<center>**SUPPORTING STATEMENT**</center>

The National Corrections Reporting Program (NCRP)

The Bureau of Justice Statistics (BJS) is requesting clearance to conduct the National Corrections Reporting Program (NCRP) through October 31, 2021. The current NCRP collection is approved under OMB Control Number 1121-0065, which expires October 31, 2018. Through the NCRP, BJS collects administrative records on annual movements of offenders through state correctional systems in five cohorts: Admitted into prison, released from prison, held in prison at year-end, and entered and discharged from post-custody community supervision (PCCS, formerly known as parole). BJS has reported annually from the NCRP since the collection began in 1983. These statistics are part of BJS's core corrections statistics. They contribute fundamentally to BJS's mission of describing transitions and movements of offenders through the criminal justice system.

BJS uses the NCRP data to describe changes in the composition and factors affecting the size of state prison and PCCS populations. These issues have been at the forefront of discussions of corrections policy for decades. For example, during the 1990s, BJS used the NCRP data to help demonstrate the contribution of time served to the increase in the size of the prison population. The state prison population reached its highest point in 2009 with 1,407,400 prisoners under the jurisdiction of state correctional authorities, and since then has shown modest declines. BJS has used the NCRP to help define the factors behind this pattern, including decreases in the number of PCCS violators returning to prison, state-specific and federally-funded initiatives to cut prison populations, and a renewed emphasis by legislators and prosecutors to focus on imprisoning violent offenders. Over the past 3 years, BJS has expanded its ability to address issues concerning the prison and PCCS populations by linking the NCRP data to other federal administrative datasets. Details of future goals and work already accomplished from this linking are outlined in Section 2 (*Needs and Uses*).

State departments of corrections (DOCs) submit individual-level records for each prisoner in their system to NCRP using standardized definitions provided by BJS. The data in each cohort contain a common core of variables, and each cohort, other than admissions to prison, includes additional variables pertaining to the particular stage in the corrections system process represented by that cohort. The core variables collected for all five cohorts include --

- date of admission,
- type of commitment (e.g., from the court, that is, a new court commitment stemming from a felony conviction versus entry as a parole or conditional release violator, transfers, unsentenced commitments, etc.),
- offenses for which offenders have been sentenced to prison,
- lengths and types of sentence imposed,
- demographic attributes of offenders, such as date of birth to calculate age, race, gender, and education level completed,
- entity responsible for offenders (such as the state maintaining jurisdiction over an offender),
- identification variables, including first and last name of each inmate, and identification numbers used by the state to designate individuals. (BJS requests that states provide fingerprint-based IDs, including state ID and FBI ID, if possible.)

In addition, the measures of the year-end prison population (stock) cohort include the common core plus expected (or projected) dates of release from prison. The data in the prison release cohort also

include actual dates of release, actual time served, and method of release from prison (e.g., conditional release onto parole or unconditional release). The PCCS entry and exit datasets—which pertain only to offenders released from prison conditionally—also include data on the type of entry and discharge from PCCS (e.g., success or failure) and dates of entry and exit from community supervision.

Over the years, BJS has worked to increase state participation in NCRP. In 2016, 47 states submitted at least one type of NCRP record to BJS, and 2 additional states are in the process of submitting 2016 and 2017 data together. While some data may be delivered several years after the reference period, BJS has obtained data from all 50 states for 2011-2014, and 49 states in 2015. NCRP data quality has also improved over the past 3 years. Linked prison term records, first attempted in 2011, have been constructed for 41 states. Twenty-eight states have linked PCCS term records for at least 2 years. The ability of the linked records to capture unique individuals has been enhanced by the collection of the FBI fingerprint-based identification and Social Security numbers.

The enhancements implemented during the past three years focused on assessing the reliability of NCRP records, linking records within NCRP to better track movements from prison admission to release from PCCS programs both within states as well as across states, enhancing the scope of substantive issues that can be addressed with the NCRP, and addressing methodological and estimation issues related to characterizing prison population movements. The focus of the NCRP in the immediate future is to increase utilization of these data by BJS by publishing more reports based on NCRP, and to improve public access to the data while maintaining data security.

New to the 2018 OMB review and to meet Department of Justice priorities, BJS is requesting to add 3 variables to capture citizenship status of persons admitted to and in the custody of state prisons, their country of current citizenship, and their country of birth. In addition, BJS proposes to remove 7 variables that have low response rates on NCRP. These enhancements are discussed in Section A2, Needs and Uses, below.

A.   Justification

1.   Necessity of Information Collection

The size, costs, and social impacts of corrections in the United States and in particular of prison populations are of ongoing national interest and have national policy implications. Imprisonment, the nation's most serious punishment for crime short of execution, is its most costly sanction. State governments spent almost $52 billion dollars on corrections in 2015, of which $49 billion, or almost 94% was spent on institutional corrections[1]. The investments by states in recent years in managing prison populations have led to discussions about the uses of incarceration to balance public safety, justice for victims, and costs, and these debates have intensified as states' budgets have decreased in the economic climate of the past 20 years. During the past few years, states have experimented with alternatives to imprisonment in an attempt to reign in the monetary and social costs associated with incarceration. Multiple states have adjusted the minimum threshold for drug or property offenses upwards, so that crimes involving lower drug or dollar amounts are charged as misdemeanors instead of felonies, or receive reduced sentence lengths[2].

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1 Bronson J. 2017. Justice Expenditure and Employment Extracts, 2015 Preliminary. Bureau of Justice Statistics NCJ 251780, https://www.bjs.gov/index.cfm?ty=pbdetail&iid=6310.
2 California voters passed Proposition 36 in 2012 and Proposition 57 in 2016 to adjust sentences for nonviolent repeat offenders and to authorize sentence credits for good behavior, rehabilitation, and education while in prison. In

In light of the diversification of correctional methods now employed by states, the NCRP is vital in its ability to track trends not only in imprisonment practices, but increasingly in the use of community corrections and the reintegration of former prisoners into the community.

Discussions about prison policy revolve around questions such as --

- Does imprisonment of certain offenders improve the level of public safety in our communities?
- What are the costs and benefits of shifting from imprisonment to community corrections programs for nonviolent offenders? Will states with similar sentencing statutes and practices achieve similar results if the same policy is applied to each?
- What are the risk factors (criminal justice, demographic, and socioeconomic characteristics) associated with multiple stints in prison? Does time served on a sentence impact recidivism?
- Who gets punished with prison sentences? Is imprisonment being reserved for the most serious offenders, those that imposed the greatest harm on society or those that pose the greatest risk of recidivism, or are less risky offenders also being imprisoned? Has this changed over time, and what would be the costs, benefits, and potential of allowing more people to receive community-based sanctions instead of imprisonment?
- Are the lengths of prison sentences appropriate to provide justice for victims and increase public safety? Do we get more safety and security for longer sentences and time served, or do a few extra months in prison incur costs without generating public safety benefits through incapacitation or deterrence?
- What are the socioeconomic long-term effects of imprisonment on released inmates, their households, and their communities?

BJS provides statistics on changes in the size and composition of the prison population, changes in flows—admissions and releases—in length of stay, and in returns to prison (parole recidivism). These statistics are central to understanding changes in practices by state courts and parole supervising agencies about whom to send to prison. While it is beyond BJS's mission to address some of the evaluative issues about the scope and purpose of prison policy, BJS's descriptive accounts of changes in the prison population inform the debate.

Most recently, BJS used NCRP data to identify several factors that have contributed to the aging of state prisoners during the past 20 years. These include an increase in admissions of persons age 55 or older and a greater proportion of prisoners sentenced to, and serving longer periods of time in state prisons, predominantly for violent offenses (see BJS report "Aging of the State Prison Population, 1993-2013", NCJ 248766.) The NCRP data provide the basis for BJS's recidivism studies, including the most recent report that followed the criminal behavior of a sample of inmates released in 2005 from prisons in 30 states for 9 years (see BJS report "Update on Prisoner Recidivism: A 9 Year Follow-Up Period (2005-2014), NCJ 250975.)

