1-701, LAW ENFORCEMENT OFFICERS KILLED AND ASSAULTED PROGRAM, ANALYSIS OF OFFICERS FELONIOUSLY KILLED AND ASSAULTED

1-701a, LAW ENFORCEMENT OFFICERS KILLED AND ASSAULTED PROGRAM, ANALYSIS OF OFFICERS ACCIDENTALLY KILLED

The Federal Bureau of Investigation's (FBI) Uniform Crime Reporting (UCR) Program requests a revision of a currently approved collection.

A. Justification

1. Necessity of Information Collection

   Under the authority of Title 28, United States Code (U.S.C.), Section 534, *Acquisition, Preservation, and Exchange of Identification Records; Appointment of Officials,* June 11, 1930, the FBI UCR Program requests data about incidents where law enforcement officers (LEOs) were:

   - Accidentally killed,
   - Feloniously killed, or
   - Assaulted and sustained injury with a firearm or knife/other cutting instrument while in the line of duty from local, state, tribal, and federal law enforcement agencies (LEAs) throughout the country.

   The FBI Law Enforcement Officers Killed and Assaulted (LEOKA) Program uses the following forms to capture this information:

   - 1-701, *Law Enforcement Officers Killed and Assaulted Program, Analysis of Officers Feloniously Killed and Assaulted;* and
   - 1-701a, *Law Enforcement Officers Killed and Assaulted Program, Analysis of Officers Accidentally Killed*.

   This information collection is a necessity for the FBI to maintain a database and serve as the national clearinghouse for the collection and dissemination of LEOs killed and assaulted statistics, and ensures publication of the annual edition of *Law Enforcement Officers Killed and Assaulted.* The information collected from the death and assault incidents are invaluable to the LEOKA Liaison Specialists (LS) who incorporate these findings into the "Officer Safety Awareness Training" (OSAT) provided to LEAs nationwide.

2. Needs and Uses

   The LEOKA Program collects and maintains this data for the UCR Program. The primary goal of the UCR LEOKA Program is to facilitate the reduction of the number of LEO line-of-

duty deaths and assaults by providing data, research, and instructional services relative to law enforcement safety. The LEOKA Program provides data regarding officer deaths and assaults via its annual publication and responds to special data requests. Participants use the data to:

- Identify circumstances and trends in which officers are killed and assaulted in the line of duty;
- Aid LEAs in developing policies and training programs to improve officer safety;
- Include in the curriculum of the LEOKA OSAT, and
- Provide information to LEOKA LSs for the composition of officer safety monthly articles.

Some examples of the data requests include offender race/ethnicity data, officer seatbelt usage, number of LEOs feloniously killed, offenders with mental illnesses, officer-involved shooting information, time of death, caliber of weapon used when an officer is killed with a firearm, and the ages of the offenders in felonious incidents. During 2017, LEOKA LSs provided 50 OSAT classes to LEAs across the country. Of these classes, 3,210 LEOs attended, representing 1,208 LEAs. Examples of other entities using the data include:

- Local, state, tribal, federal, and international LEAs request LEOKA information to perform research on specific topics of interest, i.e., use of body armor, weapon information, etc. In 2017, the LEOKA Program received 49 requests from these entities.
- During 2017, the LEOKA Program received four requests for LEOKA information from law enforcement training centers and academies.
- The media, academia, special interest groups, and the public submitted forty-seven requests for LEOKA data in 2017.
- The data collection has inspired the further publication of studies entitled: *Killed in the Line-of-Duty, In the Line of Fire, Violent Encounters,* and the upcoming *Ambushes and Unprovoked Attacks; Assaults on our Nation's Law Enforcement Officers*.

    o The LEOKA Program launched a thorough examination of ambushes and unprovoked attacks, after noticing an alarming trend in the number of officers killed in these types of incidents. While the overall number of officers feloniously killed declined, the percentage of officers feloniously killed during surprise attacks increased. The intent of the study was to gain insight into the phenomenon and to provide information to enhance training programs for LEOs. The research focused on the mindset and perceptions of the officers involved and the offenders who carried out the acts. Focusing on why the incidents occurred and how those involved reacted to the situation. While ambushes and unprovoked attacks cannot be entirely prevented, through the findings of this study, officers can gain a greater understanding of why these attacks occur, recognize specific circumstances in which they have occurred, and learn what officers have done to survive these attacks and handle the aftermath. This study is set to be released at the end of 2018.

