

Table of Contents

Attachments for Criminal Cases in State Courts (CCSC)

Attachment	Description	Page number
1.	34 USC § 10132	1
2.	Data extraction guide	7
3.	60 day notice	19
4.	30 day notice	21
5.	BJS introduction letter	23
6.	Request for data	25
7.	Initial follow-up script	27
8	Sample generic MOU	29
9.	Second follow-up	35
10.	BJS final follow-up	37
11.	Confirm data script	39
12.	Thank you email	41
13.	Civil Rights Division comments	42
14	NCAJ comments	52
15.	LAFLA comments	54
16	BJS response to public comments to the CCSC	58

34 USC 10132: Bureau of Justice Statistics

Text contains those laws in effect on August 13, 2018

From Title 34-CRIME CONTROL AND LAW ENFORCEMENT

Subtitle I-Comprehensive Acts

CHAPTER 101-JUSTICE SYSTEM IMPROVEMENT

SUBCHAPTER III-BUREAU OF JUSTICE STATISTICS

Jump To:

[Source Credit](#)

[References In Text](#)

[Codification](#)

[Prior Provisions](#)

[Amendments](#)

[Effective Date](#)

[Miscellaneous](#)

§10132. Bureau of Justice Statistics**(a) Establishment**

There is established within the Department of Justice, under the general authority of the Attorney General, a Bureau of Justice Statistics (hereinafter referred to in this subchapter as "Bureau").

(b) Appointment of Director; experience; authority; restrictions

The Bureau shall be headed by a Director appointed by the President. The Director shall have had experience in statistical programs. The Director shall have final authority for all grants, cooperative agreements, and contracts awarded by the Bureau. The Director shall be responsible for the integrity of data and statistics and shall protect against improper or illegal use or disclosure. The Director shall report to the Attorney General through the Assistant Attorney General. The Director shall not engage in any other employment than that of serving as Director; nor shall the Director hold any office in, or act in any capacity for, any organization, agency, or institution with which the Bureau makes any contract or other arrangement under this Act.

(c) Duties and functions of Bureau

The Bureau is authorized to-

- (1) make grants to, or enter into cooperative agreements or contracts with public agencies, institutions of higher education, private organizations, or private individuals for purposes related to this subchapter; grants shall be made subject to continuing compliance with standards for gathering justice statistics set forth in rules and regulations promulgated by the Director;
- (2) collect and analyze information concerning criminal victimization, including crimes against the elderly, and civil disputes;
- (3) collect and analyze data that will serve as a continuous and comparable national social indication of the prevalence, incidence, rates, extent, distribution, and attributes of crime, juvenile delinquency, civil disputes, and other statistical factors related to crime, civil disputes, and juvenile delinquency, in support of national, State, tribal, and local justice policy and decisionmaking;
- (4) collect and analyze statistical information, concerning the operations of the criminal justice system at the Federal, State, tribal, 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, tribal, 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, tribal, and local levels, and about the extent, distribution and attributes of crime, and juvenile delinquency, in the Nation and at the Federal, State, tribal, 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 and in Indian country;
- (8) recommend national standards for justice statistics and for insuring the reliability and validity of justice statistics supplied pursuant to this chapter;
- (9) maintain liaison with the judicial branches of the Federal Government and State and tribal governments in matters relating to justice statistics, and cooperate with the judicial branch in assuring as much uniformity as feasible in statistical systems of the executive and judicial branches;
- (10) provide information to the President, the Congress, the judiciary, State, tribal, and local governments, and the general public on justice statistics;

(11) establish or assist in the establishment of a system to provide State, tribal, and local governments with access to Federal informational resources useful in the planning, implementation, and evaluation of programs under this Act;

(12) conduct or support research relating to methods of gathering or analyzing justice statistics;

(13) provide for the development of justice information systems programs and assistance to the States, Indian tribes, and units of local government relating to collection, analysis, or dissemination of justice statistics;

(14) develop and maintain a data processing capability to support the collection, aggregation, analysis and dissemination of information on the incidence of crime and the operation of the criminal justice system;

(15) collect, analyze and disseminate comprehensive Federal justice transaction statistics (including statistics on issues of Federal justice interest such as public fraud and high technology crime) and to provide technical assistance to and work jointly with other Federal agencies to improve the availability and quality of Federal justice data;

(16) provide for the collection, compilation, analysis, publication and dissemination of information and statistics about the prevalence, incidence, rates, extent, distribution and attributes of drug offenses, drug related offenses and drug dependent offenders and further provide for the establishment of a national clearinghouse to maintain and update a comprehensive and timely data base on all criminal justice aspects of the drug crisis and to disseminate such information;

(17) provide for the collection, analysis, dissemination and publication of statistics on the condition and progress of drug control activities at the Federal, State, tribal, and local levels with particular attention to programs and intervention efforts demonstrated to be of value in the overall national anti-drug strategy and to provide for the establishment of a national clearinghouse for the gathering of data generated by Federal, State, tribal, and local criminal justice agencies on their drug enforcement activities;

(18) provide for the development and enhancement of State, tribal, and local criminal justice information systems, and the standardization of data reporting relating to the collection, analysis or dissemination of data and statistics about drug offenses, drug related offenses, or drug dependent offenders;

(19) provide for improvements in the accuracy, quality, timeliness, immediate accessibility, and integration of State and tribal criminal history and related records, support the development and enhancement of national systems of criminal history and related records including the National Instant Criminal Background Check System, the National Incident-Based Reporting System, and the records of the National Crime Information Center, facilitate State and tribal participation in national records and information systems, and support statistical research for critical analysis of the improvement and utilization of criminal history records;

(20) maintain liaison with State, tribal, and local governments and governments of other nations concerning justice statistics;

(21) cooperate in and participate with national and international organizations in the development of uniform justice statistics;

(22) ensure conformance with security and privacy requirement of section 10231 of this title and identify, analyze, and participate in the development and implementation of privacy, security and information policies which impact on Federal, tribal, and State criminal justice operations and related statistical activities; and

(23) exercise the powers and functions set out in subchapter VII.