BJS receives numerous media requests on the demographic characteristics of state prison populations, and uses NCRP to answer these queries. Some of the most common questions asked of BJS by the media and public deal with the racial disparity in imprisonment. While NPS provides an aggregate count of prisoners by race, Hispanic origin, and sex, NCRP individual-level data are required to give details of

Georgia, lawmakers restructured the classification of offenses and linked sentencing policies to crime severity, and Alabama adopted sentencing guidelines that assign points based on both crime severity and mitigating factors, and made sentencing consistent across the state.

the cross between age, race, Hispanic origin, and sex. Among women, the ratio of the non-Hispanic black to non-Hispanic white imprisonment rates (number of prisoners per 100,000 residents) declined from 6 to 1 in 2000 to 2 to 1 in 2016, mostly due to decreases in the number of black women and increases in the number of white women in prison. Among males, the ratio of non-Hispanic black to non-Hispanic white imprisonment rates was 6 to 1 in 2016, down from almost 8 to 1 in 2000. The disparity was highest in 2016 for 18-19 year old prisoners of both sexes, with black males almost 12 times more likely to be imprisoned than white males, and black females almost 3.5 times more likely than white females.

In 2011, BJS and its data collection agent began linking prison admission, year-end custody, and release records across years in states for which the prisoner identifiers had been shown to be unique and consistent. A number of variables are collected on all three record types, including date and type of prison admission, date of birth, sex, race, Hispanic origin, offense and sentencing information. These additional variables allow BJS to verify that a prison release record from 2011 and year-end custody records from 2009 and 2010 belonged to the same individual who had an admission record from 2009, and that the offender had not been released and reoffended in the interim. The linked records formed prison "terms", with one term record for each stint an offender had in prison. Multiple term records for the same prisoner are organized in term histories, which can be used to show recidivism within state prisons. The addition of PCCS entry records in 2012 allowed BJS to construct PCCS terms and in states where the departments of corrections administer both institutional and community corrections, the entire penalty served can be observed in the NCRP.

The longitudinal nature of the NCRP collection allows BJS to describe and explain changes in the size and composition of state prison populations, and the transition between incarceration, community corrections, and release into the general community. The NCRP is the only national database that can inform these issues in depth. Analysis of the NCRP data over time can document changes in the age structure, racial/ethnic composition, or sentenced offense profile of prison admissions, prison releases, prison stock population, and the parole (that is, post-custody supervision) population. These changes, in relation to other demographic and criminal characteristics, are impossible to describe with only aggregate counts of these populations.

The Omnibus Crime Control and Safe Street Act of 1968 (see Appendix A), as amended (32 U.S.C. 10132) authorizes the Department of Justice, Bureau of Justice Statistics (BJS) to compile data on state and federal admissions to prison, releases from prison, and entries and discharges from PCCS. Under Title 34 of the United States Code, Section 10231, BJS collects NCRP data for statistical purposes only, does not release data pertaining to specific individuals in the NCRP, and has in place procedures to guard against disclosure of personally identifiable information. NCRP data are maintained under the security provisions outlined in U.S. Department of Justice regulation 28 CFR §22.23, which can be reviewed at http://bjs.ojp.usdoj.gov/content/pub/pdf/bjsmpc.pdf.

2.   Needs and Uses

BJS's recurring uses of NCRP

BJS uses the NCRP to generate statistics to understand changes in the composition of prison populations. NCRP allows BJS to accurately describe the age, race, sex, Hispanic origin and offense

distributions of state prison populations. These estimates are published in the annual *Prisoners* bulletin,[3] which uses data from both the National Prisoner Statistics collection (NPS; OMB control # 1121-0102) and NCRP.

The NCRP data also provide the population data that serve as denominators for the annual *Mortality in Prisons* statistical tables. NCRP is the base dataset from which samples are drawn for BJS recidivism studies. See the most recent report on the recidivism of former prisoners released from 30 states (NCJ 244205).

BJS regularly uses NCRP data to respond to questions from state legislators, Congress, the press, and general public on issues related to corrections. NCRP data are used to show trends in demographic and offense distributions over time. Recently, the race and county of sentencing variables have been of particular interest to persons in the press and general public. By year-end 2019, BJS plans to introduce a data analysis tool with crosstabulation capabilities to encourage the use of NCRP by persons who do not wish to obtain access to the entire dataset. (See the online data dissemination tools section of this application.)

Previous BJS publications using NCRP include --
- *Lifetime Likelihood of Going to State or Federal Prison*, NCJ 160092, estimating the prevalence of imprisonment
- *Recidivism of Prisoners Released in 1983*, NCJ 116261, BJS's first attempt to calculate rates of recidivism on released prisoners using a sample of records collected in NCRP
- *Recidivism of Prisoners Released in 1994*, NCJ 193427, BJS's second attempt to calculate rates of recidivism on released prisoners using a sample of records collected in NCRP
- *Trends in State Parole, 1990-2000*, NCJ 184735, documenting success rates among parolees over time
- *Truth in Sentencing in State Prisons*, NCJ 170032, describing changes in sentencing and time served
- *Drugs and Crime* on the BJS website, reporting changes in the number of drug offenders entering and exiting prison (http://www.ojp.usdoj.gov/bjs/drugs.htm).
- *Women Offenders*, NCJ 175688, describing characteristics of female prisoners
- *Profile of State Prisoners under Age 18, 1985-97*, NCJ 176989, documenting changes in the number of juvenile offenders in prison.
- *National Corrections Reporting Program Series* (https://www.bjs.gov/index.cfm?ty=pbse&sid=36), showing national-level estimates of time served, sentence length, and offense distribution for state prisoners.

Use by the National Academies

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3 See, for example *Prisoners in 2016* (NCJ 251149), tables 9 and 10 for NCRP data used to show the sex, race, and age distributions of prisoners, and tables 12 and 13 for the state offense distributions. Earlier years of the *Prisoners* report also show these tables, as well as incorporating NCRP data in estimates of time served by offense, sentence length by admission type, and in-depth analyses of state policy initiatives.

The Committee on National Statistics (CNSTAT) of the National Academies reviewed BJS in 2009[4] and identified several gaps in coverage of BJS corrections statistics, including (a) coverage of prisoner reentry and recidivism issues; (b) the flows and transitions of inmates in the corrections system; and (c) longitudinal datasets that cover more steps in the criminal justice system instead of cross-sectional surveys on discrete parts of the system. BJS has used NCRP to address these gaps in the following ways:

(a) Expand coverage to include prisoner reentry and recidivism issues

BJS uses the NCRP data as the basis for its national studies of recidivism of released prisoners, the latest of which, a 9-year update on the 2005 state prison release cohort, was released in May 2018. The NCRP data were used to draw the sample for the study and to provide information about inmates' demographic attributes, offenses, sentences, time served, admission type, release methods, parole supervision and additional variables that might be associated with recidivism.

The construction of prison term records from the NCRP data in most states allows BJS to identify within-state reimprisonment. NCRP prison term records will allow BJS to construct annual tables on reimprisonment for most states and the nation, starting in 2019. This is a less complicated, burdensome, and expensive method to provide more timely information on certain aspects of recidivism.

The NCRP term records also allow researchers to account for the variation in demography, geography, and criminal justice characteristics (including time served, sentencing and offense information) in recidivism studies. NCRP enables recidivism rates to be calculated for individuals, even if the same individual is returned to prison multiple times during a follow-up period. The linkage of prison admission, year-end custody, and release records in NCRP allows BJS to follow unique individuals over an extended time frame, and make observations regarding their recidivism patterns by sex, age, race/ethnicity, offense category, or state, regardless of their year of release.

BJS is linking NCRP with other administrative data to better understand factors that could contribute to successful reentry into the community by former inmates. In 2014, BJS executed and funded an interagency agreement (IAA) with the Center for Administrative Records Research and Applications (CARRA) at the U.S. Census Bureau's Center for Economic Studies (CES) to link NCRP data to other federal and state datasets, including --
- Social Security Administration's (SSA) Numident and death master file (DMF)
- Center for Medicaid and Medicare Services' (CMS) health care enrollment
- Internal Revenue Service's (IRS) W-2 forms and tax returns
- U.S. Postal Service's (USPS) change of address file
- Housing and Urban Development's (HUD) federally-backed mortgage and housing assistance files
- Unemployment (UI) wage data from the Longitudinal Employer Household Database (LEHD)
- State Supplemental Nutrition Assistance Program (SNAP) and Temporary Assistance for Needy Families (TANF) data
- Low Income Home Energy Assistance Program files
- State Women, Infants, and Children data

4 National Research Council (2009). "Ensuring the Quality, Credibility, and Relevance of U.S. Justice Statistics. A Panel to Review the Programs of the Bureau of Justice Statistics". Robert M. Groves and Daniel L. Cork, eds. Committee on National Statistics and Committee on Law and Justice, Division of Behavioral and Social Sciences and Education. Washington, DC: The National Academies Press.

