lessons learned related to the cost, implementation challenges, and efficacy of these modalities. These deliverables may be published in corrections trade magazines, blog posts, and/or practitioner-friendly research briefs on Urban's website. These will provide succinct, easily-digestible information to a wide range of professional and public audiences.

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

#### d. Proposed Survey Instruments

The aim of the NSCC is to collect detailed information on information about the level of different types of contraband in correctional facilities; the consequences, incidents, and outcomes associated with contraband; the use of interdiction methods and strategies; and the points of entry for contraband into these facilities. More specifically, the NSCC consists of seven sections, as detailed below.

##### ***Section 1: Facility Characteristics***

This section includes eight questions that capture basic descriptive information about the facility, including the location, security level and features, architectural style, capacity, and age of the facility.

##### ***Section 2: Inmate and Staff Counts***

This section includes five questions that ask respondents about the demographic composition of the inmates, staff, and volunteers in their facility, as well as the facility's average daily inmate population.

##### ***Section 3: Facility Programs.***

This section contains three questions intended to capture the extent of inmate movement in and out of the facility through participation in a variety of work assignments and rehabilitative programs, including work release, educational release, and any other program-related release.

##### ***Section 4: Contraband Recoveries***

This section has two questions about the number of contraband recoveries recorded by the facility.

##### ***Section 5: Contraband Incidents***

This section includes four questions on the number of contraband-related injuries, infractions, and any other administrative actions, such as disciplinary reports and employment terminations.

##### ***Section 6: Contraband Interdiction***

This section contains eight questions that aim to shed light on the extent to which the facility uses a variety of contraband interdiction strategies and policies.

### ***Section 7: Contraband Entry***

This last section has one question about the degree to which each type of contraband entry mode (e.g., via inmates, via staff, and via visitors) is a problem for the facility.

Overall, the NSCC consists of a total of 31 items, some of which are broken down by category. This comprehensive coverage of contraband-related issues and management practices will ensure the development of meaningful knowledge on correctional contraband that can ultimately lead to data-informed policy decisions and systems change. The field is well-primed to receive rigorous and practical research on contraband and contraband interdiction modalities.

## **5. Uses of information technology to reduce burden**

### **a. Web questionnaires**

Urban's past experiences has shown that offering multiple modalities improves response rates. This understanding further strengthened during the pilot testing, where some respondents preferred to complete the survey online and other preferred to complete the survey on paper. Thus, to make this process as convenient as possible for respondents, Urban as survey administrator will offer multiple modes for completion.

The NSCC instrument, which will be distributed to local and state correctional facilities, will primarily be administered online through the Qualtrics web-based survey software (see attachments D and E). Qualtrics restricts each unique hyperlink from being used by more than one person after the survey has been submitted. Using an online survey software enables Urban to track individual respondents' progress within the survey, send respondents reminders, and aggregate collected data. There will likely be some facilities where multiple respondents will work to complete the survey. As such, survey links can be accessed on more than one computer, and surveys can be saved and reopened through their unique hyperlinks. Survey data and metadata from Qualtrics can also be easily exported/converted into Excel, SPSS, and Stata formats/files.

In addition, Urban will administer surveys by paper to responding agencies who will not have access to the internet or simply prefer not to use a web-based survey software (see attachments B and C). For example, one of the agencies who participated in the pilot test of the instrument chose to fill out the survey on paper because their facility did not have access to the internet. For these agencies, Urban will provide a PDF-fillable, paper-based version of the survey that agencies can fill out and send by fax or through the mail. These data will be entered into the automated data file as they are received noting the date and method of data submission.

The dataset collected under this project, as well as any supporting documentation, will be made available for download without charge at the National Archive of Criminal Justice Data (NACJD) at the Inter-University Consortium for Political and Social Research (ICPSR). Access to these data permits analysts to identify the specific responses of individual correctional facilities and to conduct statistical analyses about prisons and jails.

