U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Statistics

Washington, D.C. 20531

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THROUGH: Melody Braswell, Justice Management Division
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FROM: Todd D. Minton, Statistician, BJS

SUBJECT: BJS request for OMB clearance to conduct a pretest of the revised Survey of Inmates in Local Jails (SILJ), through the generic clearance agreement granted to BJS (OMB Number 1121-0339)

DATE: March 5, 2020

Introduction

The Bureau of Justice Statistics (BJS) is requesting a generic clearance under the BJS clearance package (OMB 1121-0339, 04/30/2022), to conduct a pretest of the revised Survey of Inmates in Local Jails (SILJ). The SILJ was last fielded in 2002 and BJS has revise the survey with the intention of administering the next iteration in 2022. The revisions to the SILJ include changes to address the current issues of the local jail incarcerated population, the need to make SILJ comparable to other federal instruments (e.g., Survey of Prison Inmates (SPI) and the National Survey on Drug Use and Health (NSDUH)), and the desire to reduce the burden on respondents.

Abt Associates will conduct the pretest on behalf of BJS starting in May of 2020, and the pretest will proceed in two rounds. In round 1, Abt will recruit 36 adult male and female inmates from one jail to participate in the pretest; and administer the consent form and the full survey instrument using computer-assisted personal interviewing (CAPI). This round of the pretest will

focus on identifying any issues with the skip logic or length of the instrument that would need to be addressed before continuing with the pretest. In round 2, Abt will administer the consent form and the full instrument to 324 inmates in nine jails. The second round of the SILJ pretest will help BJS measure the average timing of the survey and identify potential issues with question wording of the informed consent script and the survey instrument. BJS will also field the pretest in local jails where there is a reasonable expectation of sampling inmates who need to take the Spanish version of the instrument, in order to test the translation.

BJS expects the administration time to be different between the convicted and unconvicted jail population because respondents who are not convicted skip several subsections of Section 5 (current offense incident characteristics) and most of Section 8 (alcohol and drug use prior to offense). Unconvicted respondents are not asked about criminal conduct for which there may be pending legal action. The aim of the pretest is to inform internal decisions regarding revisions to the instrument, not for external dissemination.

The 2002 SILJ asked confined persons to self-report the following ten different categories of information: (1) individual characteristics, (2) current offense and detention status, (3) pretrial release and trial, (4) current sentence, (5) incident characteristics, (6) criminal history, (7) socioeconomic characteristics, (8) alcohol, drugs, and treatment, (9) medical conditions, mental health, and disabilities, and (10) jail programs and activities. The redesigned survey continues to focus on these same ten areas, but reflects the following changes:

- Section One includes questions on sociodemographic information, such as date of birth, race/ethnicity, marital status, and military service. Changes were made to improve alignment between SILJ questions and the 2016 SPI, Decennial Census, and the American Community Survey (ACS), including adding questions from SPI to collect more information about respondents' experience while in the military.

- Section Two includes questions about the current offense and detention status. Changes were made to add response options to reflect the current corrections landscape. For example, since the number of American Indians and Alaska Natives held in local jails has increased significantly since 2002, a new response option "American Indian or Alaska Native tribal governments" is added to the question on inmates held for authorities other than local jails. This response option aligns with BJS's administrative jail surveys, the Census of Jails (COJ) and the Annual Survey of Jails (ASJ).

- Section Three includes questions pertaining to trials and any information on pretrial release of the inmate. While most of the 2002 SILJ questions were retained for the latest iteration, a few were altered to add relevant follow-up questions or expand available response options. For example, a question was added to collect reasons why respondents failed to appear for a scheduled court date.

- Section Four includes questions regarding the length and type of sentence associated with a respondent's current offense, and their most recent prior offenses. Again, most of the questions from the 2002 SILJ were retained, but revisions were made to improve clarity or add response options, in several cases to mirror similar questions in the 2016 SPI, and to adjust skip patterns to reduce redundancy. For example, the wording of questions pertaining to fees, fines, and special conditions imposed at sentencing were revised to align with 2016 SPI questions.

- Section Five asks the respondent questions about the incident for which they are currently in jail. Questions were revised to mirror comparable questions in 2016 SPI, and questions were altered or added to reflect the current corrections landscape and research interests. For example, a few questions were added to collect more details on cybercrimes.