BJS, in conjunction with staff from CARRA and the NCRP data collection agent, is currently working on projects that have linked NCRP data to the Center for Disease Control and Prevention's (CDC) National Death Index (NDI) to study post-prison mortality, HUD and Medicaid enrollment data to describe pre- and post-prison use of federal benefit programs, and the UI wage data collected by CES through the LEHD program to measure post-prison employment. BJS is also exploring the possibility of linkage of NCRP records to data collected by the Department of Veterans Affairs (VA) and CMS data on Medicaid and Medicare procedure billing.

Linking the NCRP data to other federal datasets will permit BJS statisticians to address a wide range of questions about post-prison reentry and recidivism, including --

- What is the rate of unemployment among former prisoners, and how long does it take before former prisoners obtain legal employment?
- What is the relationship between employment and recidivism?
- What is the death rate of former prisoners over time? Is there a relationship between the time spent in prison, where the inmate received health care, and the length of post-prison survival?
- How mobile is the former prisoner population (interstate mobility) and how does this affect recidivism rates in each state?
- How does prison release impact household income and use of federal and state benefits?
- What are the health care needs of former prisoners? Can prisoners be successfully linked to care in the community to stop the spread of infectious disease and mitigate chronic conditions?
- At what rate do veterans who have been imprisoned renew their relationship with the VA health care system?
    What is the relationship between geography, demography, or household structure, access to health insurance, and recidivism?

(b) Emphasize flows and transitions of inmates through the corrections system

The CNSTAT panel's second major recommendation for BJS corrections statistics was to shift BJS's focus away from simply providing cross-sectional population counts, and towards emphasizing flows and transitions through the corrections process. The BJS report[5] on the aging of the state prison population used admission and release records to examine the flow in and out of prison by older versus younger offenders. In 1993, almost 70% of persons age 55 or older had been admitted already in that age group, and only 30% were admitted age 54 or younger but had remained in prison long enough to "age in" to the 55 or older age group. By 2013, admissions of persons age 55 or older had declined to 40%, and persons aging into the oldest age category had increased to 60%, due to longer sentences and more time actually served by older offenders. These findings have implications for resource management in correctional systems, including planning for future needs in bed space, security personnel, and medical care.

NCRP term records have shed new light on the calculation of time actually served in prison. Time served from admission to release is of fundamental importance to understanding how prison populations grow and for understanding the impacts of sentencing reforms on prison populations. Most commonly, time served is measured by those *released* from prison, that is, time served by a release cohort. This measure is useful for some purposes, such as assessing the impacts of time served on recidivism, but it is not useful for other purposes, such as assessing the impacts of sentencing reforms on the severity of

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5 Carson EA and Sabol WJ. (2016) Aging of the State Prison Population, 1993-2013. NCJ 248766.

punishment, or for forecasting prison populations. To assess the impacts of sentencing reforms on the severity of punishment, time served needs to be associated with the admissions cohorts at *T* and subsequent periods. For example, if a sentencing reform is implemented at time *T*, time served by release cohorts would not give good measures of the impacts of the reform because the release cohorts consist of mixtures of admissions cohorts, many of whom entered prior to *T*.

BJS is also working with its data collection agent for NCRP to develop survival models for estimating the number of persons expected to stay 20 or more years, using information on time served by persons sentenced for similar crimes under the same sentencing statutes, the year and type of prison admission, and rates of admissions for similar crimes. Providing state DOC administrators with estimates of the size of this subpopulation of prisoners will be a way for BJS to return useful information to respondents that they can use in planning for future capacity needs.

The PCCS term records can inform policymakers about the movement of released prisoners into post-custody supervision programs. By linking the prison and PCCS terms in NCRP, BJS can begin to make statements about the characteristics of persons who succeed or fail on community supervision and examine the balance of sentence time served in prison versus in the community. As states attempt to reduce the costs of incarceration, this ratio of prison time to PCCS time may change over time, and can now be captured by NCRP in many states.

   (c) *Develop and enhance longitudinal datasets to encompass more steps in the criminal justice system*

Since BJS has focused on recreating the NCRP as a longitudinal dataset as opposed to single year snapshots of the prison population, many states have offered to provide older data to fill gaps in participation. The Georgia DOC provided the components for prison term records back to 1971. Arizona, submitting NCRP data for the first time in 2012, provided records back to 2000. Seven states have used unique identifiers for several decades, which allows BJS to create term records from their data back into the 1990s. These efforts have resulted in the creation of prison term records for 20-25 years for 11 states, including California, New York, and Florida. This data set allows researchers to perform long-term comparisons for almost half of the nation's state prison population.

As previously discussed, BJS is actively engaging other federal agencies to link NCRP with non-criminal justice databases in the interest of learning about barriers to successful reentry into the community. This would extend the longitudinal reach of NCRP to better address contributing causes to recidivism.

External research uses of NCRP

As state participation in NCRP has increased and the data have become more useful through the construction of term records, so has interest in using the data for research purposes. BJS makes the NCRP data set available to the public through restricted use files located at the National Archive of Criminal Justice Data Archive (NACJD) at the University of Michigan, Ann Arbor, MI (https://www.icpsr.umich.edu/icpsrweb/ICPSR/series/38). Researchers are required to write a short justification describing their use of the data; provide a data security plan; and obtain approval or waiver from an official institutional review board (IRB).There were 1,496 downloads of the restricted file documentation, and 41 unique persons that were granted access to the NCRP data in the past 3 years.

Starting in 2015, BJS made access to the NCRP data easier by releasing unrestricted files with limited variables. These annual files allow researchers and the public to perform analysis to get basic crosstabulations of age, sex, race, Hispanic origin, major offense category, and aggregated time served and sentence lengths by state. These files have proven to be popular: since the series debuted in 2015, there were 4,101 instances in which the data have been downloaded, and 6,139 instances in which the documentation has been downloaded.

BJS found a total of 53 published uses of the NCRP data over the past 3 years, with most researchers using age, sex, race, Hispanic origin, offense, types of admission and release, and sentence length variables in their analyses. For example, NCRP data were featured in the *New York Times* on September 2, 2016, in a front page article on differential sentencing among counties[6]. The analysis, performed by the *Times* and John Pfaff at Fordham University, showed that persons from small counties (less than 100,000 persons) were more likely to go to prison than persons from counties that had at least 100,000 residents. This article and all uses of the NCRP data by policy organizations, academics, and media personnel for the past 3 years are listed at the end of Appendix B.

3.   Use of Technology

State DOCs provide electronic data sets extracted from the correctional resource management systems. Most participating states provide data on an annual basis, allowing them to use existing computer extraction programs with very minor alterations. Through technical assistance, BJS staff has worked with states to develop these programs, as well as update them when the states migrate to new information technology (IT) systems or database management software. The files are encrypted and uploaded to the BJS's NCRP data collection's dedicated NCRP server using a password-protected secure File Transfer Protocol (FTP). Secure FTP was first implemented in January 2009 for use in collecting the 2008 NCRP data files, and continues to be used by all of the NCRP respondents.

BJS provides respondents with technical assistance as needed to minimize respondents' efforts in data collection and to improve data quality. In addition, BJS will accept NCRP data in any file format, and will standardize state data to BJS definitions if provided with state documentation. BJS staff recode state statutes and other offense codes to standard BJS codes, which significantly reduces the burden on participating jurisdictions. BJS has developed quality control protocols that provide quick identification of out-of-range data values, identify abnormally high rates of missing data, and compare the current year's data to previous years' (if available) to ensure that large changes in the variable-specific and total number of data submitted can be explained by the state data providers. Rapid processing and quality control of the data results in reduced burden for states since any discrepancies can be immediately addressed.