## **6. Efforts to identify duplication**

Through our meetings and conversations with various other federal agencies who conduct statistical surveys and/or collect data on correctional issues (e.g., the Bureau of Justice Statistics and the National Institute of Corrections), and our general knowledge of ongoing statistical data collections, NIJ has determined that the NSCC includes a few measures on facility characteristics and staff and inmate counts that are similar to measures included in two ongoing surveys by the Bureau of Justice Statistics: The Annual Survey of Jails (OMB No. 1121-0094), which collects annual information from a sample of jails to estimate the number and characteristics of inmates in jails nationwide, and the Census of State and Federal Adult Correctional Facilities (OMB No. 1121-0329), which periodically collects detailed information on the number of staff and inmate characteristics, facility age and type, security level, programs, facility operations, and confinement space.

Both of these data collection efforts ask questions similar to the NSCC about the number of inmates and staff within the facility, as well as the facility's security level, rated capacity, and available programming. There are a number of differences between these BJS surveys and the NSCC. First, although BJS asks questions about the facility, the NSCC includes several questions that are relevant to the study of contraband that are not included in any of the BJS data collections. For example, the NSCC asks respondents about the type of area in which the facility is located (urban, suburban rural/frontier), the facility's use of direct supervision, and the facility's architectural design.

Second, the NSCC period of data collection will not overlap with the two BJS efforts. The Annual Survey of Jails is given to a certainty sample of 300 jails each year (which includes primarily jails with larger inmate populations), as well as sample of ~600 jails randomly selected for a panel every 5 years. The NSCC will be provided to a sample of 300 jails, but will include many jails who are not a part of the certainty sample or panel in the annual survey of jails (e.g., jails with smaller inmate populations). BJS only conducts the Census of State and Federal Adult Correctional Facilities every 5-7 years and the next iteration of the census will not overlap with NSCC data collection. In short, the number of similar items in the NSCC and other federal surveys is small and the information collected is necessary to meet the internal needs of each survey.

Aside from the few items on facility characteristics, no other items in the survey are duplicative of other federal surveys. The NSCC will be the first ever systematic data collection effort on the scope of contraband and contraband interdiction modalities in the United States. No other survey has ever attempted to collect information specifically on levels of contraband or the use of interdiction modalities from such a wide-range of correctional facilities. Isolated efforts have been completed to estimate the prevalence of contraband-related injuries or violence in prison (Biermann, 2007; Wolff et al., 2007). However none of these efforts focus specifically on contraband and are too limited to provide guidance to correctional agencies on contraband management issues. These resources only touch on the issue of contraband in a broader context of institutional non-compliance but do not go into detail on the prevalence of different types of contraband, the different methods they are brought into facilities, and the effectiveness of different interdiction modalities. Furthermore, with the rapidly changing role of technology in

blocking and disincentivizing contraband in correctional settings, previous resources do not reflect the current landscape of contraband in the United States.

## **7. Efforts to minimize burden**

The proposed survey was designed to reduce the burden faced by respondents in multiple ways. First, the instrument was designed for web-based data collection with built-in assistance and edit checks. Next, agencies were consulted to help ensure that questions could be answered without excessive effort and that the survey as a whole was short in length. Feedback from the pilot revealed that most questions were easy to understand and straightforward to answer. Following the advice of respondents, project staff focused on using concise definitions and specific wording in order to minimize confusion for survey participants.

NIJ expects that most respondents will make use of the easily-accessible online survey software to complete the survey. A number of web-based system functions will be in place to ease the burden of survey completion. The Urban Institute will utilize an intelligent log-in program for data collection, which will store agency information and responses, allowing for multi-session, non-sequential completion of the survey instrument. The online platform will also reduce the burden by allowing them to stop response entry pending confirmation of information from others in the agency.

Qualtrics provides an easy to use and accessible platform for survey completion that has been used successfully for other large scale surveys of criminal justice agencies. Furthermore, the use of unique hyperlinks will ensure that agencies do not accidentally spend time re-completing a survey after it has already been submitted. Since many agencies, particularly the larger ones, will need to pass on the survey to multiple individuals to create a single complete response, this will reduce the burden by facilitating data entry from different sources. Survey links can be easily transferred to individuals using different computers, and surveys can be saved and reopened through their unique hyperlinks.

NIJ will work with Urban to create a Help Desk for the NSCC that will be staffed during normal business hours (east coast time) and will be available to respondents through a toll-free number or via email (NSCC@urban.org). Respondents who lack the capabilities to access and utilize the web-based survey instrument will receive a paper-based survey by fax or mail accompanied with paper based definitions of terms and directions. A data collection manager will oversee the Help Desk; when not available, calls will automatically be routed to another survey team member for immediate response. Voicemail will be available during off hours. In addition to the helpdesk number and email address, survey respondents will also be provided with the contact information of the project's principal investigator to insure timely communications.