- Section Six asks a number of questions that measure the criminal histories of jail inmates. The revised instrument reflects an effort to align language between SILJ and the 2016 SPI where appropriate, and add questions regarding financial sanctions (fees, fines, bail).

- Section Seven collects information on inmate socioeconomic characteristics. Again, revisions were made to mirror question wording with the 2016 SPI in a number of cases, and to move sensitive questions regarding physical and sexual abuse to Section 9 to discourage survey breakoff due to the sensitive nature of the questions. BJS also added a series of questions to address parental involvement with inmate while growing up. When constructing these questions, BJS utilized the National Survey of Family Growth (Centers for Disease Control and Prevention) and the Fragile Families and Child Wellbeing Study (Center for Research on Child Wellbeing at Princeton University and the Columbia University Population Center). These questions were tested during BJS's National Inmate Survey-4 Prison cognitive test in September 2019. Following the cognitive test, additional questions were added and changes were made to the wording of some questions to emphasize the intent of the question.

- Section Eight contains questions on alcohol and drug use prior to and during the offense in question, inmates' substance use, and treatment or counseling designed to help inmates to cut down or stop alcohol or drug use. In addition to revising and adding several questions to align with the 2016 SPI, changes were made to remove questions that were overly specific and/or had historically low response rates in the 2002 SILJ, add questions pertaining to heroin and opioids, add questions to make SILJ comparable to NSDUH, and update questions containing diagnostic criteria for alcohol and drug use disorders to reflect DSM-V.

- Section Nine includes questions related to inmates' medical conditions, mental health, and disabilities. Again, revisions were made to align with the 2016 SPI where appropriate, including the addition of the K6 screening questions from SPI to capture symptoms and impairment related to mental disorders, and removing questions that have little analytic value (e.g., small sample size for analysis and low response rates in the 2002 SILJ). As noted above, questions on prior physical and sexual abuse were moved to this section.

- Section Ten covers a range of items related to jail programs and activities. Changes were made to this section to reflect current jail programs and services, as well as topics like reentry and the impact of institutional fees and services which have recently entered policy discussions.

The current consent language (see Appendix B) has also been revised from the 2002 consent to reflect BJS's interest in obtaining consent to link to respondents' RAP sheets to collect data on current and/or future criminal history.

As reflected above, a number of the SILJ instrument changes were made to support BJS's interest in having comparable information for both the nation's prison and jail populations, as well as other federal surveys. The 2016 SPI question wording was informed by two rounds of cognitive testing and a pretest. BJS conducted a small cognitive test of the SILJ with nine inmates in one jail, between September 17th and 19th, 2019. The SILJ cognitive testing involving similar SPI 2016 questions and response options was conducted as a first step, focusing on any concerns with interpretation by a jail population, as well as how new questions fit within the structure of the SILJ questionnaire. Based on the cognitive test, minor changes were made to the wording of some questions to emphasize the intent of the question (e.g., highlighting of certain words to ensure emphasis during administration); definitions were added to clarify the meaning of a few response options (e.g., furlough, split sentence); additional response options were added based on feedback; and 23 questions were cut from the questionnaire, including a number of questions collecting detailed data on fees charged by the jail.

More specifically, BJS cut 19 questions that asked detailed information on various fees (e.g., room and board, meals, clothing, medical care, phone calls, sending mail) that may be charged to inmates as part of their incarceration, as well as the amount of each fee. Inmates participating in the cognitive test responded that they were unaware of any fees, but, because of the question, were concerned they were being charged fees without their knowledge. As a result, it was determined that collecting this level of detail was not plausible at this time. BJS will ask a general question about whether inmates are aware that they are being charged fees during their stay, and will investigate whether it is more appropriate to collect detailed data on fees through BJS's administrative data collections, e.g., Census of Jails.

BJS also cut two questions pertaining to whether inmates remember undergoing a risk or needs assessment and the timing of those assessments. Respondents had a difficult time determining the difference between a risk assessment and a needs assessment, and the timing of the two assessments. As a result, it was determined that jail administrators may be a more reliable source on whether or not risk or needs assessments are being conducted.

Lastly, two questions were cut that asked respondents to identify the number of days heroin/prescription opioids were used in the past month. It was determined by BJS that it was duplicative of an earlier question, which asks about frequency of use in the past 30 days for each type of drug.