4.   Efforts to Identify Duplication

NCRP is not duplicated by any other federal government agency. BJS is the only government agency that collects national-level data on sentencing, time served in prison and on PCCS, and offense composition for prison admissions, releases, and offenders in the custody of state prisons at year-end.

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6 Keller J and Pearce A. 2016. Rural Divide on Jail Time: Less Leniency The New York Times, page A1, September 2, 2016, http://www.nytimes.com/2016/09/02/upshot/new-geography-of-prisons.html.

Similar data are collected by Appriss (www.appriss.com) as part of the JusticeXchange database. JusticeXchange grew out of the Victim Identification Network Everywhere (VINE) program to notify victims when their offenders have additional interactions with the criminal justice system. The collection consists of individual-level movements of offenders in and out of local jails and 35 state DOCs that are updated on a daily or even hourly basis. The DOC data, however, are highly variable in their completeness for sentencing, offense, type of admission and release, education, and state or federal fingerprint IDs, with more than half of the state DOC records are missing values for these items. Appriss data also lack date of release for many of the DOC records, which limits their use in calculating time served in prison, and the data do not include PCCS information. BJS explored the use of Appriss data to improve its understanding of jail inmates starting in 2015, but found extensive data quality and completeness limitations and decided not to replace the statistics currently obtained from BJS jails collections.

BJS's National Prisoner Statistics program (NPS) and Annual Surveys of Probation and Parole (ASPP) obtain aggregate counts on admissions to and releases from state prisons, probation and parole programs, as well as year-end stock populations, and some demographic data. These aggregate counts serve as the official counts of prisoners, probationers, and parolees. They are also used as control totals for weighting when calculating subnational estimates. More detailed disaggregation of the populations, such as racial differences in time served on parole or changes in offense distribution by age groups over time, requires the individual-level data of the NCRP.

5.   Impact on Small Business

Not applicable. The NCRP data collection does not involve small businesses or other small entities. The respondents are state departments of corrections.

6.   Consequences of Less Frequent Collection

Given the enhancements achieved by creating term records, less frequent collection of NCRP would greatly limit BJS's capability to measure change in the prison population, assess recidivism and reentry issues, enhance linkage of records to expand coverage of key issues related to prison populations, and measure transitions between stages of the correctional system. Less frequent collection would limit BJS's ability to regularly report measures of change in sex, race, Hispanic origin, age, and offense (and cross-classifications of these groups) of prison populations and limit BJS's ability to weight or generate annual estimates of these characteristics. In addition, as NCRP is the only national data set that contains comparative data for monitoring trends in sentence length and time served. Delaying or collecting data less frequently would impact BJS's and other researchers' ability to detect changes in sentencing practice that affect prison populations.

Less frequent collection of data would impose more burden on respondents who have set up computerized methods to generate the NCRP data. In some states, data on admissions to and releases from prison are updated in real time. Some states are only be able to provide records for those prisoners being admitted or released for the most recent twelve months.

7.   Special Circumstances Influencing Collection

Not applicable. The NCRP collection is consistent with the guidelines in 5 CFR 1320.6

8.   Federal Register Publication and Outside Consultation

The NCRP collection is consistent with the guidelines in 5 CFR 1320.6. The 60 and 30-day notices for public commentary were published in the Federal Register on July 9, 2018 and September 19, 2018, respectively.

60-day Federal Register comments
BJS received three comments to the 60-day Federal Register notice for the NCRP, from the Vera Institute of Justice, the Sargent Shriver National Center on Poverty Law, and a group of 24 organizations including the National Association of Latino Elected and Appointed Officials Educational Fund (hereafter NALEO, which served as the sender of the letter), Common Cause, The Center for Law and Social Policy, Prison Policy Initiative, American-Arab Anti-Discrimination Committee, Human Rights Watch, Southeast Asia Resource Action Center, and the National Immigration Law Center. These letters are included in Appendix C.

Two of the commenters disagreed with BJS's proposal to remove 11 variables due to low data quality. Since publication of the 60-day notice, and based on the comments received, BJS proposes to retain four (4) of these variables (sentence length of community supervision, agencies assuming custody of the prisoner upon release from state prison, Truth in Sentencing Law restriction, and mandatory minimum sentence). BJS will continue to monitor the response rates to these four variables, and revisit their removal at the next clearance deadline.

BJS continues to propose to remove the other seven (7) variables from the NCRP. Two of the commenters specifically mention the prior prison time variable as being of research interest. To better address this research topic, BJS has invested considerable resources over the past eight (8) years constructing retroactive prison term records for 40 states, which represent more than 80% of the state prison population. Term histories, constructed of multiple term records, provide a better, more accurate accounting of the amount of time spent in prison prior to the imprisonment of interest, and for many states, can be traced back 10 years or more.

All seven of the variables suggested for removal have been asked in the NCRP since 1983, and none have shown improvement in response rates over the years. BJS searches to find their use by external researchers did not yield any results. BJS continues to proposal their removal. .

All three commenters to the 60-day notice disagreed with BJS's decision to add three variables to describe prisoner citizenship (U.S. citizenship (Yes/No), country of birth, country of current citizenship). Of primary concern to the respondents was the questionable quality of the data. One commenter brought up additional concerns, including the fact that the data are available from other sources, collection of these data will not serve the purpose of improving public safety, and that collection of these variables would violate criteria set out by BJS in the generic clearance memo approved by OMB in December, 2017.

BJS addresses the issue of citizenship variable data quality in Part B, section 4 (test of procedures and

methods). Of the 47 states that responded to a BJS telephone survey on their collection of citizenship data (California, North Dakota, and Oregon did not respond), four reported that they did not capture current U.S. citizenship status, or country of current citizenship, or country of birth in their offender management systems. Of the 43 states that did have this information, all reported that their data were based on inmate self-report at admission to prison, with varying levels of verification from external sources or ultimate correction of the DOC record. When asked whether their states would be willing to submit data on citizenship, only seven (7) of the 43 states collecting the data refused outright or said that doing so would require permission from executive leadership or legal counsel. A total of 36 were willing to provide current citizenship status, 31 could report country of current citizenship, and 37 could provide country of birth.

The seven states that refused or were uncertain about providing citizenship data made up only 6.7% of the 2016 year-end custody population of state prisoners. While California did not participate in the BJS telephone survey, even assuming that state does not submit these data to NCRP, the number of prisoner records that would be without data is 17.2% of the 2016 year-end custody population. Acknowledging that self-report data can be problematic and that not all states can or will submit data, the Department of Justice has prioritized collection of these data elements. BJS will evaluate the quality and completeness of the citizenship data before releasing official statistics.

One commenter further questioned the need to collect citizenship information in the NCRP, listing three alternative data collections where these data can be found: BJS's National Prisoners Statistics (NPS); the State Criminal Alien Assistance Program (SCAAP), which is a reimbursement program run by the Bureau of Justice Assistance (BJA); and the U.S. Census Bureau's American Community Survey (ACS).

Until 2018 (collection of 2017 data), the NPS obtained an aggregate count of non-U.S. citizens *in the custody of state departments of corrections* by sex. This count excluded persons held in private facilities under contract with state departments of corrections. In 2018, OMB approved for BJS to start collecting aggregate counts of non-U.S. citizens by sex and general sentence length (unsentenced, sentenced to one year or less, sentenced to more than one year) held *in the custody of state and private facilities*. While this expanded the information collected on non-U.S. citizens in the NPS, it does not allow for users to disaggregate any number of criminal justice characteristics (offense type, admissions, releases, more detailed sentence lengths, etc.) by citizenship status. Adding these variables to the NCRP individual-level records will permit researchers to do these detailed analyses.

The SCAAP data have a number of issues that do not make it a viable substitute for collecting these variables in NCRP. First, the data are part of a reimbursement program and are submitted to the Bureau of Justice Assistance (BJA) for that purpose. Second, the data are not comparable as not all states apply for SCAAP funding, the data are collected on different timeframes (SCAAP data are collected from July 1 to June 30, compared to NCRP's calendar year) and lag behind the submission of the NCRP data, and SCAAP includes anyone incarcerated for four or more days. In the six combined prison/jail states, this excludes persons who are incarcerated for shorter durations, but these individuals are reported in NCRP. Third, the SCAAP data only contain the total number of days confined, not the number of admissions or releases, so BJS would not be able to provide the number of non-U.S. citizens admitted to or released from state prison in a given year. Finally, the quality of the identification variables in the SCAAP data are poor, and removal of duplicates submitted by multiple jurisdictions (state prisoners held in local jails may be submitted by both the state DOC and the local jail) is difficult and often impossible which could lead to an erroneous count of non-U.S. citizens using the SCAAP data.