(d) Justice statistical collection, analysis, and dissemination

(1) In general

To ensure that all justice statistical collection, analysis, and dissemination is carried out in a coordinated manner, the Director is authorized to-

(A) utilize, with their consent, the services, equipment, records, personnel, information, and facilities of other Federal, State, local, and private agencies and instrumentalities with or without reimbursement therefor, and to enter into agreements with such agencies and instrumentalities for purposes of data collection and analysis;

(B) confer and cooperate with State, municipal, and other local agencies;

(C) request such information, data, and reports from any Federal agency as may be required to carry out the purposes of this chapter;

(D) seek the cooperation of the judicial branch of the Federal Government in gathering data from criminal justice records;

(E) encourage replication, coordination and sharing among justice agencies regarding information systems, information policy, and data; and

(F) confer and cooperate with Federal statistical agencies as needed to carry out the purposes of this subchapter, including by entering into cooperative data sharing agreements in conformity with all laws and regulations applicable to the disclosure and use of data.

(2) Consultation with Indian tribes

The Director, acting jointly with the Assistant Secretary for Indian Affairs (acting through the Office of Justice Services) and the Director of the Federal Bureau of Investigation, shall work with Indian tribes and tribal law enforcement agencies to establish and implement such tribal data collection systems as the Director determines to be necessary to achieve the purposes of this section.

(e) Furnishing of information, data, or reports by Federal agencies

Federal agencies requested to furnish information, data, or reports pursuant to subsection (d)(1)(C) shall provide such information to the Bureau as is required to carry out the purposes of this section.

(f) Consultation with representatives of State, tribal, and local government and judiciary

In recommending standards for gathering justice statistics under this section, the Director shall consult with representatives of State, tribal, and local government, including, where appropriate, representatives of the judiciary.

(g) Reports

Not later than 1 year after July 29, 2010, and annually thereafter, the Director shall submit to Congress a report describing the data collected and analyzed under this section relating to crimes in Indian country.

(Pub. L. 90–351, title I, §302, as added Pub. L. 96–157, §2, Dec. 27, 1979, 93 Stat. 1176 ; amended Pub. L. 98–473, title II, §605(b), Oct. 12, 1984, 98 Stat. 2079 ; Pub. L. 100–690, title VI, §6092(a), Nov. 18, 1988, 102 Stat. 4339 ; Pub. L. 103–322, title XXXIII, §330001(h)(2), Sept. 13, 1994, 108 Stat. 2139 ; Pub. L. 109–162, title XI, §1115(a), Jan. 5, 2006, 119 Stat. 3103 ; Pub. L. 111–211, title II, §251(b), July 29, 2010, 124 Stat. 2297 ; Pub. L. 112–166, §2(h)(1), Aug. 10, 2012, 126 Stat. 1285 .)

REFERENCES IN TEXT

This Act, referred to in subsecs. (b) and (c)(11), is Pub. L. 90–351, June 19, 1968, 82 Stat. 197 , known as the Omnibus Crime Control and Safe Streets Act of 1968. For complete classification of this Act to the Code, see Short Title of 1968 Act note set out under section 10101 of this title and Tables.

CODIFICATION

Section was formerly classified to section 3732 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 302 of Pub. L. 90–351, title I, June 19, 1968, 82 Stat. 200 ; Pub. L. 93–83, §2, Aug. 6, 1973, 87 Stat. 201 ; Pub. L. 94–503, title I, §110, Oct. 15, 1976, 90 Stat. 2412 , related to establishment of State planning agencies to develop comprehensive State plans for grants for law enforcement and criminal justice purposes, prior to the general amendment of this chapter by Pub. L. 96–157.

AMENDMENTS

2012-Subsec. (b). Pub. L. 112–166 struck out ", by and with the advice and consent of the Senate" before period at end of first sentence.

2010-Subsec. (c)(3) to (6). Pub. L. 111–211, §251(b)(1)(A), inserted "tribal," after "State," wherever appearing.

Subsec. (c)(7). Pub. L. 111–211, §251(b)(1)(B), inserted "and in Indian country" after "States".

Subsec. (c)(9). Pub. L. 111–211, §251(b)(1)(C), substituted "Federal Government and State and tribal governments" for "Federal and State Governments".

Subsec. (c)(10), (11). Pub. L. 111–211, §251(b)(1)(D), inserted ", tribal," after "State".

Subsec. (c)(13). Pub. L. 111–211, §251(b)(1)(E), inserted ", Indian tribes," after "States".

Subsec. (c)(17). Pub. L. 111–211, §251(b)(1)(F), substituted "activities at the Federal, State, tribal, and local" for "activities at the Federal, State and local" and "generated by Federal, State, tribal, and local" for "generated by Federal, State, and local".

Subsec. (c)(18). Pub. L. 111–211, §251(b)(1)(G), substituted "State, tribal, and local" for "State and local".

Subsec. (c)(19). Pub. L. 111–211, §251(b)(1)(H), inserted "and tribal" after "State" in two places.