Justification of the New Items

Since the last administration of the SILJ in 2002, new issues and policy concerns have emerged that merit consideration for inclusion in the SILJ survey. In particular, inmates' experience with physical and mental health care in jail, fines and fees paid by inmates for jail services (a general question is included in the pretest on booking fee, amount of that fee, and whether inmates were charged a fee for their stay), and re-entry programs offered by jails are important policy topics that would benefit from strong empirical information obtained directly from inmates.

Since the SILJ is the only nationally representative survey that gathers detailed information about the hard-to-reach jail inmate population, it is important for the survey to allow for direct comparison of content/questions to other relevant federal surveys, in particular the SPI, the companion survey of inmates in prisons, but also the decennial Census and ACS, and the

NSDUH. The ability to compare corrections and general population locates the jail inmate population within a broader context.

Finally, because the SILJ has not been administered since 2002, some questions and topics may have less relevance for policymakers today then at that time, or the measure of such topics has evolved over the years. Removing items of lesser relevance allows for the addition of new items, while maintaining a survey administration time that is not overly burdensome to facilities and respondents. Updating questions in SILJ to match those in use by other federal surveys allows for comparison across populations.

Pretest Design and Procedure

The purpose of the pretest is to gain an understanding of how well the survey performs and whether questions are understood and capture the intended data when administered to a sample of the SILJ's target population. The SILJ pretest will consist of two rounds of testing with a total of 360 adult inmates (male and female) housed in ten facilities. The first round of testing will be conducted with 36 inmates over three days in a single jail and will include the administration of both the informed consent statement and the survey instrument. This first round of the pretest will focus on identifying any issues with the skip logic or length of the survey instrument that would need to be addressed before continuing with the pretest. Findings from the first round will inform revisions that will be implemented before the second round. The second round, conducted five weeks after the first round, will be administered in nine jails for three days each, over an 11-week period. The second round will also include the consent language and the full survey instrument to further test new skip patterns and the overall flow of the instrument.

Before beginning the interview, inmates will be read the informed consent statement and be provided a copy of this form (see Appendix B). The consent will review the objectives of the survey, stressing that responses will only be used to inform revisions to the SILJ consent language and instrument. Inmates will not sign the consent, meaning their name will not be linked to their responses at any point. During each round, one interviewer will read the survey to the inmate and record responses into the CAPI system. The survey will be tested in English and Spanish.

Respondent Universe and Sample Design

The 2013 Census of Jails (COJ) will provide the frame for selection of the pretest jails. The COJ has been conducted periodically by BJS since 1970, collecting data on jail capacity and jail inmate populations from all jail detention facilities that hold inmates 72 hours or more, which includes approximately 3,000 jails. In 2013, the Census of Jails was collected jointly with the Mortality in Correctional Institutions (MCI) (Formerly Deaths in Custody Reporting Program (DCRP)). The national list of local jails was updated as part of the 2014 cycle of the MCI.[1] This updated jail list will be used as the frame to select jails to participate in the pretest.

Jails will be first organized into geographic clusters (using Metropolitan Statistical Areas, or MSAs) and then by Average Daily Population (ADP).[2] BJS will then use data on percentage of

[1] For more details, see the methodology section of https://www.bjs.gov/content/pub/pdf/cjpc9913.pdf.

[2] Jails that are selected with certainty for the national administration of SILJ (i.e., those with an average daily population of 1,500 or more) will not be selected to avoid potential non-participation in the national administration. Jails with an average daily population of less than 200 will also not be selected because they are too small to support the target number of completed pretest interviews.

female inmates, Hispanic inmates, and awaiting trial/arraignment status to identify preferred cluster/clusters of jails that, when combined, provide an opportunity to sample and interview both male and female inmates, English and Spanish-speaking inmates, and those that are pre- or post-sentenced across a range of medium to larger-sized jails. Within the geographic cluster(s), two replacement jails will be selected under the assumption that agreement to participate in the pretest may be lower than the 90% jail participation rate achieved in the 2002 national survey[3] because of the restricted time period for the pretest.[4]

The administrative contact at each selected jail, typically the administrator or sheriff of the jail, will receive a letter from the director of BJS requesting their participation in the pretest (see Appendix C). A representative from Abt Associates will follow up with an email and telephone call to confirm participation with either the administrator or a designee. Participating jails will be required to approve three study staff for access to the facility, provide a roster of inmates housed at the jail at the time of data collection to support inmate selection, and demonstrate the ability to interview selected inmates in a secure and private location using an electronic device.