While it is true that ACS samples persons held in correctional institutions in the Group Quarters (GQ) portion of the survey, and citizenship and place of birth questions are asked of prisoners, the ACS has no information on criminal justice involvement or history of the respondent. There can be no further disaggregation of offense, sentencing, time served, or reimprisonment characteristics by citizenship status using ACS. In addition, BJS and the Census Bureau's classification of institutions are not consistent. An internal comparison of GQ and BJS population counts from 2010 showed that the Census count differs from the BJS count of the number of persons in state prisons and local facilities by over 65,000 persons, and by almost 60,000 individuals in federal detention centers.

Finally, one commenter noted that the addition of citizenship variables to NCRP would not improve public safety, as stated in Executive Order #13768. Section 16 speaks to the portion of that order relevant to BJS:

> *Sec. 16. Transparency. To promote the transparency and situational awareness of criminal aliens in the United States, the Secretary and the Attorney General are hereby directed to collect relevant data and provide quarterly reports on the following:*
>
> *(a) the immigration status of all aliens incarcerated under the supervision of the Federal Bureau of Prisons;*
>
> *(b) the immigration status of all aliens incarcerated as Federal pretrial detainees under the supervision of the United States Marshals Service; and*
>
> *(c) the immigration status of all convicted aliens incarcerated in State prisons and local detention centers throughout the United States.*

The Department of Justice is requesting that BJS begin collection of citizenship data in NCRP to meet the goal of situational awareness.

30-day Federal Register comments
BJS received one comment in response to the 30-day Federal Register comment period. The FRN was published on September 19, 2018, and the comment (Appendix C) was received on October 19, 2018.

The comment was posted by NALEO, which also submitted comments to the 60-day FRN. NALEO reiterated their objection to BJS's request to collect information on state prisoners' countries of birth and citizenship, and current citizenship status. NALEO raised three issues: (1) that the collection of these data is duplicative, since the Department of Homeland Security (DHS) "enjoys comprehensive, immediate access to records of people with state and local criminal convictions who have also broken immigration laws", (2) these data would not improve public safety, and (3) the data collected would be incomplete and of poor quality.

DHS may have the ability to query the Federal Bureau of Investigation's (FBI) Interstate Identification Index (III) to obtain arrest records, but it is important to note that DHS does not collect this information itself, and therefore, must to go through a formal request process to obtain access to such data sources. In 2017, DHS's Immigration and Customs Enforcement (ICE) personnel requested access to BJS's personally identifiable NCRP data (that did not contain

citizenship data), which BJS denied based on our authorizing statute that limits use of BJS data to statistical purposes alone (32 USC § 10134). BJS does not agree that the collection of these data are duplicative with DHS, since DHS does not have immediate access to the state prison data found in NCRP.

In its authorizing legislation (34 USC § 10131), BJS is charged with:

> *...the collection and analysis of statistical information concerning crime, juvenile delinquency, and the operation of the criminal justice system and related aspects of the civil justice system and to support the development of information and statistical systems at the Federal, State, and local levels to improve the efforts of these levels of government to measure and understand the levels of crime, juvenile delinquency, and the operation of the criminal justice system and related aspects of the civil justice system. The Bureau shall utilize to the maximum extent feasible State governmental organizations and facilities responsible for the collection and analysis of criminal justice data and statistics. In carrying out the provisions of this subchapter, the Bureau shall give primary emphasis to the problems of State and local justice systems.* (34 USC § 10131),

and BJS is authorized to (among others):

> *(4) collect and analyze statistical information, concerning the operations of the criminal justice system at the Federal, State, and local levels;*
> *(5) collect and analyze statistical information concerning the prevalence, incidence, rates, extent, distribution, and attributes of crime, and juvenile delinquency, at the Federal, State, and local levels;*
> *(6) analyze the correlates of crime, civil disputes and juvenile delinquency, by the use of statistical information, about criminal and civil justice systems at the Federal, State, and local levels, and about the extent, distribution and attributes of crime, and juvenile delinquency, in the Nation and at the Federal, State, and local levels;*
> *(7) compile, collate, analyze, publish, and disseminate uniform national statistics concerning all aspects of criminal justice and related aspects of civil justice, crime, including crimes against the elderly, juvenile delinquency, criminal offenders, juvenile delinquents, and civil disputes in the various States* (34 USC § 10132)

BJS believes that the collection of citizenship information through NCRP would contribute to the overall understanding of crime and the criminal justice system. BJS could use these data to compare sentence length and time served by non-U.S. citizens and U.S. citizens, as well as to determine whether non-U.S. citizens are convicted of different offenses or have different reimprisonment rates than do U.S. citizens. As with all other data that BJS collects, BJS will assess their quality and fitness for use.

Other outside consultation
BJS maintains frequent contact with data providers and data users in an effort to improve data collection, reporting procedures, data analysis, and data presentation. For NCRP specifically, BJS has

held five data providers' meetings since 2011, the most recent in April 2017, to discuss issues such as instructions for data submission, reporting format, item content, publication and research using the NCRP, archiving and linkage of the NCRP data, and plans for development of a web tool. Attendees at this meeting included research directors and corrections administrators from most states' departments of corrections.

BJS has also consulted with external academics and researchers who have analyzed the NCRP data, including --

- John Pfaff, Fordham University School of Law
- Pamela Oliver, University of Wisconsin
- Katherine Beckett, University of Washington
- Michael Makowsky, Clemson University
- Franklin Zimring, University of California, Berkeley School of Law
- John Clegg, New York University

9.   Payment or Gift to Respondents

Not applicable. No payments or gifts are offered to NCRP respondents.

10.   Assurance of Confidentiality

Under Title 34 of the United States Code, Section 10231, BJS collects NCRP data for statistical purposes only, does not release data pertaining to specific individuals in the NCRP, and has in place procedures to guard against disclosure of personally identifiable information. NCRP data are maintained under the security provisions outlined in U.S. Department of Justice regulation 28 CFR §22.23, which can be reviewed in Appendix D or at https://www.bjs.gov/content/pub/pdf/BJS_Data_Protection_Guidelines.pdf. All data collection agent staff working on the NCRP must sign the following privacy certificate each year: http://bjs.ojp.usdoj.gov/content/pub/pdf/bjsmpc.pdf.

11.   Justification for Sensitive Questions

Proposed addition of citizenship information

In the current OMB clearance, BJS requests permission to collect inmates' U.S. citizenship status, their country of current citizenship, and their country of birth on prison admission and year-end custody records, and PCCS entry records. On January 25, 2017, the President of the United States signed an Executive Order (EO; #13768) that directed the Attorney General and the Secretary of Homeland Security to report quarterly on the "immigration status of all convicted aliens incarcerated in State prisons and local detention centers throughout the United States." [7] As a result, BJS has been asked by the Office of the Deputy Attorney General (ODAG) to provide statistics on non-U.S. citizens in state

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7 *Enhancing Public Safety in the Interior of the United States.* Section 16(c).
https://www.whitehouse.gov/the-press-office/2017/01/25/presidential-executive-order-enhancing-public-safety-interior-united

correctional systems and local jails. While the NPS already obtains an annual count from each state of non-U.S. citizens disaggregated by sex and sentence length, adding a variable to indicate citizenship status to the NCRP would allow BJS to provide analysis of non-U.S. citizens by most serious offense and time served. Since data providers draw from the same underlying data systems when responding to the NCRP and NPS, this suggests that they should have inmate-level citizenship information available to include in their NCRP data submissions.

BJS conducted a telephone survey of NCRP respondents under the OMB generic clearance #1121-0339 from December 2017-February 2018 to determine the availability, quality, and feasibility of obtaining citizenship data on prisoners, including country of current citizenship and country of birth. Results of this survey and the decision to collect citizenship data are discussed in Part B, Section 4 (Tests of Procedures or Methods).