Subsec. (c)(20). Pub. L. 111–211, §251(b)(1)(I), inserted ", tribal," after "State".

Subsec. (c)(22). Pub. L. 111–211, §251(b)(1)(J), inserted ", tribal," after "Federal".

Subsec. (d). Pub. L. 111–211, §251(b)(2), designated existing provisions as par. (1), inserted par. (1) heading, substituted "To ensure" for "To insure", redesignated former pars. (1) to (6) as subpars. (A) to (F), respectively, of par. (1), realigned margins, and added par. (2).

Subsec. (e). Pub. L. 111–211, §251(b)(3), substituted "subsection (d)(1)(C)" for "subsection (d)(3)".

Subsec. (f). Pub. L. 111–211, §251(b)(4)(B), inserted ", tribal," after "State".

Pub. L. 111–211, §251(b)(4)(A), which directed insertion of ", tribal," after "State" in heading, was executed editorially but could not be executed in original because heading had been editorially supplied.

Subsec. (g). Pub. L. 111–211, §251(b)(5), added subsec. (g).

2006-Subsec. (b). Pub. L. 109–162, §1115(a)(1), inserted after third sentence "The Director shall be responsible for the integrity of data and statistics and shall protect against improper or illegal use or disclosure."

Subsec. (c)(19). Pub. L. 109–162, §1115(a)(2), amended par. (19) generally. Prior to amendment, par. (19) read as follows: "provide for research and improvements in the accuracy, completeness, and inclusiveness of criminal history record information, information systems, arrest warrant, and stolen

vehicle record information and information systems and support research concerning the accuracy, completeness, and inclusiveness of other criminal justice record information;"

Subsec. (d)(6). Pub. L. 109–162, §1115(a)(3), added par. (6).

1994-Subsec. (c)(19). Pub. L. 103–322 substituted a semicolon for period at end.

1988-Subsec. (c)(16) to (23). Pub. L. 100–690 added pars. (16) to (19) and redesignated former pars. (16) to (19) as (20) to (23), respectively.

1984-Subsec. (b). Pub. L. 98–473, §605(b)(1), inserted provision requiring Director to report to Attorney General through Assistant Attorney General.

Subsec. (c)(13). Pub. L. 98–473, §605(b)(2)(A), (C), added par. (13) and struck out former par. (13) relating to provision of financial and technical assistance to States and units of local government relating to collection, analysis, or dissemination of justice statistics.

Subsec. (c)(14), (15). Pub. L. 98–473, §605(b)(2)(C), added pars. (14) and (15). Former pars. (14) and (15) redesignated (16) and (17), respectively.

Subsec. (c)(16). Pub. L. 98–473, §605(b)(2)(A), (B), redesignated par. (14) as (16) and struck out former par. (16) relating to insuring conformance with security and privacy regulations issued under section 10231 of this title.

Subsec. (c)(17). Pub. L. 98–473, §605(b)(2)(B), redesignated par. (15) as (17). Former par. (17) redesignated (19).

Subsec. (c)(18). Pub. L. 98–473, §605(b)(2)(D), added par. (18).

Subsec. (c)(19). Pub. L. 98–473, §605(b)(2)(B), redesignated former par. (17) as (19).

Subsec. (d)(1). Pub. L. 98–473, §605(b)(3)(A), inserted ", and to enter into agreements with such agencies and instrumentalities for purposes of data collection and analysis".

Subsec. (d)(5). Pub. L. 98–473, §605(b)(3)(B)–(D), added par. (5).

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112–166 effective 60 days after Aug. 10, 2012, and applicable to appointments made on and after that effective date, including any nomination pending in the Senate on that date, see section 6(a) of Pub. L. 112–166, set out as a note under section 113 of Title 6, Domestic Security.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98–473 effective Oct. 12, 1984, see section 609AA(a) of Pub. L. 98–473, set out as an Effective Date note under section 10101 of this title.

CONSTRUCTION OF 2010 AMENDMENT

Pub. L. 111–211, **title II, §251(c), July 29, 2010**, 124 Stat. 2298, provided that: "Nothing in this section [amending this section and section 41507 of this title] or any amendment made by this section-

"(1) allows the grant to be made to, or used by, an entity for law enforcement activities that the entity lacks jurisdiction to perform; or

"(2) has any effect other than to authorize, award, or deny a grant of funds to a federally recognized Indian tribe for the purposes described in the relevant grant program."

[For definition of "Indian tribe" as used in section 251(c) of Pub. L. 111–211, set out above, see section 203(a) of Pub. L. 111–211, set out as a note under section 2801 of Title 25, Indians.]

INCLUSION OF HONOR VIOLENCE IN NATIONAL CRIME VICTIMIZATION SURVEY

Pub. L. 113–235, **div. B, title II, Dec. 16, 2014**, 128 Stat. 2191, provided in part: "That beginning not later than 2 years after the date of enactment of this Act [div. B of Pub. L. 113–235, Dec. 16, 2014], as part of each National Crime Victimization Survey, the Attorney General shall include statistics relating to honor violence".

STUDY OF CRIMES AGAINST SENIORS

Pub. L. 106–534, **§5, Nov. 22, 2000**, 114 Stat. 2557, provided that:

"(a) **IN GENERAL.**-The Attorney General shall conduct a study relating to crimes against seniors, in order to assist in developing new strategies to prevent and otherwise reduce the incidence of those crimes.