- Other officer safety article publications influenced by the LEOKA data collection include:
    - *What is a Safe Distance;*
    - *The 4000-Pound Bullet;*
    - *Ambushes on U.S. Law Enforcement Officers;*
    - *Foot Pursuits: Risk v. Reward;*
    - *Arrest Situations: Understanding the Dangers;*
    - *Preventing Assaults: Assisting Offender Perceptions;*
    - *By the Numbers: Turning LEOKA Data into Training Opportunities;*
    - *Understanding Accidental Deaths Among Law Enforcement;*
    - *Accidental Deaths–Speed and Seatbelts;*
    - *Preventing Assaults–Can You Believe What You Perceive;*
    - *Carved in Lasting Tribute to Those Who Gave All–Much More Than a Job;* and
    - *Exploring Potentially Lethal Law Enforcement Errors.*

3. <u>Use of Information Technology</u>

Currently, no LEAs electronically submit forms 1-701 and 1-701a to the UCR LEOKA Program. However, the FBI developed a new LEOKA database, which is a software application housed in the Law Enforcement Enterprise Portal (LEEP). This database is ready for deployment. The database allows users to electronically complete Forms 1-701 and 1-701a (OMB No. 1110-0009). This database provides a graphical user interface tool to walk the preparer through a series of questions relevant to the LEOKA incident. LEOKA staff receive the official death notifications electronically from FBI field offices (FOs) via Sentinel, an FBI internal communication system. The electronic communication (EC) contains details of the officer's death, as well as an Executive Situation Report from the corresponding FO by email. LEOKA staff also receive unofficial notification from the Officers Down Memorial Page <https://www.odmp.org> via email. After receiving the official notification, LEOKA personnel send a random computer-generated reference number and reference key back to the FO via an EC in Sentinel. The FO then emails this information to the officer's local agency. The reference number and key allow the victim officer's agency to access the specific incident within the LEOKA database through LEEP. The local agency completes the electronic forms in LEEP which generates a confirmation email, verifying a successful submission to LEOKA staff and the submitting agency. The same processes occur when a LEO is assaulted and injured with a firearm or knife/other cutting instrument. The one exception, LEOKA staff forward the information, including the reference number and key, via email to the applicable state UCR Program (or direct contributor for non-program states) who then notifies the victim officer's agency. State UCR Programs serve as the central repositories for all crime data collected by agencies within their state.

This new LEOKA database/application will allow for the following:
- Integration of multiple LEOKA data sources, e.g., hard-copy reports and Microsoft software applications, to capture LEOKA data in one repository;

- Reduction of administrative workload and burden for internal and external stakeholders to submit data;
- Reduction of incomplete and inconsistent data submissions due to built-in features and display rules within the LEOKA database;
- Elimination of current work functions by automating procedures currently being performed manually, e.g., verification reports;
- Expansion of the ability to efficiently collect, store, edit, review, query, report, and publish data;
- Improvement of the accessibility and timeliness of releasable (nonpersonally identifiable information) data to the public;
- Increase the agility of the LEOKA database to modify the data collection;
- Automation of correspondence and communications with stakeholders from the LEOKA Program;
- Ensure the collection and timely distribution of more accurate and complete LEOKA data; and
- Direct accessibility to agency's specific incident within the LEOKA application via LEEP to directly enter, edit, and review the data.

4. Efforts to Identify Duplication

The enactment of 28, U.S.C., Section 534, *Acquisition, Preservation, and Exchange of Identification Records; Appointment of Officials,* authorized this information collection on June 11, 1930. The UCR Program is the only federal agency collecting extensive data on LEOs killed and assaulted in the line of duty.

5. Minimizing Burden on Small Entities

This information collection has no significant impact on small businesses. The LEOKA Program requests LEAs electronically complete and submit either Form 1-701 or 1-701a when a LEO is accidentally/feloniously killed or assaulted and received an injury by a firearm or a knife/other cutting instrument, effectively reducing the burden on contributing agencies. LEAs submit this data at the time of the incident rather than on a quarterly, monthly, or annual basis.

6. Consequences of Not Conducting or Less Frequent Collection

To serve as the national repository for crime reporting and to produce a reliable dataset, the FBI collects statistics on LEOKA data reported by LEAs at the time of the incident. Although the UCR Program requests submissions on a monthly, quarterly, and yearly basis for all other collections, LEOKA Forms 1-701 and 1-701a are unique, as they are completed and submitted when a LEOKA incident occurs.

The LEOKA data collection provides data about incidents, in which LEOs from local, state, tribal, and federal LEAs were:
- Feloniously/accidentally killed in the line of duty; or

- Assaulted and sustained injury with a firearm or knife/other cutting instrument in the line of duty.