Addition of the citizenship variable increases the risk of inmate identification if the records were to be lost. As a federal statistical agency, the Bureau of Justice Statistics (BJS) has several layers of protection to ensure the confidentiality of all data. Under Title 34 of the United States Code, Section 10234, BJS collects data for statistical purposes only, does not release data pertaining to specific individuals, and has in place procedures to guard against disclosure of personally identifiable information. All BJS data are maintained under the security provisions outlined in U.S. Department of Justice regulation 28 CFR §22.23, which can be reviewed at http://bjs.ojp.usdoj.gov/content/pub/pdf/bjsmpc.pdf. Complete BJS data protection guidelines are available here: https://www.bjs.gov/content/pub/pdf/BJS_Data_Protection_Guidelines.pdf.

12.   Estimate Respondent Burden

There are 57 respondents in the NCRP data collection universe including the department of corrections (DOC) in each of the 50 states, the Court Services and Offender Supervising Agency for the District of Columbia (CSOSA), and 6 different contacts for parole data in those states (Alabama, Georgia, Massachusetts, Nevada, Pennsylvania, and South Carolina) where the DOC does not keep data on parolees. Data on federal prison inmates are obtained through BJS's Federal Justice Statistical Program (FJSP), so no burden is placed on the Bureau of Prisons for NCRP.

The costs to respondents incurred as a result of participating in this data collection are costs that would be incurred in the normal course of daily operations, except for the hours involved in preparing the data. All states developed a computer program to extract data during their initial participation in NCRP. This computer program is then re-run to prepare data for submission in subsequent years. Burden hours for the three collection years (2019-2021) differ based on whether a state has previously submitted NCRP prison and PCCS data in recent years. All 50 DOCs have recently submitted NCRP prison data, but currently, only 32 DOCs have submitted PCCS data in the last four years. BJS estimates of burden are derived from discussions with both current and potential contributors to the NCRP.

At the beginning of each year, states are contacted by BJS's data collection agent for a brief phone conversation to confirm that the data respondent has not changed over the past year, and to tell them to expect a packet of materials describing the submission of NCRP data in the next few weeks (see Appendix E for the call script). In 2019, the packet for collection of the 2018 NCRP data will contain an introductory letter from BJS (Appendix F), an introductory letter from the data collection agent

(Appendix G), instructions for data submission (Appendix H), and NCRP Frequently Asked Questions fact sheet (Appendix I).

Hour burden for proposed new variables in NCRP

BJS estimates that there will be 30 additional burden minutes per reporting entity in 2019 due to the addition of 3 citizenship variables on the prison admission and year-end stock records. (For a more detailed justification of the need for this changes, please see the *Needs* section of this supporting statement.)

New Variable	Justification for requesting variable	Additional burden estimate
Prisoner is currently a citizen of the U.S. (yes/no)	The Department of Justice has made the citizenship of prisoners a priority item for data collection. As with all other BJS data, these data will not be used for enforcement purposes, but rather to better describe the state prison population.	30 minutes (total)
What is the country of the prisoner's current citizenship?	The Department of Justice has made the citizenship of prisoners a priority item for data collection. As with all other BJS data, these data will not be used for enforcement purposes, but rather to better describe the state prison population.	
What is the country of the prisoner's birth?	The Department of Justice has made the citizenship of prisoners a priority item for data collection. As with all other BJS data, these data will not be used for enforcement purposes, but rather to better describe the state prison population. While country of birth does not necessarily match current citizenship, collection of this element will allow BJS to better understand whether country of birth is a good proxy for citizenship.	

BJS estimates that one hour of burden will be removed by the retirement of 7 underperforming variables. These items are --

- Prior prison time served by the offender
- Additional offenses since admission date
- Additional sentence time since admission date
- Whether the offender was on AWOL or escape while serving sentences
- Whether the offender was serving time concurrently on community release prior to prison release
- The number of days on community release prior to prison release served by the offender

- Offender's supervision status prior to release from post-custody community supervision

These variables have been collected for a number of years, but recent poor response rates (less than 50% of states) and/or high levels of missing data (30% or more missing), and a lack of use by BJS or external researchers suggests that BJS should not burden states with requesting the items. (Response rates and research usage for all NCRP variables are found in Appendix J). Across the different NCRP parts, BJS estimates that it will save respondents approximately one hour to not review these data starting in 2020 (data year 2019).

Burden hours for prison records (NCRP-1A, NCRP-1B, NCRP-1D)

All 50 DOCs have recently submitted NCRP prison data, so the average time needed to continue providing prison data is expected to be 8 hours per respondent for both prisoner admissions and releases (NCRP-1A and NCRP-1B) and 8 hours for data on persons in prison at year-end (NCRP-1D), based on conversations with data providers during follow-up calls. The average of 8 hours per database takes into account that some respondents just need 2 hours to make a copy of a research database, while others may need to do additional work, including modifying computer programs, preparing input data, and documenting the record layout. For 2019, the total burden estimate of 16 hours per DOC for these three record types is increased by 45 minutes from the previous NCRP OMB submission, to account for the addition and removal of variables from states' extract programs (a 30 minute increase to add citizenship questions to NCRP-1A and NCRP-1D, and a 15 minute increase to remove the 7 variables) (see Table 1). The total amount of time estimated for 50 DOCs to submit NCRP-A, -B, and –D records in 2019 is 837.5 hours (16.75 hours*50 = 837.5 hours).

In 2020 and 2021 (see Tables 2 and 3), BJS expects to have all 50 DOCs providing NCRP prison data. The burden for provision of the NCRP prison data will decrease to 14 hours per respondent due to the removal of the 7 items (7 hours for the prison admission and release records combined, and 7 hours for the year-end custody records), for a total of 700 hours annually for the 50 DOCs in 2020 and 2021.

Burden hours for PCCS records (NCRP-1E, NCRP-1F)

There are currently 37 jurisdictions submitting PCCS data (32 DOCs and 5 parole supervising agencies), and BJS estimates that extraction and submission of both the PCCS entries and exits takes an average of 8 hours per jurisdiction. In 2019, BJS anticipates that 8 additional DOCs and one supervising agency (likely the District of Columbia) will submit data, with the burden for each new jurisdiction being 24 hours to set up extraction programs and make the submission. Thus, the burden for PCCS records is 296 hours for those already submitting (8 hours*37 = 296 hours), and 216 hours for new submissions (24 hours*9 = 216). The total amount of time for all PCCS submissions in 2019 is 512 hours.

In 2020, BJS hope to recruit an additional 2 DOCs and the remaining parole board to submit NCRP PCCS data. For those 40 DOCs and 6 parole supervising agencies currently responding, provision of the PCCS data in 2020 will total 368 hours (8 hours*46 = 368 hours). The total estimate for submission of PCCS for new jurisdictions in 2020 is 72 hours (24 hours*3 = 72 hours). The total amount of time for all PCCS submissions in 2020 is 440 hours.

Similarly, BJS hopes that the remaining 2 DOCs will submit PCCS data for the first time in 2021. Those jurisdictions (42 DOCs and 7 parole supervising agencies) that provide NCRP PCCS data in 2020 will require 392 hours total to do the same in 2021 (8 hours*49 = 392 hours). The remaining non-reporting

DOCs would need a total of 48 hours to create data extraction programs and begin data submission (24 hours*2 = 48 hours). The total amount of time for all PCCS submissions in 2021 is 440 hours.

Burden hours for data review/follow-up consultations

Follow-up consultations with respondents are usually necessary while processing the data to obtain further information regarding the definition, completeness and accuracy of their report. The duration of these follow-up consultations will vary based on the number of record types submitted, so BJS has estimated an average of 3 hours per jurisdiction to cover all of the records (prison and/or PCCS) submitted. In 2019, BJS anticipates that one of the two parole supervising agencies not currently submitting PCCS data will begin to submit, so the number of jurisdictions requiring follow-up consultations is 51 (50 DOCs submitting at least the prison data, and one parole supervising agency submitting only PCCS data). This yields a total of 153 hours of follow-up consultation after submission. This total estimate of 153 hours for data review/follow-up consultations remains the same for 2020 and 2021.