"(b) **ISSUES ADDRESSED.**-The study conducted under this section shall include an analysis of-

"(1) the nature and type of crimes perpetrated against seniors, with special focus on-

"(A) the most common types of crimes that affect seniors;

"(B) the nature and extent of telemarketing, sweepstakes, and repair fraud against seniors;

and

"(C) the nature and extent of financial and material fraud targeted at seniors;

"(2) the risk factors associated with seniors who have been victimized;

"(3) the manner in which the Federal and State criminal justice systems respond to crimes against seniors;

"(4) the feasibility of States establishing and maintaining a centralized computer database on the incidence of crimes against seniors that will promote the uniform identification and reporting of such crimes;

"(5) the effectiveness of damage awards in court actions and other means by which seniors receive reimbursement and other damages after fraud has been established; and

"(6) other effective ways to prevent or reduce the occurrence of crimes against seniors."

INCLUSION OF SENIORS IN NATIONAL CRIME VICTIMIZATION SURVEY

Pub. L. 106-534, §6, Nov. 22, 2000, 114 Stat. 2557 , provided that: "Beginning not later than 2 years after the date of enactment of this Act [Nov. 22, 2000], as part of each National Crime Victimization Survey, the Attorney General shall include statistics relating to-

"(1) crimes targeting or disproportionately affecting seniors;

"(2) crime risk factors for seniors, including the times and locations at which crimes victimizing seniors are most likely to occur; and

"(3) specific characteristics of the victims of crimes who are seniors, including age, gender, race or ethnicity, and socioeconomic status."

CRIME VICTIMS WITH DISABILITIES AWARENESS

Pub. L. 105-301, Oct. 27, 1998, 112 Stat. 2838 , as amended by Pub. L. 106-402, title IV, §401(b)(10), Oct. 30, 2000, 114 Stat. 1739 , provided that:

"SECTION 1. SHORT TITLE.

"This Act may be cited as the 'Crime Victims With Disabilities Awareness Act'.

"SEC. 2. FINDINGS; PURPOSES.

"(a) FINDINGS.-Congress finds that-

"(1) although research conducted abroad demonstrates that individuals with developmental disabilities are at a 4 to 10 times higher risk of becoming crime victims than those without disabilities, there have been no significant studies on this subject conducted in the United States;

"(2) in fact, the National Crime Victim's Survey, conducted annually by the Bureau of Justice Statistics of the Department of Justice, does not specifically collect data relating to crimes against individuals with developmental disabilities;

"(3) studies in Canada, Australia, and Great Britain consistently show that victims with developmental disabilities suffer repeated victimization because so few of the crimes against them are reported, and even when they are, there is sometimes a reluctance by police, prosecutors, and judges to rely on the testimony of a disabled individual, making individuals with developmental disabilities a target for criminal predators;

"(4) research in the United States needs to be done to-

"(A) understand the nature and extent of crimes against individuals with developmental disabilities;

"(B) describe the manner in which the justice system responds to crimes against individuals with developmental disabilities; and

"(C) identify programs, policies, or laws that hold promises for making the justice system more responsive to crimes against individuals with developmental disabilities; and

"(5) the National Academy of Science Committee on Law and Justice of the National Research Council is a premier research institution with unique experience in developing seminal, multidisciplinary studies to establish a strong research base from which to make public policy.

"(b) PURPOSES.-The purposes of this Act are-

"(1) to increase public awareness of the plight of victims of crime who are individuals with developmental disabilities;

"(2) to collect data to measure the extent of the problem of crimes against individuals with developmental disabilities; and

"(3) to develop a basis to find new strategies to address the safety and justice needs of victims of crime who are individuals with developmental disabilities.

"SEC. 3. DEFINITION OF DEVELOPMENTAL DISABILITY.

"In this Act, the term 'developmental disability' has the meaning given the term in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 [42 U.S.C. 15002].

"SEC. 4. STUDY.

"(a) IN GENERAL.-The Attorney General shall conduct a study to increase knowledge and information about crimes against individuals with developmental disabilities that will be useful in developing new strategies to reduce the incidence of crimes against those individuals.

"(b) ISSUES ADDRESSED.-The study conducted under this section shall address such issues as-

"(1) the nature and extent of crimes against individuals with developmental disabilities;

"(2) the risk factors associated with victimization of individuals with developmental disabilities;

"(3) the manner in which the justice system responds to crimes against individuals with developmental disabilities; and

"(4) the means by which States may establish and maintain a centralized computer database on the incidence of crimes against individuals with disabilities within a State.

"(c) NATIONAL ACADEMY OF SCIENCES.-In carrying out this section, the Attorney General shall consider contracting with the Committee on Law and Justice of the National Research Council of the National Academy of Sciences to provide research for the study conducted under this section.

"(d) REPORT.-Not later than 18 months after the date of enactment of this Act [Oct. 27, 1998], the Attorney General shall submit to the Committees on the Judiciary of the Senate and the House of Representatives a report describing the results of the study conducted under this section.

"SEC. 5. NATIONAL CRIME VICTIM'S SURVEY.

"Not later than 2 years after the date of enactment of this Act, as part of each National Crime Victim's Survey, the Attorney General shall include statistics relating to-

"(1) the nature of crimes against individuals with developmental disabilities; and

"(2) the specific characteristics of the victims of those crimes."

Criminal Cases in State Courts (CCSC)

**United States Department of Justice
Bureau of Justice Statistics**

Electronic Data Extraction Guide

January 2020

Prepared by:

The Urban Institute/National Center for State Courts

Contents

What is the study about?	2
Who do I contact if I have questions?.....	2
Will the data be secure and kept confidential?	3
How do I submit my file(s)?	4
When is the submission due?	4
How do I prepare the data for my jurisdiction?	4
File Structure	4
File Format	5
Supporting Documentation	5
How do I identify eligible cases?.....	5
What data elements should I include?	6
What if I am unable to provide all the requested data?.....	7
What happens after we submit the data?	7
Appendix A. Requested Data Elements, Definitions, and Formats.....	8

Criminal Cases in State Courts (CCSC) Electronic Data Extraction Guide

What is the study about?