This type of data is only collected by the FBI on a national scale. Numerous entities use this data, which include, but are not limited to the following: LEOKA LSs, LEAs, legislators, researchers, special interest groups, and academia to develop officer safety training and initiatives. The information collected from the death and assault incidents are invaluable to LEOKA LSs who incorporate these findings into the OSAT provided to LEAs nationwide.

7. Special Circumstances

The LEOKA Program only contacts an LEA to complete Forms 1-701 or 1-701a when an agency has reported an officer feloniously/accidentally killed, or assaulted and sustained injury by a firearm or a knife/other cutting instrument, while in the line of duty. The agency has 30 days to complete the 1-701 or 1-701a forms. Participation in the LEOKA Program is voluntary and agencies are not required to report officer deaths/assaults. However, the FBI Special Agents in the jurisdictional FOs are required to report the law enforcement deaths to the UCR Program.

8. Public Comments and Consultations

The 60- and 30-day notices were published in the *Federal Registry*; no public comments were received on this data collection.

9. Provision of Payments or Gifts to Respondents

The UCR Program does not provide any payment or gift to respondents.

10. Assurance of Confidentiality

Forms 1-701 and 1-701a collect the name of the killed/assaulted officer and the name/FBI number of the offender. According to UCR Program policy and procedural safeguards, the Program only releases the victim's name for condolence purposes. These data are obtained from public agencies and are in the public domain, therefore, the UCR Program does not assure confidentiality.

11. Justification for Sensitive Questions

Forms 1-701 and 1-701a do not collect information of a sensitive nature.

12. Estimate of Respondent's Burden

The estimated respondent's burden for this data collection is as follows:

Number of respondents	176
Form 1-701	94
Form 1-701a	82
Number of responses per respondent	1
Total annual responses	176
Minutes per response	
Form 1-701:	51 minutes
Form 1-701a:	25 minutes
Annual hour burden	114
State Program and Local LEA Outreach	
Number of respondents	100
Frequency of responses	Varies
Minutes per response	180
Annual hour burden	300 hours
Total Annual Burden	414 hours

The UCR Program frequently has questions for the state program managers and local LEAs. For the FBI to conduct this outreach with a larger universe of contributors, the UCR Program is including an additional 300 annual burden hours to this information collection request.

13. <u>Estimate of Cost Burden</u>

Law enforcement incurs no direct costs to participate in the UCR Program, other than their time to respond. With the renewal of this collection, respondents do not incur any capital, start-up, or system maintenance costs associated with this information collection.

14. <u>Cost to Federal Government</u>

The following is a cost model provided by the FBI Criminal Justice Information Services Division, Resource Management Section, Fee Programs Unit. These projections are generalized based upon prior collection activity, as well as activities anticipated over the next three years.

Staff Costs for Data Collection and Processing	
Communication/Reporting	$ 8,649.04
Data Collection	$ 391,888.47
Liaison, Correspondence, Data Requests	$ 35,343.07
Marketing	$ 37,654.64
Operations Research and Analysis	$ 291,934.59
Project and Program Management	$ 151,469.22
Strategic Planning	$ 75,182.11
UCR Publication/Reports	$ 500,207.31
Total Cost to Federal Government	**$ 1,492,328.45**

15. Reason for Change in Burden

   There is no increase in burden on the individual respondents; however, the overall annual burden hours have decreased. A reduction from 188 to 114 is due to a decrease in the number of respondents, as well as transitioning the forms from a paper-based to a web-based collection instrument. The number of respondents vary from year to year because the LEOKA Program only contacts respondents when a line-of-duty death/assault is reported.

16. Anticipated Publication and Schedule

   Published data are derived from data submissions furnished to the UCR Program from local, state, tribal, and federal LEAs throughout the country. Currently, the *LEOKA* publication is released annually (see below). However, as plans for more timely submissions are established, the UCR Program may modify this schedule.

Request for completion of forms	As incidents occur
Request for missing forms	Bi-monthly
Deadline to submit data	Killed data–End of March
	Assault data–Mid-September
Data processing/analysis	Continuously
Publication of Felonious/Accidentally Killed data	*LEOKA*/May of following year
Publication of Assault with Injury data	*LEOKA*/Fall of following year

17. Display of Expiration Date

   The UCR Program will display the expiration date and Office of Management and Budget Clearance Number on these electronic forms.

18. Exception to the Certification Statement

   The UCR Program does not request an exception to the certification of this information collection.