Hi Danielle,

Hope you had a nice weekend.

I have attached here some comments related to the extension of the annual parole and probation surveys.

Thank you,
Monica

Monica Fuhrmann

Associate, Research, Public Safety Performance Project

The Pew Charitable Trusts

901 E Street NW, Washington, DC 20004

p: 202-552-2151 | e: mfuhrmann@pewtrusts.org | www.pewtrusts.org

Comments on the Extension of a Currently Approved Collection: Annual Parole Survey, Annual Probation Survey

1. Whether the proposed data collection is necessary, including whether the information will have practical utility

    a. The proposed data collection is very necessary and the information has definite practical utility for both policymaking and research
    b. The surveys provide a good starting point for understanding these populations and allow for comparisons across years and states

2. Whether and how the quality, utility, and clarity of the information to be collected can be enhanced
    a. Clarity on "Not known" response – the surveys should attempt to make a clear distinction between data that is not known versus data that is unknowable (i.e. a field exists in their data system but is poorly populated versus the field does not exist in their data system and they do not collect that information); this would both clarify what is meant by "unknown" and allow for an understanding of state data problems/deficits

b. Pre-trial – Probation Survey, Question #1, asks for the agency's adult probation population, regardless of conviction status. This number could include pre-trial individuals, but there is no clear way to ascertain that distinction in the data. It would be helpful if the survey prompted agencies to report population by conviction status, specifically to report on the pre-trial population. Similar to the point above, if agencies are unable to do so, it would be helpful to know the data limitations or reasons why. The survey could add pre-trial as an explicit option in Question 14, for example.
c. Individuals and Cases – Question 5 asks if the population is a count of individuals or cases, but this distinction is not made for Question 1 in regards to the population on January 1, 2017. It is recommended that Question 1 provides the ability for agencies to distinguish between individuals and cases. In addition, for those agencies reporting cases, it would be helpful to know if they are also able to report on individuals or if they only track cases. While the annual probation publication does make mention of cases versus individuals, it seems to be making an assumption that the beginning-year population counts represent individuals without explicitly asking that question.
d. Questions 2 and 14 – recommend using Question 14's response options for Question 2
e. Exit types – The response choices for Question 3 on discharge/exit type are comprehensive, but this detail is not reflected back in the table on probation exits in the annual probation publication.
f. Recommended that the surveys collect more information on violation types and actual time served on probation and parole.
g. In the annual probation publication, the state tables in the appendix often have notes specific to the state, it might be helpful to have those notes link to the NCRP-BJS State Fact Sheets.

Hi Monica,

I apologize for my delayed response as I was out for a week. Thank you for your comments! We have done some testing of different question wordings and hope to make some changes to the survey soon. It does validate our work when so many of your suggestions are things we've been working toward and hope to modify.

Below I have some brief responses to your comments, please feel free to contact me again with any other questions or comments.

2a. Defining a better 'unknown' is a good point. We've found, for the most part, that if data is unknowable or does not exist in their system that the field is left blank. For example, if an agency does not have the ability to provide a sex distribution, the question is left blank and not 100% in the 'unknown'. However, it is helpful for those agencies who do know some, but not all. I'll take this into consideration.

2b. Having distinctions on types of population supervised, including pre-trial, is something we're working toward collecting.

2c. We are working toward adding some clarification about cases vs. individuals. When an agency answers question 5, we are making an assumption that the same response applies to the January 1 and December 31 populations. We do have some agencies who can report individuals for day of populations, but only cases for entries and exits, but we have not heard of a January 1 differing from December 31. We do compare the question 5 response to the prior year answer however to see if this has changed. If they change this response from one year to the next we do ask for any comparable number and the reason for the switch.

2d. We have found that the detail in question 14 is not something collected by enough agencies to change the entry categories in question 2. While our response rates are fairly high for question 2, we get a lower response for the categories regarding those placed on supervision. The changes mentioned in 2b about adding information on types of populations supervised we hope will close some of this gap.

2e. We try to make as much detail as possible available on exit types. For example, Appendix table 3 in the *Probation and Parole in the United States, 2015* report provides that information by state where available. The 'Other' category does capture the transfers and other discharges that are not listed as categories in the table. Per the footnote b we try to provide numbers of transfers (16, 025) versus the other reasons for discharges (71,565). Here we list the most frequently written-in responses for discharges, which is why that footnote is so long.

2f. Additional data on violation type and time served would be possible if we were to move to collecting individual level data, but we do not plan on doing that for this survey. Some of this data, especially for parole, is being collecting through NCRP Part C and the Post-Confinement Community Supervision Term Records but is not comprehensive of the entire United States. Since the main goal of the Annual Survey of Probation and Parole is to produce National level data on community corrections, we have not yet considered NCRP as an additional source to our mission.