The U.S. Department of Justice (DOJ), Bureau of Justice Statistics (BJS) has initiated a data collection of case-level data on felony and misdemeanor cases in state criminal courts across the United States with the goal of developing nationally representative state court statistics. BJS previously maintained two reporting programs—the National Judicial Reporting Program (NJRP), last completed in 2006, and the State Court Processing Statistics (SCPS), last completed in 2009—to collect and analyze case-level data from criminal courts. The Criminal Cases in State Courts (CCSC) leverages current advances in court data systems and standards to update the reporting on state court activity. The CCSC sample will be drawn from all felony and misdemeanor cases disposed in state criminal courts in 2019. This information is critical to understanding the number and types of cases processed in state criminal courts nationwide, along with other characteristics of these cases and the associated defendants.

BJS anticipates that the CCSC will inform 1) the field of court administration of current practice and trends in criminal case processing and 2) the public of how criminal cases are handled in the United States. Findings from the CCSC will be reported in aggregate form, precluding the possibility of revealing the identity of individual defendants or jurisdictions, and any identifying information will be removed or anonymized before archiving the data for research purposes. The CCSC can also serve as a benchmark to state court administrators and policymakers who wish to compare their own data to these national estimates. In other words, states and counties could better understand their own level of criminal justice activity in a broad, national context.

The Urban Institute (Urban) and the National Center for State Courts (NCSC) will collect these data on behalf of BJS. The ability to collect data electronically from automated information systems depends on each jurisdiction's capacity to extract the necessary data from their data management system. BJS, Urban and NCSC recognize this variation in state court systems and have developed this data extraction guide to support all modes of data collection. This data extraction guide will (1) describe the secure electronic data submission process and (2) provide a set of reporting instructions and standards for jurisdictions that have the capacity to extract data in electronic format. Appendix A includes a list of the data elements we seek to collect along with their definitions, preferred formats, and example values.

Who do I contact if I have questions?

An CCSC research team member from Urban or NCSC will contact your jurisdiction by email to initiate and facilitate a data request. For questions about extracting or submitting data, please reach out to this original Urban or NCSC point of contact or:

CCSC Help Desk

Toll Free: 855-279-3515

Email: CCSC@urban.org

Mail: 500 L'Enfant Plaza SW, Washington, D.C. 20024

For general questions about the CCSC study:

Suzanne Strong

Statistician and CCSC Project Manager

Bureau of Justice Statistics

810 Seventh St., NW

Washington, DC 20531

202-616-3666

Will the data be secure and kept confidential?

Consistent with its statutory obligations (34 U.S.C. § 10134), BJS only uses information collected under its authority for statistical or research purposes. Further, BJS is required by law to protect the confidentiality of all personally identifiable information it collects or acquires in conjunction with BJS-funded projects (34 U.S.C. § 10231), and must maintain the appropriate administrative, physical, and technical safeguards to protect the identifiable information against improper use or unauthorized disclosure. BJS will not use or reveal data identifiable to a private person, except as authorized under 28 CFR § 22.21 and § 22.22. The BJS Data Protection Guidelines summarize the federal laws, regulations, and other authorities that govern information acquired under BJS's authority, and are published on the BJS website: https://www.bjs.gov/content/pub/pdf/BJS_Data_Protection_Guidelines.pdf. Urban and NCSC are required to adhere to these same requirements as a condition of funding. Any data collected as part of the CCSC cannot and will not be used in any enforcement actions or administrative procedures to limit access to a program or activity that receives Federal funds or other Federal financial assistance (Title VI of the Civil Rights Act).

BJS only publishes de-identified data at the aggregate level in its project findings, reports, data files, and other statistical products. BJS archives its published data and related data documentation (e.g., user guides) at the National Archive of Criminal Justice Data (NACJD), located at the University of Michigan. To the extent practical, BJS removes, masks, or collapses direct and indirect identifiers prior to sending data to NACJD to protect confidentiality. NACJD takes additional precautions to protect confidentiality, including conducting a comprehensive disclosure risk review to determine the appropriate level of security that should be applied to the data. For more information on data requiring additional security protections, please see: <https://www.icpsr.umich.edu/icpsrweb/content/NACJD/restricted.html>.

Urban and NCSC project staff will receive data sets from contributing agencies through a Secure File Transfer Protocol (SFTP) set up by Urban's Technology and Data Science team. Personally-identifiable information is encrypted while in transit, and once a dataset is received it will be transferred to a secure encrypted drive. Access to the data will be limited to those employees who have a need for such data and have signed a confidentiality pledge. The confidentiality pledge includes an agreement to comply with all data security and human subjects' protection requirements. Any data set(s) electronically transmitted to BJS will be over the DOJ's Office of Justice Programs (OJP) secure transfer site.

We understand that your agency may have preexisting policies in place around data sharing, and we will work with your agency to meet any data transfer or agreement requirements you may have. While each of the identified data elements were selected to fully understand the processing of cases disposed in state criminal courts, we recognize that not all data elements may be collected or readily available electronically for public use. Please notify us if you limit the amount or type of data you can release.

How do I submit my file(s)?