Upon arrival at the facility, the interviewers will work with the facility contact to call out selected inmates. Inmates will be brought to the interviewing location one at a time for participation. Interviews will take place in one of two interviewing locations that will allow for private conversation while allowing both the interviewer and inmate to be visually observed by corrections staff.

Data Collection Procedures

Two interviewers will conduct interviews with a total of 360 adults (male and female, pre- and post-sentenced) inmates during the two rounds of pretest data collection. Unlike the 2002 SILJ, the 2022 SILJ will exclude juveniles held in adult local jails for two reasons: (1) the significant decline (50% since 2002) of juveniles held in adult jails would require significant cost to oversample the population in order to produce meaningful statistics; (2) it's difficult to gain access and consent to interview juveniles in a correctional setting.

Data collection procedures will be the same in both the first and second round of the pretest. The following description of the first round will be repeated in the second round, with the sample size of X.

The morning of data collection, a member of the study team will obtain from the facility contact, separate lists of adult (18+ years) male and female inmates who had a bed assigned to them the previous night (i.e., slept at the jail the previous night or arrived that morning). At a minimum the list will include name, inmate ID number, date of birth, location, and, if possible, date and time admitted to the facility or some other indicator of status in the criminal justice process and potential ineligibility.[5]

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[3] U.S. Dept. of Justice, Bureau of Justice Statistics. SURVEY OF INMATES IN LOCAL JAILS, 2002: [UNITED STATES] [Computer file]. Conducted by U.S. Dept. of Commerce, Bureau of the Census. Ann Arbor, MI: Inter-university Consortium for Political and Social Research [producer and distributor], 2006.

[4] Before approaching any jails for participation in the pretest, BJS will deconflict them with other national data collection efforts administered by BJS in an effort to minimize burden.

[5] BJS will work with facilities during the recruitment process to confirm the approach used to generate the roster, which will include any additional variables to support confirmation of eligibility.

After removing ineligible inmates (e.g., under 18 years old, released from the facility prior to data collection, not officially housed at the facility) from the list, the pretest field manager will systematically select every nth person in each stratum (i.e., males and females), based on the targeted number of completed interviews (i.e., 36 for the first round of the pretest) plus replacements, for a total of 50 during the first round.[6] All inmates in the same stratum in a given jail will have equal probabilities of selection.

For jails that only house male inmates, the field manager will divide the number of eligible inmates on the roster by 50 to get n and then select every nth person on each roster. For jails that house both males and females, sampling will be based on the ratio of males to females and the targeted number of completed interviews (i.e., 36) plus replacements over the three-day data collection period. First, the pretest field manager will calculate the percentage of the total number of eligible inmates who are male versus female, then break up the total targeted number of completes to reflect the same proportion in the targeted sample. The field manager will then establish the sampling fraction based on the number of inmates on the male/female roster and number of targeted completed interviews. The field manager will divide the number of inmates on each roster by the target completion of X interviews between the two interviewers to get n, and select every nth person on each roster.

The pretest field manager will request that facility staff prioritize inmates who would be released soonest (within first the 24 hours of interviewing) and/or are Spanish-speaking.[7] The field manager will store an electronic list of selected inmates to return to on days two and three of data collection. The list will include only enough information (name and inmate ID#) to call out selected inmates for data collection, will be stored separate from survey findings, and will be deleted after day three of the data collection.

Selected inmates will be called out to the interviewing location for a one-hour period. The interviewer will be read the informed consent statement (inmates will be provided a hard copy to read along) and asked to participate in the interview (Appendix B). If they are no longer interested in participating, they will be returned to their cell and a non-respondent worksheet (see Appendix D) will be completed by the lead interviewer to collect information on inmate sex, date of birth, most serious offense, and status of inmate within the criminal justice process, as well as reason for refusal or other non-participation, from designated facility staff. If they agree to participate, the lead interviewer will proceed with the survey questions using a tablet computer. These will be the same procedures for both the first and second round of interviewing.

Consent. The consent statement is provided in Appendix B. The consent statement offers an option to participate in the survey, but to not consent to the linking of survey findings to federal data on criminal history.[8]

Instrument. The paper version of the CAPI survey instrument is provided as Appendix A. The survey begins with instructions, and then is organized into the ten sections described earlier.

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[6] The estimated 36 completed interviews are based on the assumption that the two interviewers will complete 10-12 interviews each day and the additional 14 on the assumption that approximately 10% or five of those selected and approached will refuse to participate and double that number will no longer be available to be approached for interviewing because they have been released. These assumptions are based on the 2002 SILJ interview outcomes.