2g. Thank you for this suggestion to link some of the state notes from the ASPP to the NCRP State Fact Sheets. I will discuss this with other at BJS and see what we can do about that.

Thank you for your time on this, I appreciate the comments.

Danielle Kaeble

Statistician
Corrections Unit
Bureau of Justice Statistics
U.S. Department of Justice
810 Seventh Street, NW
Washington, DC 20531
---
danielle.kaeble@usdoj.gov
202/305.2017

Kaeble, Danielle (OJP)

From: Kaeble, Danielle (OJP)
Sent: Thursday, June 29, 2017 7:33 AM
To: Jennifer Biddle - APDX
Subject: RE: Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension of a Currently Approved Collection: Annual Parole Survey, Annual Probation Survey

Thank you for your comments!

Danielle Kaeble

Statistician
Corrections Unit
Bureau of Justice Statistics
U.S. Department of Justice
810 Seventh Street, NW
Washington, DC 20531

Danielle.Kaeble@usdoj.gov
202/305.2017

From: Jennifer Biddle - APDX [mailto:biddlej@apd.maricopa.gov]
Sent: Monday, June 26, 2017 12:56 PM
To: Kaeble, Danielle (OJP) <Danielle.Kaeble@ojp.usdoj.gov>
Subject: Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension of a Currently Approved Collection: Annual Parole Survey, Annual Probation Survey

Dear Danielle,

I tried to submit a comment on the federal register website but was unable to, so I am providing our feedback within the text of this email. Please let me know if you need any additional information.

Feedback:

The language and definitions of the annual survey are clear and precise. The collection of information is useful for determining national trends for both probation and parole. It also provides researchers the opportunity to compare their jurisdiction(s) with the national data. The majority of this data is currently being tracked by our county on a monthly basis so the burden of the proposed data collection is minimal. Submitting the information via the web-reporting system assists in minimizing the burden of reporting the information.

Thank you,

Jennifer Biddle, Ph.D.
Management Analyst
Supervisor, Victim Services Unit
Maricopa County Adult Probation
620 W. Jackson Street

Phoenix, AZ 85003
602-372-0302
biddlej@apd.maricopa.gov

-----Original Message-----
From: Cala, Michael A. EOP/ONDCP [mailto:Michael_A._Cala@ondcp.eop.gov]
Sent: Monday, June 26, 2017 10:40 AM
To: Kaeble, Danielle (OJP) <Danielle.Kaeble@ojp.usdoj.gov>
Cc: Zobeck, Terry S. EOP/ONDCP <Terry_S._Zobeck@ONDCP.EOP.GOV>; Macmurray, Nataki D. EOP/ONDCP <Nataki_D._MacMurray@ONDCP.EOP.GOV>; Sivilli, June S. EOP/ONDCP <June_S._Sivilli@ONDCP.EOP.GOV>
Subject: Comment on do # 2017-08342

Danelle-
The Office of National Drug Control Policy (ONDCP) proposes several questions to add to survey form C-7 (Parole) and Form CJ-8 (Probation). These are attached.
Can you guide me on how to formally respond? When I select the link for "SUBMIT A CORMAL COMMENT", there is no response.
Thanks in advance,
Mike

Michael A. Cala, PhD
Research Division
Office of Drug Control Policy
Phone: 202.395.5205
Email: mcala@ondcp.eop.gov

----Response to Message-----
6/30/17

Mr. Cala,

Thank you for your comments and suggestions about the Annual Surveys of Probation and Parole. While I am open to exploring the possibility of collecting data on access to services and support for offenders with substance use disorders, I'm not sure that the ASPP will be the best platform for them. In the case of our central reporters, many already have to create lower level programs and surveys to send out to localities to aggregate state level data to deliver to BJS. Some of the questions we ask are outside the requirements of state reporting and are therefore unavailable from the states system. At a lower level, many local agencies are working with limited technological resources to gather the data we request and large changes create more burden. Even in 2015, the sex of about a quarter of the probation population was not reported due to agencies not having the ability to report or access records.

In August, I am attending the American Probation and Parole Association's Summer Training Institute and will be able to speak with officers and administrators in the field. While I'm there, I will make it a priority to informally discuss the availability of this data with a handful of providers. I'm also interested to know if they track anything related to drug use. Since the National Survey on Drug Use and Health (NSDUH) does ask respondents whether they have been on probation or parole in the last year, these could be questions that would be beneficial to add to that survey. I can discuss some of these issues and suggested questions you've provided with them.

Thank you for your time and suggestions.