You can use Urban's SFTP to transfer your agency's data. Urban will provide you with a username and password to log in to the project's website and deposit the electronic data. You may deposit as many files as necessary and in any format. For example, your jurisdiction may want to deposit several files that must be linked to get complete case data, as well as a Word document that provides the record layout for the files and linking instructions. Additional files, as necessary, may be submitted by your jurisdiction and separately tracked.

An Urban research team member will contact your jurisdiction to initiate and facilitate the data submission process. If needed, the Urban research team will provide guidance and assistance with regard to uploading data via the SFTP. If your jurisdiction requires an alternative means of submission, Urban will work with you to find the most convenient secure method for you to submit your data.

Please do not transfer data over non-secure mechanisms, such as unencrypted file transfer over the internet or unencrypted email.

When is the submission due?

The target date is **XXXX**, but we understand that may not be possible for every agency. Please contact us and we will work with you to set a realistic target date.

How do I prepare the data for my jurisdiction?

This section provides guidance on reporting specifications, including file structure, supporting documentation, case identification and selection, and variable and value definitions.

There is no required format for the data you submit; use whatever is most convenient for you. The suggested coding classifications and value labels – developed to be consistent with NCSC's draft National Open Court Data Standards (NODS) – are provided in Appendix A to assist with data submission. Your project point of contact will also provide technical assistance, including guidance in interpreting the data request. We recognize that the participating courts are unique and have different data systems with different levels of detail and data sharing capabilities. Rather than placing the burden on the data contributor to submit data in this uniform format, we will accept any data that each jurisdiction can provide and in turn will process it into a standard format that can be used to produce the national estimates.

To do this effectively, NCSC and Urban Institute will study and compare the submitted data to the extract guideline specifications to determine if they require any restructuring. For each submission, NCSC and Urban Institute will communicate with contributing jurisdictions to clarify any questions raised during the review. For files that require substantial restructuring, Urban Institute and NCSC staff will consult with jurisdiction personnel to obtain file documentation that will enhance understanding of the data. During this process, NCSC and Urban Institute will be in close communication with the jurisdiction to ensure that the data are processed and interpreted correctly.

File Structure

Both case- and event-level data is requested. You can provide data in any format that is convenient for you; **please provide supporting documentation to ensure that we interpret the data properly.**

One way to structure data is to provide one file at the case level and multiple event-level files with clearly established relationships between the appropriate fields and records of source tables and the targeted output layout. Using this format, the case level file would include one record for each disposed case. If there are multiple charges, they would all appear in the same record. Event-level files could include more than one record for each event in the case (e.g. separate records for each attorney assignment or court hearing). Case or docket numbers (with defendant identifiers, if applicable) should be included in each file to allow for record linking.

File Format

The preferred electronic file formats include:

- Text files (fixed width, delimited);
- Excel (or .csv) files;
- Stata data files;
- SAS data files;
- R data files;
- SPSS data files;
- Access database; or
- SQL server database.

Supporting Documentation

Please provide some tracking information and relevant documentation for your data submission, including:

- Date of submission
- Primary point of contact: name, organization, position, address, telephone, and e-mail address
- File format and format version (e.g., SQL server DB, Access DB, text files (fixed width, delimited), Excel, etc.)
- Known data quality problems or limitations
 - Missing data:
 - System-missing (data element not available in system)
 - Unit-missing (large % of missing values for a particular data element)
 - Common data errors, system-wide or with specific elements (e.g. misspellings, redundancy, duplication, contradictory values)
- Data formatting information:
 - Diagrams, data dictionaries, and/or field descriptions where available
 - Documentation of variables that diverge from the definitions provided in Appendix A
 - Any lookup table(s) that helps to translate data values
 - Graphical representation of the physical data source to show underlying database architecture that would inform the restructuring of data files
 - Information on the level at which data is provided for each table (e.g., case-level, event-level)

How do I identify eligible cases?

The data provided should include all felony and misdemeanor cases disposed in state criminal courts of general and limited jurisdiction, excluding municipal courts, in 2019. Case dispositions may be entered

as nolle prosequi, guilty finding or verdict, dismissal, or acquittal, among others (e.g. directed verdict, incompetent to stand trial). Cases disposed in 2019 but not sentenced should be included. Please exclude from the data file all cases still pending a final decision from a judicial officer (e.g., those in which there is not a disposition for the original charge(s)). For appeals, include all cases appealed from a limited jurisdiction court to a general jurisdiction court if there is a final disposition in the general jurisdiction court. Do not include any cases that are remanded, unless the remand includes a final disposition in either a limited or general jurisdiction court. Exclude any violations of probation or parole hearings or cases.

The data file should include the following case types:

- Felonies;
- Misdemeanors;
- Criminal traffic;
- Appeals or transfers from limited jurisdiction courts to general jurisdiction courts;
- Transfers from other jurisdictions; and
- Juvenile court cases transferred to adult court.

The data file should exclude the following types of cases if possible. If it would be too difficult to remove these cases, please note this in your submission.

- Cases disposed in municipal courts, unless it would be too difficult to remove these cases;
- Civil traffic;
- Appellate court cases;
- Juvenile court cases (except if a juvenile is tried by the adult court);
- Cases in which a defendant was diverted but has not yet completed the diversion program; and
- Violations of probation or parole.

BJS defines a criminal case as a set of all charges against a single defendant arising out of one incident. An incident with a continuing course of conduct (e.g., sexual assaults against one victim over time; thefts committed by one defendant multiple times) meets this definition. If your definition of a case differs from this (e.g., single citation per case, multiple defendants per case), please call your project point of contact or the CCSC Help Line at 855-279-3515 and note this in your submission. A case should include all charges under the same case number; if multiple charges were disposed at different points in time, then select cases where the most serious charge was disposed in 2019.