In addition, NIJ has sought guidance on the NSCC from a range of correctional professionals, organizations, and federal agencies, including the American Correctional Association, the Association of State Correctional Administrators, the American Jail Association, the National Sheriff's Association, the Bureau of Justice Statistics, the National Institute of Corrections, as well as correctional administrators from the New York Department of Corrections and Community Supervision, Colorado Department of Corrections, Arkansas Department of

Correction, Ohio Department of Rehabilitation and Correction, Denver Sheriff Department, and the Marion County Sheriff's Office. The main objective of these consultations was for us to produce a clear, accurate survey that minimizes respondent burden. Incorporating feedback from these consultations, NIJ and Urban revised the survey to simplify questions, improve response code options, and clarify any technical language or jargon.

In May 2017, NIJ pilot tested a draft instrument with 9 correctional facilities and feedback from these agencies resulted in changes to the number, type, and wording of questions on the proposed survey instrument.

## **8. Consequences of Not Conducting Collection**

The NSCC will be the first and only source of national-level data on the prevalence of contraband, the scope of contraband-related incidents and outcomes, and the use of interdiction modalities. There has never been a similar data collection effort. If the proposed data collection is not conducted, there will be no reliable, national information on which correctional administrators and stakeholders can draw to create benchmarks and development evidence-based recommendations and policies that minimize contraband and improve the safety of correctional officers.

## **9. Special circumstances**

No special circumstances have been identified for this project.

## **10. Public comments and outside consultations**

The proposed data collection and analysis will be conducted in a manner consistent with the guidelines in 5 C.F.R. 1320.8(d). The Federal Register notice initiating the 60-day and 30-day public comment period was published on XX, 2017 (Volume X, Number X, Page XX) and XX, 2017 (Volume X, Number X, Page XX), respectively. No comments were received from the public [If received, briefly summarize here]. With respect to outside consultations, the data collecting agent, Urban, shared drafts of the survey instrument with multiple professional organizations—including the American Correctional Association, the Association of State Correctional Administrators, the American Jail Association, and the National Sheriff's Association—as well as with staff at the Bureau of Justice Statistics and National Institute of Corrections. They have already provided invaluable feedback on the structure and content of the NSCC, and will remain available to NIJ and Urban for further guidance as needed. The American Correctional Association also helped select correctional agencies to participate in a pilot study in which the NSCC questionnaire and data collection protocols were tested. Pilot test respondents provided detailed feedback on the survey. Please see Attachment K which contains the Pilot Report.

Urban's points of contact at subcontracting and other involved organizations are as follows:

- (1) Jeff Washington  
American Correctional Association  
206 N Washington Street

Alexandria, VA 22314

- (2) Jack Harne  
National Institute of Justice  
810 7th Street NW  
Washington, DC 20531

### **11. Provision of Payments or Gifts to Respondents**

Neither NIJ nor the Urban Institute will provide any payment, gift, or any other type of incentive to respondents. Respondents will participate on a voluntary basis.

### **12. Assurance of Confidentiality**

Following 34 U.S.C. 10134, 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 correctional management or any purpose relating to a particular individual other than statistical or research purposes. The data collected through the NSCC represent institutional characteristics of correctional agencies.

The names of the respondents who completed the data collection instrument will be kept confidential. NIJ and The Urban Institute will take all precautions to ensure that individuals completing the survey will not be identified. The online survey is protected through security logins, firewalls, and virus protection software.

### **13. Justification for Sensitive Questions**

No individually identifiable information or questions of a sensitive nature will be asked. Questions in the survey are divided into 7 distinct sections: facility characteristics, inmate and staff counts, facility programs, contraband recoveries, contraband incidents, contraband interdiction, and contraband entry. It is possible that agencies could become uncomfortable in answering questions about illegal acts that their own staff is committing related to contraband. Respondents could also become uncomfortable with admitting that contraband is a serious issue at their facility. However the survey does not ask agencies to identify any responsible individuals and respondents may skip any question with which they feel uncomfortable. The data collected will be used to help agencies identify common issues related to contraband and work with local legislators to develop or purchase technology to ameliorate the issue. Furthermore, correctional agencies that participated in the survey work groups and pilot tests reported no issues with responding to these questions.