Total burden hours for submitting NCRP data

BJS anticipates that the total burden for provision of all NCRP data across the jurisdiction will participate in 2019 is 1,502.5 hours (837.5 hours for prison records, 512 hours for PCCS records, and 153 hours for follow-up consultation). This is equivalent to roughly 29 hours per respondent. The total annual burden for provision of NCRP data in 2020 and 2021 is anticipated to be 1,293 hours (700 hours for prison records, 440 hours for PCCS records, and 153 hours for follow-up consultation), or 25 hours per respondent.

Table 1. Estimated time burden for states submitting NCRP data in 2019 (report year 2018)

ANNUAL SUBMISSIONS	FILES					Data review[3,4,5]	TOTAL
	Prison data			PCCS data[1,2]			
	NCRP-1A	NCRP-1B	NCRP-1D	NCRP-1E	NCRP-1F		
States currently submitting to NCRP							
Number of states	50	50	50	37	37	50	
• DOC respondents	50	50	50	32	32	50	
• Parole respondents	0	0	0	5	5	5	
Estimated burden/response	16.75 hours			8 hours		3 hours	
Subtotal	837.5 hours			296 hours		150 hours	**1,283.5 hours**
States not currently submitting to NCRP							
Number of states	0	0	0	9	9	1	
• DOC respondents	0	0	0	8	8	0	
• Parole respondents	0	0	0	1	1	1	
Estimated burden/response	0 hours			24 hours		3 hours	
Subtotal	0 hours			216 hours		3 hours[5]	**219 hours[5]**
Total submissions and burden in 2019 (report year 2018)							
Number of states	50	50	50	46	46	51	
• DOC respondents	50	50	50	40	40	50	
• Parole respondents	0	0	0	6	6	6	
Estimated total burden	837.5 hours			512 hours		153 hours[2,4]	**1,502.5 hours[4]**

[1]While there are 50 states providing prison data, 51 jurisdictions are eligible to report PCCS data. As of December 31, 2001, sentenced felons from the District of Columbia are the responsibility of the Federal Bureau of Prisons. The District of Columbia's PCCS data, however, are reported by the Court Services and Offender Supervising Agency for the District of Columbia (CSOSA).

[2]In six states and the District of Columbia, a different respondent reports data for NCRP-1E and NCRP-1F (PCCS entry and exit records). Currently, five of these seven jurisdictions submit PCCS data on an annual basis to NCRP. The estimated burden for data review is still assumed to be 3 total hours per NCRP submission, even though two different people in these jurisdictions will separately review the PCCS records (2 files) and the prison records (3 files). For the District of Columbia, the respondent will review only 2 files in 3 hours.

[3]The number of states, respondents, and burden hours in the data review column subtotals will not sum to the total submissions and burden hours, since these values reflect the maximum number of states and respondents that will need to review at least one submitted file of NCRP.

[4]The estimated total burden for all 2019 submissions will not be the sum of the estimated subtotals of states currently and not currently submitting NCRP records because of the data review estimate issue described above.

[5]Assumes that the new PCCS respondent is the District of Columbia, which does not submit prison records and will therefore require 3 hours of data review and post-submission consultation for PCCS records submitted.

Table 2. Annual estimated time burden for states submitting NCRP data in 2020 (report year 2019)

SUBMISSIONS	FILES					Data review[3,4,5]	TOTAL
	Prison data			PCCS data[1,2]			
	NCRP-1A	NCRP-1B	NCRP-1D	NCRP-1E	NCRP-1F		
States currently submitting to NCRP							
Number of states	50	50	50	46	46	51	
• DOC respondents	50	50	50	40	40	50	
• Parole respondents	0	0	0	6	6	6	
Estimated burden/response	14 hours			8 hours		3 hours	
Subtotal	700 hours			368 hours		153 hours[5]	**1,221 hours**
States not currently submitting to NCRP							
Number of states	0	0	0	3	3	0	
• DOC respondents	0	0	0	2	2	0	
• Parole respondents	0	0	0	1	1	0	
Estimated burden/response	0 hours			24 hours		3 hours	
Subtotal	0 hours			72 hours		0 hours[5]	**72 hours[5]**
Total annual submissions and burden in 2020 (report year 2019)							
Number of states	50	50	50	51	51	51	
• DOC respondents	50	50	50	40	40	50	
• Parole respondents	0	0	0	7	7	7	
Estimated total burden	700 hours			440 hours		153 hours[2,4]	**1,293 hours[4]**

[1]While there are 50 states providing prison data, 51 jurisdictions are eligible to report PCCS data. As of December 31, 2001, sentenced felons from the District of Columbia are the responsibility of the Federal Bureau of Prisons. The District of Columbia's PCCS data, however, are reported by the Court Services and Offender Supervising Agency for the District of Columbia (CSOSA).

[2]In six states and the District of Columbia, a different respondent reports data for NCRP-1E and NCRP-1F (PCCS entry and exit records). Currently, five of these seven jurisdictions submit PCCS data on an annual basis to NCRP. The estimated burden for data review is still assumed to be 3 total hours per NCRP submission, even though two different people in these jurisdictions will separately review the PCCS records (2 files) and the prison records (3 files). For the District of Columbia, the respondent will review only 2 files in 3 hours.

[3]The number of states, respondents, and burden hours in the data review column subtotals will not sum to the total submissions and burden hours, since these values reflect the maximum number of states and respondents that will need to review at least one submitted file of NCRP.

[4]The estimated total burden for all 2020 submissions will not be the sum of the estimated subtotals of states currently and not currently submitting NCRP records because of the data review estimate issue described above.

[5]Assumes that the new parole respondent is a state already submitting NCRP prison data, so the 3 hours of data review and post-submission consultation includes both prison and PCCS records.

Table 3. Annual estimated time burden for states submitting NCRP data in 2021 (report year 2020)

SUBMISSIONS	FILES					Data review[3,4]	TOTAL
	Prison data			PCCS data[1,2]			
	NCRP-1A	NCRP-1B	NCRP-1D	NCRP-1E	NCRP-1F		
States currently submitting to NCRP							
Number of states	50	50	50	49	49	51	
• DOC respondents	50	50	50	42	42	50	
• Parole respondents	0	0	0	7	7	7	
Estimated burden/response	14 hours			8 hours		3 hours	
Subtotal	700 hours			392 hours		153 hours	**1,245 hours**
States not currently submitting to NCRP							
Number of states	0	0	0	2	2	0	
• DOC respondents	0	0	0	2	2	0	
• Parole respondents	0	0	0	0	0	0	
Estimated burden/response	0 hours			24 hours		3 hours	
Subtotal	0 hours			48 hours		0 hours	**48 hours**
Total annual submissions and burden in 2021 (report years 2020)							
Number of states	50	50	50	51	51	51	
• DOC respondents	50	50	50	44	44	50	
• Parole respondents	0	0	0	7	7	7	
Estimated total burden	700 hours			440 hours		153 hours[2,4]	**1,293 hours[4]**

[1]While there are 50 states providing prison data, 51 jurisdictions are eligible to report PCCS data. As of December 31, 2001, sentenced felons from the District of Columbia are the responsibility of the Federal Bureau of Prisons. The District of Columbia's PCCS data, however, are reported by the Court Services and Offender Supervising Agency for the District of Columbia (CSOSA).

[2]In six states and the District of Columbia, a different respondent reports data for NCRP-1E and NCRP-1F (PCCS entry and exit records). Currently, five of these seven jurisdictions submit PCCS data on an annual basis to NCRP. The estimated burden for data review is still assumed to be 3 total hours per NCRP submission, even though two different people in these jurisdictions will separately review the PCCS records (2 files) and the prison records (3 files). For the District of Columbia, the respondent will review only 2 files in 3 hours.

[3]The number of states, respondents, and burden hours in the data review column subtotals will not sum to the total submissions and burden hours, since these values reflect the maximum number of states and respondents that will need to review at least one submitted file of NCRP.

[4]The estimated total burden for all 2021 submissions will not be the sum of the estimated subtotals of states currently and not currently submitting NCRP records because of the data review estimate issue described above.