[7] Facility staff are likely to know whether any selected inmates are likely to prefer to participate using the Spanish-version of the instrument.

[8] Survey data will not be linked with other federal data sources as part of the pretest.

Estimated of Respondent Burden

BJS estimates the total respondent burden to be 587. Based on BJS's experience with other inmate surveys, such as the National Inmate Survey (NIS), it is estimated that it will take approximately 0.5 hours for a staff member from each facility to provide a roster of inmates incarcerated in their jail. This includes working with Abt staff to provide the roster of inmates on the first day of data collection. Since the sample of inmates will be selected by Abt, the completion of these procedures will not put additional burden on the facility staff. Additionally, facility staff will spend 0.5 hours per inmate to escort them to and from the interviewing room. For the inmate interviews, Abt will reach out to 500 inmates with the goal of recruiting 360 respondents. The pretest will be administered to 360 inmates from the pool of 500 with an average interview time of 60 minutes.[9] If fewer than 360 respondents end up participating and/or completing the pretest, the total burden hours will be less than 587 hours.

Summary of burden hours for the SILJ pretest

Reporting mode	Purpose of contact	Number of staff/respondents	Average reporting time	Total burden hours
Staff time	Staff providing inmate roster	10	30 min	5
Staff time	Staff escorting inmates	360	30 min	180
Consent	Inmate recruitment	500	5 min	42
Interview	Participate in the Pretest	360	60 min	360
Total				**587**

Efforts to Identify Duplication

BJS conducted a literature review and environmental scan to identify any additional potential duplication efforts currently taking place in the field. During the review, it was determined that BJS plans to field the NIS-jail pretest this Summer, and the Substance Abuse and Mental Health Services Administration (SAMHSA) is also conducting a study of inmates in local jails. To avoid duplication and overburden, BJS will coordinate with all parties to ensure that the same facilities are not selected.

[9] This is based on the average administration time for the 2002 SILJ, as published in U.S. Dept. of Justice, Bureau of Justice Statistics. SURVEY OF INMATES IN LOCAL JAILS, 2002:
[UNITED STATES] [Computer file]. Conducted by U.S. Dept. of Commerce, Bureau of the Census.
Ann Arbor, MI: Inter-university Consortium for Political and Social Research [producer and distributor], 2006. BJS believes this is a reasonable average because the total number of questions in the redesigned instrument is not significantly difference from the 2002 SILJ instrument.

Informed Consent and Data Confidentiality

Before the interview, inmates will be read an informed consent statement specifying that participation in the pretest is voluntary, that respondents may decline to answer any and all questions, and that they may stop their participation at any time. The information collected will only be used to inform revisions to the SILJ consent and instrument. BJS will not publish or release any of the information collected in any statistical reports or data sets.

Inmates will not sign a consent form, but will be given a copy of the consent statement. Electronic survey data will be stored in Abt's secure network, which resides behind a firewall. The inmate will be referred to using a unique interview ID# assigned to each survey candidate.

A potential risk to human subjects is if unauthorized individuals are able to access electronic data regarding inmates. This would allow the unauthorized user to review confidential information (which may include the PII) related to criminal activity. The risk of disclosure is minimal since technical and administrative safeguards will be employed to protect the confidentiality of this data. The technical safeguards to be employed in this study all involve the use of password-protected access to computer systems and records. All computers to be used in the study will require passwords for operation and access to data directories.

Given the nature of the study and the respondents' capacity to self-incriminate while divulging information during the survey administration, the study is protected by the United States Department of Justice through the study's Privacy Certificate (see Appendix E), which protects the information from subpoena, should a third party be interested in further investigating the instant offense or other criminal offenses discussed during the interview.

Data Security

Electronic survey data will be stored on Abt's computer network that resides behind their firewall. Precautions will be taken to protect information shared by inmates by maintaining responses on a password-protected computer for analysis. De-identified files may be securely transferred to BJS upon request.

Institutional Review Board

All data collection and recruitment protocols for this work have been approved by Abt's Institutional Review Board (IRB, see Appendix F).

Contact Information

Questions regarding any aspect of this project can be directed to:

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Appendices

A. Paper version of the Redesigned Survey of Inmates in Local Jails
B. Consent script
C. Recruitment Letter from Director of BJS
D. Non-Interview worksheet
E. Privacy Certificate
F. IRB approval