Danielle Kaeble

Statistician

Corrections Unit
Bureau of Justice Statistics
U.S. Department of Justice
810 Seventh Street, NW
Washington, DC 20531
---
danielle.kaeble@usdoj.gov
202/305.2017

Proposed Questions for form CJ-7 (Parole) and CJ-8 (Probation) from the Office of National Drug Control Policy (6/26/2017)

The Bureau of Justice Statistics (BJS) encourages comments until June 26, 2017, on the extension of a currently approved data collection: Annual Probation Survey and Annual Parole Survey. The Office of National Drug Control Policy (ONDCP) proposes several questions to add to survey form C-7 (Parole) and Form CJ-8 (Probation) to gather information on access to services and supports to reduce risk for relapse, overdose, and recidivism among offenders with substance use disorders (SUD) upon their release from correctional facilities.

Justification

A significant number of persons with opioid use disorders become involved with the criminal justice system. Approximately one-third of heroin users pass through correctional facilities. During incarceration, most do not receive treatment services beyond detoxification upon entry. However, the disease of addiction still persists, often in temporary dormancy with the highest risk for relapse upon release.

Upon release, many are confronted with cues and triggers to use, and experience strong cravings and urges to use. Nearly three-quarters relapse to heroin use within 3 months of release. Inmates often develop a decreased tolerance for drugs, rendering them more vulnerable to overdose. Several state corrections agencies have developed protocols to administer MAT several weeks prior to release to reduce cravings, block effects of any opioids ingested, and bridge to services can be continued in the community. Despite saving lives, reducing recidivism, and saving costs of relapse and re-offending, this approach is still not widely applied throughout the justice system.

Several questions are proposed to ascertain the saturation of this evidence-based practice. Findings can be compared and analyzed to association with post-release overdose and drug-related recidivism. The question would require input or retrieval of data from treatment providers in correctional facilities within the jurisdiction of the reporter, and may incur additional time burden to collect data. This additional burden to the reporter could be alleviated by requiring addiction treatment providers at facilities to automatically submit these data at the point of service to a stable repository that maintains an aggregate data collection to assist the reporter in aggregating across the system being reported.

Untreated substance use disorders often (SUDs) become the underlying driver of criminal activity conducted under the influence or in the pursuit of substances. The result of this is too

many people end up incarcerated instead of receiving the treatment they need. More than one-third (34 %) of referrals to treatment come from the criminal justice system.[i] Incarceration alone may not stop drug use, and the disease of addiction persists.

For many persons, engagement with the criminal justice system is the first opportunity to access treatment services for substance use disorders. Additional supports are needed upon release to facilitate success in recovery and reduce risk of relapse and/or recidivism to criminal activity. Access to employment or training to earn a livable wage; safe, stable housing in support of a sober lifestyle; and treatment or recovery support services appropriate to the level of addiction severity are key supports needed for successful re-entry into the community following incarceration. Several questions are designed to ascertain the presence of a functional plan that addresses several key elements of re- entry to reduce risk for recidivism and relapse. These questions would require input or retrieval of data from discharge planners/case-managers that help offenders prepare for release. This additional burden to the form reporter could be alleviated by use of electronic forms that can capture and tally presence of referral vouchers for inmates. These can be submitted to a stable repository that maintains an aggregate data collection to assist the reporter in aggregating across the system being reported.

Below are proposed questions in Priority Order.

While all 5 items below might be a subset of Item # 15 in the Probation Survey and the similar item in the Parole survey the first 3 Q.s are more significant.

- Priority 1
  Q. 1. From January 1 to December 31, how many parolees/probationers receive medication assisted treatment (MAT) for opioid use disorder pre-release? _____
  Of those:
  - How many received methadone for opioid use disorder? _____
  - How many received buprenorphine for opioid use disorder? ____
  - How many received naltrexone for opioid use disorder? ____

- Priority 2 –
  Q.2. From January 1 to December 31, how many parolees/probationers received referral to community-based provider for MAT treatment post-release? _____
  - How many received treatment for substance use disorder? _____
  - How many received treatment for substance use disorder AND supportive mental health services? _____

- Priority 3
  Q. 3. From January 1 to December 31, how many parolees/probationers received overdose prevention services prior to release?_____
  Of those:
  - How many received a supply of Naloxone? ____
  - How many received a prescription for Naloxone? ____
  - How many received an overdose prevention toolkit? ____

These next two questions would contribute to critical information in understanding steps taken by the criminal justice system to assist people in reentry in making a more successful and stable recovery.

- Priority 4

  Q. 4. From January 1 to December 31, how many parolees/probationers with stable housing post-release?____

  Of those:

  - How many lived in a supervised halfway house? ____
  - How many lived in a house with relatives/family? ____
  - How many lived independently? ____
  - How many lived in a peer-run recovery house? ____

- Priority 5

  Q. 5. From January 1 to December 31, how many parolees/probationers received referral to employment placement or vocational training post-release? _____

  Of those:

  - How many were referred for employment placement? ____
  - How many were referred for education or vocational training? ____

---

[i] SAMHSA, *2013 Treatment Episode Data Set* (December 2015)