What data elements should I include?

Urban and NCSC are requesting data elements pertaining to multiple points throughout the life of a case. Appendix A lists the data elements we are requesting and their definitions, which are consistent with the draft NCSC NODS. Preferred formats and example values for each data element are also provided in Appendix A. Please note that preferred formats and example values are optional; **please provide data in the format most convenient for you along with appropriate documentation of data structure and values.**

We plan to collect data elements from the following categories:

- General case information;
- Defendant information;
- Charge information;
- Sentencing information;
- Hearing information;
- Attorney information;
- Pretrial release information;
- Diversion and problem solving court information; and
- Warrant information.

What if I am unable to provide all the requested data?

If your agency does not collect one or more data elements, or providing them would be too burdensome or is prohibited under agency policy, then exclude those data elements from your data submission. If you are unable to provide many of the elements, please reach out to your point of contact or the CCSC Help Desk at 855-279-3515.

What happens after we submit the data?

Urban and NCSC will verify the contents of the data file. We may reach out to clarify or confirm any questions about variable formats or values. Typically, this will be within 2-3 weeks of your submission. Urban or NCSC will contact you to review any questions. Having a thorough understanding of your data is vital to constructing a valid CCSC dataset and ensuring that we are properly interpreting and using your data.

Appendix A. Requested Data Elements, Definitions, and Formats

Category	Data Element	Definition	Format	Example Values
General Case Information	Jurisdiction identifier	County name; district name; circuit name	String	County name; district name; circuit name
	Court level	Level of court.	String	District; circuit
	Court case identifier	Anonymized series of characters that identify the court case that follows a case through court levels. This identifier should be assigned to each charge within the same case.	Numeric or string	
	Initiating action	Type of action that initiated the case.	Numeric or String	1=Summons; 2=Arrest; 3=Warrant; 4=Warrantless arrest; 5=Indictment
Defendant Information	Defendant identifier	Anonymized series of characters that identify the same individual within the court system, across cases and courts within the state.	Numeric or string	
	Age at arrest	Individual's age as of arrest/offense date. If age is not available, please provide date of birth.	Numeric	
	Gender or sex	Individual's gender.	Numeric or String	1 = Male; 2 = Female
	Ethnicity	Individual's ethnicity determines whether a person is of Hispanic origin or not.	Numeric or String	1=Spanish/Hispanic/Latino; 0=Not Spanish/Hispanic/Latino
	Race	Individual's self-identification with one or more racial groups. NOTE: Self-identification is much preferred, but in its absence, the perception of race by the criminal justice officer(s) who had the first contact with the defendant can serve as a proxy.	Numeric or String	1=White; 2=African American; 3=American Indian or Alaskan; 4=Asian 5=Pacific Islander or Native Hawaiian; 5=Other 6=Two or more races
	Defendant indigency status	Indicator of whether individual was determined to be indigent at any point during the case.	Numeric or String	1=Yes; 0=No
	Attorney type	Type of counsel at disposition/sentencing.	Numeric or String	1 = private/retained; 2=public defender; 3=assigned/appointed; 4=no counsel/pro se

Category	Data Element	Definition	Format	Example Values
	Failures to appear	Total number of failures to appear in the instant case	Numeric	
Charge Information	Arrest/offense date	Date when the defendant was arrested on this charge. If not available, please provide date on which the offense occurred.	Date	
	Charge identifier	Sequence number uniquely identifying each filing charge within a case (count number). This is not the statute number or case type code.	Numeric or string	
	Charge filing date	Date the charge was filed.	Date	
	Filing charge statute number	The statute number that defines the alleged behavior as a criminal offense.	Numeric or string	
	Filing charge description	Description of the offense at filing.	String	
	Filing charge degree	Charge class severity/degree at filing.	Numeric or String	1=Felony; 2=Gross misdemeanor; 3=Misdemeanor
	Filing charge degree detail	The specific class severity or degree provided by statutory laws for each charge against the defendant.	Numeric or String	1=Felony 1; 2=Felony 2; 3=Misdemeanor A; 4=Misdemeanor B; etc.
	Disposition charge statute number	The state statute number that defines the alleged behavior as a criminal offense for each disposed charge.	Numeric or string	
	Disposition charge description	Description of the offense at disposition.	String	
	Disposition charge degree	Charge class severity/degree at disposition.	Numeric or String	1=Felony; 2=Gross misdemeanor; 3=Misdemeanor
	Disposition charge degree detailed	The specific class severity or degree provided by statutory laws for each disposed charge.	Numeric or String	1=Felony 1; 2=Felony 2; 3=Misdemeanor A; 4=Misdemeanor B; etc.
	Charge disposition date	Date when the charge received a judgment or disposition.	Date	
	Charge sentencing date	Date when the charge received a sentence.	Date	
Charge manner of disposition	The manner in which the charge was disposed.	Numeric or String	1= Jury trial; 2=Bench/non-jury trial; 3=Guilty plea; 4=Entry into a drug court or other problem-solving court; 5=Diversion (not a	