### **14. Estimate of respondent burden**

NIJ has estimated the respondent burden for the proposed NSCC at 1,200 hours. There is an estimated 800 respondents and 1.5 hours to complete for a total of 1,200 burden hours.

This estimate is based on the burden estimates generated from 9 tests of an earlier draft of the survey instrument, and the number and type of questions asked in the final survey instrument proposed here, which reflects changes made after the pilot test.

In May 2017, the online version of the NSCC was pilot tested with 9 facilities, including 6 prisons and 3 jails. Respondents were asked to complete the survey, consider the utility and clarity of survey questions, and provide time burden estimates for the survey. Upon completing these pilot surveys, respondents were asked a series of questions about the online software and the survey questions and instructions.

As outlined in Table 4, of the 9 facilities that participated in the pilot test, 6 provided useable burden estimates (1 facility did not provide feedback on the length of time it took to complete the survey and 2 facilities generally indicated that it was quick to fill out the survey but took time to retrieve the necessary data). On average, the 6 respondents reported taking approximately 95 minutes to find the data and complete the survey for each facility. Respondents reported being able to quickly find information on the facility characteristics, the size and demographics of inmates and staff, facility programs, contraband interdiction modalities, and contraband entry points sections. It took them longer to track down data for the contraband recoveries section, and to a lesser extent the contraband-related incidents section.

**Table 4.** *Burden estimates for pilot sites*

<b>Correctional Facility</b>	<b>Burden Estimate Provided</b>
<i>Trumbull, OH</i>	60 minutes
<i>Grafton, OH</i>	180 minutes
<i>Tucker Unit, AR</i>	Data retrieval can get time consuming, but completing the survey didn't take much time.
<i>Maximum Security Unit, AR</i>	Data retrieval can get time consuming, but completing the survey didn't take much time.
<i>Limon, CO</i>	210 minutes
<i>Attica, NY</i>	Debriefing not completed
<i>Marion County Jail I</i>	30 minutes
<i>Marion County Jail II</i>	30 minutes
<i>Denver County Jail</i>	60 minutes

Eight of the nine responding facilities provided feedback on the specific wording, format, and organization of the survey, as well as the data collection process. Based on their feedback, NIJ has revised the instrument and survey process in several ways. First, one of the respondents emphasized the importance of offering a paper version of the survey because many facilities do not have internet access, making it difficult for respondents to submit the survey online. NIJ and Urban were already planning on providing a paper option for the survey, but had initially fielded the pilot test with only an online version of the instrument. Once the respondent was provided with a paper version of the survey, they were able to quickly gather the questions to questions on paper, then scan and submit their responses via email once they were in a location with internet access.

A few respondents also indicated some confusion about the questions under section IV (Contraband Recoveries) of the survey. In particular, they noted that contraband recoveries might be recorded differently in their system than how they were asked to report these data in the survey. To address this feedback, the questions in this section were revised to give respondents more flexibility on how they reported these data. For example, respondents are now able to include any additional information to clarify how they record/report data on contraband recoveries. Further, respondents are invited to fill out the “total” number of recoveries in their facility and then indicate which types of contraband were included in this number. Finally, respondents are asked to report the number of contraband recoveries by certain types of items when data are available. In addition to these changes, the revised survey removed two duplicative questions from section IV and added an additional paragraph further explaining the survey’s definition of “contraband recovery.”

Another respondent suggested sending the survey well in advance of the submission date to give facilities ample time to coordinate with people from various divisions/departments within the facility to provide the answer (statistics/research, security, etc.). Finally, one respondent had trouble with the online system and was kicked out of the survey before they could complete it. The issue with the system was identified and will be fixed for the actual survey distribution.