13.   Estimate of Cost Burden

The costs to respondents incurred as a result of participating in this data collection are costs that would be incurred in the normal course of daily operations. Assuming a pay rate approximately equivalent to the GS-12 / 01 level ($72,168 per year), the estimated agency cost of employee time would be approximately $34.58 per hour. Fifty-one agencies will be asked to participate in this activity for 29 hours in 2019, therefore the total cost is estimated at $51,144, or $1,003 per agency. In 2020 and 2021, the 51 agencies will require 25 hours to submit NCRP data, for a total cost of $44,090, or $865 per agency.

14.   Estimated Cost to Federal Government

The estimated costs for collection, processing, and dissemination of the NCRP data in 2019 is $1,201,471, including:

> $1,075,007 -- Abt Associates, Inc. (NCRP data collection agent)
> > $539,756 for data collection, data processing, and program management
> > $483,624 for computer programming, providing data, furnishing publication-ready tables, conducting research on data
> > $51,628 in miscellaneous charges -- costs related to postage, telephone calls, disks to respondents, printing, travel to NCRP data providers meeting, etc.
>
> $126,464 -- Bureau of Justice Statistics
> > 60% GS-13, Statistician ($60,000)
> > 3% GS-15, Supervisory Statistician ($4,000)
> > 5% GS-13 Editor ($5,000)
> > Other editorial staff ($5,000)
> > Front office staff (GS-15, SES, Director) ($2,000)
> > Fringe benefits (@28% of salaries -- $21,280)
> > Other administrative costs (@30% of salary & fringe $29,184)

15.   Reasons for Change in Burden

The estimate of 1,502.5 hours for states to compile and submit the five parts of the NCRP in 2019 (data year 2018) is a slight increase since the collection's previous OMB clearance due to the necessary modifications to states' data extraction programs to add 3 citizenship variables and remove 7 underperforming variables.

16.   Project Schedule and Publication Plan

BJS's plans for products and publications from NCRP data over the next three years fall into four broad categories:

BJS Bulletins

BJS bulletins provide the "first cut" from a routine statistical data collection. BJS will use the NCRP to augment the National Prisoners Statistics to report annually on changes in the age, sex, race, and offense composition of the prison population at year-end, prison admissions during the year, prison releases during the year and expected time served upon admission. BJS will use the NCRP data in the production of three annual bulletins that are issued from the National Prisoners Statistics:

- *Prisoners in 2018* (expected release, end-of-year 2019)
- *Prisoners in 2019* (expected release, end-of-year 2020)
- *Prisoners in 2020* (expected release, end-of-year 2021)

Beginning in 2020, BJS expects to release annual state-level return-to-prison recidivism estimates using the NCRP term records. These reports are planned to be published in the spring of each year:

- *Returns to State Prisons, 2000-2018* (expected release, 2020)
- *Returns to State Prisons, 2000-2019* (expected release, 2021)

The NCRP age, sex, and race data are used to estimate the demographic distribution of state prisoners in the Correctional Population in the United States bulletins:

- *Correctional Population in the United States, 2018* (expected release, end-of-year 2019)
- *Correctional Population in the United States, 2019* (expected release, end-of-year 2020)
- *Correctional Population in the United States, 2020* (expected release, end-of-year 2021)

BJS also uses the NCRP in its work on Mortality in Correctional Institutions (OMB # 1121-0249). Specifically, BJS uses the NCRP to create denominators in calculating mortality rates for the state prison population. Using the NCRP term records, BJS will be able to generate improved estimates of the average daily prison population by specific demographic characteristic for which mortality rates are calculated (e.g., age, race, sex, etc.). The reports that will utilize the NCRP include:

- *Mortality in Prisons, 2000-2017 Statistical Tables* (expected released, 2019)
- *Mortality in Prisons, 2000-2018 Statistical Tables* (expected release, 2020)
- *Mortality in Prisons, 2000-2019 Statistical Tables* (expected release. 2021)

Finally, BJS intends to publish estimates of sentence length and time served by most serious offense at the national level on an annual basis:

- *Time served and sentence length for state prisoners, by offense, 2017* (expected release, 2019)
- *Time served and sentence length for state prisoners, by offense, 2018* (expected release, 2020)
- *Time served and sentence length for state prisoners, by offense, 2019* (expected release, 2021)

Special topic reports

Topics of special interest include the following:

- Mortality among released prisoners: Using the SSA's Death Master File (DMF) and the Centers for Disease Control and Prevention's (CDC) National Death Index (NDI), BJS and CARRA can determine the national die-off rate and causes of death of persons released from prison.

- Employment of released prisoners: Relying on the matched NCRP-LEHD datasets, BJS and Census are planning a joint report looking at the employment rate of former prisoners, as well as the types of jobs they work and the time between prison release and employment. The rate of return to prison will also be examined by whether a person is employed or not. These statistics are of particular interest to Congress, as evidenced by a letter from Congresspersons Trey Gowdy and Seth Moulton (Appendix K). Both DOJ and the Census Bureau responded to this letter that this project is a top priority, but will require added time for review by both agencies and the LEHD staff.
- Recidivism of persons admitted in 2014: For the first time, BJS will examine recidivism of all persons admitted in a given year.
- Recidivism of persons released from state prison in 2012: A follow-up to the 2014 report on recidivism of state prisoners released in 2010. This report will contain more states and provide 3- and 5-year recidivism rates for rearrest, reconviction, and return to prison.

BJS technical and methodological reports

Designed to showcase new methodologies that apply to a BJS statistical program or series, BJS and its data collection agent for NCRP will publish BJS technical reports on techniques developed using NCRP data. These documents will describe the details of the processes and procedures, and may form the basis for future annual or periodic BJS reports. Three reports using NCRP to demonstrate new techniques and methodologies are currently planned:

- *Event- and Offender-Based Recidivism Methodology Using the National Corrections Reporting Program*: This technical report will introduce the offender-based measurement of recidivism and show why it differs from the traditional, event-based measurement based on release cohorts. Adoption of this method by BJS will precede the publication of the *Returns to Prison* series of reports. (Expected release, 2019).
- *Exploring Cross-State Differences in Sex Offender Recidivism Using Longitudinal Data from the National Corrections Reporting Program*: It has been suggested based on studies of small cohorts of prisoners that sex offenders have different patterns of recidivism compared to persons imprisoned for other crimes, namely that sex offenders take longer to reoffend. In this BJS research and development report, recidivism patterns of sex offenders will be examined across states. (Expected release, 2019).

Online data dissemination tools

The Corrections Statistical Analysis Tool (CSAT-Prisoners) (http://www.bjs.gov/index.cfm?ty=nps) includes data from NCRP. The tool has both dynamic table-building capabilities, as well as static quick tables that allow users to download longitudinal trend data for standard measures (year-end population, admissions, releases, etc.) by sex and state from 1978-2016. BJS updates this tool annually, and it is widely used by the media, students, and researchers to provide answers to routine requests for counts of prison populations and estimates of characteristics of the prison population.

The NCRP data are archived at the National Archive of Criminal Justice Data (NACJD). Researchers who obtain access to the restricted use data can download all records from 2000 to the currently archived year in four files: prison term records for those states with records that enabled linkage, unlinked prison records for the states and years where linkage was not possible, PCCS term records, and unlinked PCCS records for states where linkage wasn't possible. The four files are updated annually as new states

submit data and new links are formed in the term records. BJS has extensive documentation to guide users, and provides programs in SAS, SPSS, and STATA.

BJS has also created an annual abbreviated version of the NCRP prison data at NACJD that is fully accessible to the public. This dataset includes some demographic information (sex, a combination of the race and Hispanic ethnicity variables, calculated age in 10-year intervals, and education level), as well as most serious offense collapsed into the standard BJS categories (violent, property, drug, public order, other), sentence length and time served divided into intervals, high level categories of type of admission and release, and the state where the inmate is being held, admitted, or released. This dataset has made NCRP data widely available to users who want to answer simple questions about the state prison system, or who don't need the full complement of NCRP variables to answer their questions.

17.   <u>Expiration Date Approval</u>

The OMB Control Number and the expiration date will be published on instructions provided to all respondents.

18.   <u>Exceptions to the Certification Statement</u>

There are no exceptions to the Certification Statement. The collection is consistent with all the guidelines set forth in 5 CFR 1320.9.