The final proposed NSCC instrument consists of a total of 31 items, which includes some questions with multiple sub-categories. Many of these questions (e.g., those related to policies on contraband interdiction) will be similar across facilities within a single correctional system. Thus, a state responding for multiple facilities can more efficiently answer these questions across multiple surveys than a respondent from a single jail. Similarly, many respondents indicated that most of their time was spent tracking down the data or the person responsible for answering a particular questions. Again, this will be more expedient when states are providing responses for multiple facilities at one time. Based on these factors, NIJ anticipates a small reduction in the average burden. Thus, the final burden estimate of the proposed NSCC is 90 minutes per facility, or 1,200 hours in total. The following burden statement will be included with the NSCC:

#### **Burden Statement**

Under the Paperwork Reduction Act, we cannot ask you to respond to a collection of information unless it displays a currently valid OMB control number. The survey will be sent to administrators from state and local correctional agencies. The average time required to complete the survey is estimated at 90 minutes. Send comments regarding this burden estimate or any aspect of this survey, including suggestions for reducing this burden, to the Director, National Institute of Justice, 810 Seventh Street, NW, Washington DC 20531. Do not send your completed form to this address.

### **15. Estimate of respondent’s cost burden**

NIJ anticipates that one or more person(s) per sampled facility will complete the data collection instrument, with pay approximately equivalent to the GS-12/01 level (\$73,375 per year). Based on the estimated time burden, the agency cost of employee time would be approximately \$35.28 an hour. The total respondent employee time cost burden is estimated at \$42,336.

There are no anticipated costs to respondents beyond the employee time expended during completion of the survey instrument. The information requested is of the type and scope



normally carried in their records and no special hardware or accounting software or system is necessary to provide the information for this data collection. Respondents are not expected to incur any capital, start-up, or system maintenance costs in responding. This expectation was further reinforced through the pre-test survey; none of the 9 responding facilities reported additional costs incurred by survey participation.

## **16. Costs to federal government**

The total expected cost to the Federal Government for the survey data collection is \$434,494 all to be borne by NIJ. This work consists of work by the data collection agent (the Urban Institute), which includes planning, developing the survey instrument, preparation of materials, collecting the data, evaluating the results, and generating deliverables and reports. In addition to the direct costs for data collection, a NIJ GS-Level 13 scientist will be responsible for overseeing the Urban Institute's work on this project.

## **17. Reasons for Change in Burden**

This is a new data collection, so all burden estimates are original.

## **18. Publication Plan and Schedule**

The data collection for the NSCC is scheduled to commence in August 2018. The data collection period is 10 months, which include the processing of survey responses, data audits, and follow-up debriefing with survey participants as needed. NIJ has determined that this timeline is feasible based on the lessons learned during the pilot testing and the emphasis on web-based data collection.

The dissemination of publications will follow shortly after survey data are collected. Project-related publications can be prepared in the form of conference presentations, blog posts, research briefs, and journal articles and be disseminated for diverse audiences. These publications will draw largely from a series of exploratory analyses that describe the prevalence of contraband and the use of contraband interdiction modalities in the U.S. Survey weights will be developed to account for the sample design and nonresponse when estimating how many contraband-related injuries, infractions, and any other administrative actions occurred and how frequently different types of contraband were recovered in correctional facilities. These outcomes will also be examined with reference to facility characteristics and contraband interdiction modalities used in the facility to identify correlates of correctional contraband. Urban will also submit final report and all data to NIJ at the end of the project period.

The project schedule is as follows:

Preparation and pretesting	Completed April 2017
Package development and submission	May 2017 – December 2017
DOJ and OMB review	January 2018 – June 2018
Data collection	August 2018 to December 2018
Data processing/analysis	January 2019 to April 2019

Created and disseminate deliverables  
Submit Final Report and Data to NIJ  
Data release to public

May 2019 to September 2019  
September 2019 to December 2019  
Upon NIJ approval

## **19. Display of expiration date**

The expiration date will be shown on the survey form.

## **20. Exception to certificate statement**

Not applicable. This is a new data collection.

## **21. References**

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## Attachments

- A. Title 34, U.S. Code, Section 10121-10122
- B. Jail Survey Form
- C. Prison Survey Form
- D. NSCC Jail Form Web Format
- E. NSCC Prison Form Web Format
- F. Support letters from professional organizations
- G. Support letters from the correctional agencies
- H. 60-day ICR notice
- I. 30-day ICR notice
- J. Pilot report
- K. Ad hoc letter
- L. Follow-up email-letter
- M. Follow-up phone call
- N. Pre-notification letter
- O. Replacement survey letter
- P. Survey cover letter
- Q. Thank you postcard/email
- R. Debriefing protocol
- S. Last chance letter