Category	Data Element	Definition	Format	Example Values
				problem-solving court); 6=Dismissal/nolle prosequi; 7= Bindover/transfer; 8=Other
	Charge result of disposition	The judgment or disposition entered by the court for the charge.	Numeric or String	1=Conviction; 2=Acquittal; 3=Mistrial; 4=Entry into a problem-solving court docket; 5=Diversion (not to a problem-solving court docket); 6=Continued without a finding; 7=Dismissed/nolle prosequi; 8==Bindover/transfer; 9=Other
Sentencing Information	Sentence type	Type(s) of sentence(s) the defendant was ordered to serve.	Numeric or String	1=Death penalty; 2=Life in prison with no chance of release; 3=Life in prison with any chance of release; 4=State prison; 5=Jail; 6=Lifetime supervision; 7=Extended supervision/split sentence; 8=Probation; 9=Fine; 10=Restitution; 11=Community service; 12=Time served; 13=Other. This field should include all sentences imposed in the case.
	Sentence length	Length in days of minimum sentence imposed by the court. Includes indeterminate sentences. If sentences are recorded as minimum-maximum, please provide both and indicate the min and max.	Numeric	
	Sentence conditions	Additional conditions imposed at sentencing.	Numeric or String	1=Suspension or revocation of driver's license; 2=Sex offender registration; 3=Firearms eligibility; etc.
	Concurrent/consecutive sentence	Flag to indicate the sentence is to be served concurrently or consecutively.	Numeric	1=Yes; 0=No
	Time served credit length	Length of time (in days) spent in pretrial detention that was credited toward the sentence the defendant was mandated to serve.	Numeric	
	Fine amount ¹	Dollar amount of the fine the defendant was sentenced to pay.	Numeric	Dollar amount.
	Fees/costs amount	Dollar amount of the all fees/costs the defendant was mandated to pay.	Numeric	Dollar amount.

¹ If dollar amounts are not available for fine amount, fees/costs, or restitution, please indicate if any fines, fees, or restitution were ordered in the case.

Category	Data Element	Definition	Format	Example Values
	Restitution amount	Dollar amount of the restitution the defendant was sentenced to pay.	Numeric	Dollar amount.

**INTERNATIONAL TRADE
COMMISSION**

[Investigation No. 337-TA-1149]

**Certain Semiconductor Devices,
Integrated Circuits, and Consumer
Products Containing the Same;
Commission Determination Not To
Review an Initial Determination
Terminating the Investigation Based
on a Settlement Agreement and a
Withdrawal of the Complaint;
Termination of the Investigation**

AGENCY: U.S. International Trade
Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (“ID”) (Order No. 33) issued by the presiding administrative law judge (“ALJ”) granting a motion to terminate the investigation based on a settlement agreement and a withdrawal of the complaint.

FOR FURTHER INFORMATION CONTACT: Robert Needham, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 708-5468. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its internet server (<https://www.usitc.gov>). The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on April 3, 2019, based on a complaint filed by Innovative Foundry Technologies LLC of Portsmouth, New Hampshire (“IFT”). 84 FR 13065. The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain semiconductor devices, integrated circuits, and consumer products containing the same

by reason of infringement of certain claims of U.S. Patent Nos. 6,583,012; 6,797,572; 7,009,226; 7,880,236; and 9,373,548. *Id.* The Commission’s notice of investigation named as respondents BBK Communication Technology Co., Ltd., of Dongguan, China; Vivo Mobile Communication Co., Ltd., of Dongguan, China; OnePlus Technology (Shenzhen) Co., Ltd., of Shenzhen, China; Guangdong OPPO Mobile Telecommunications Co., Ltd., of Dongguan, China; Hisense Electric Co., Ltd. of Qingdao, China; Hisense USA Corporation of Suwanee, Georgia; Hisense USA Multimedia R & D Center Inc. of Suwanee, Georgia; TCL Corporation of Huizhou City, China; TCL Communication, Inc. of Irvine, California; TTE Technology, Inc. (d/b/a TCL America) of Wilmington, Delaware; TCT Mobile (US) Inc. of Irvine, California; VIZIO, Inc. of Irvine, California; MediaTek Inc. of Hsinchu City, Taiwan, MediaTek USA Inc. of San Jose, California, and Mstar Semiconductor, Inc. of ChuPei City, Taiwan (collectively, “MediaTek”); Qualcomm Incorporated of San Diego, California, and Qualcomm Technologies, Inc. of San Diego, California (collectively, “Qualcomm”); and Taiwan Semiconductor Manufacturing Company Limited of Hsinchu City, Taiwan, TSMC North America of San Jose, California, and TSMC Technology, Inc. of San Jose, California (collectively, “TSMC”). *Id.* at 13066. The complaint and notice of investigation were amended to add as respondents Dongguan OPPO Precision Electronic Corp., Ltd.; TCL Mobile Communication (HK) Co., Ltd.; and Huizhou TCL Mobile Communication Co. Ltd. Order No. 15 (Jun. 13, 2019), *not reviewed* Notice (Jul. 7, 2019); Order No. 24 (Jul. 22, 2019), *not reviewed* Notice (Aug. 13, 2019). The Office of Unfair Import Investigations (“OUII”) is participating in this investigation. 84 FR 13066.

On September 4, 2019, IFT filed an unopposed motion to terminate the investigation with respect to TSMC, MediaTek, and Qualcomm based on a settlement agreement, and to terminate the investigation with respect to all other respondents based on a withdrawal of the complaint. On September 6, 2019, OUII filed a response in support of the motion.

On September 27, 2019, the ALJ issued the subject ID, granting the motion to terminate the investigation based on a settlement agreement and the withdrawal of the complaint. The ALJ found that the motion complied with the Commission Rules and that there was no evidence that termination was

contrary to the public interest. No petitions for review of the ID were received.

The Commission has determined not to review the subject ID. The investigation is terminated.

The authority for the Commission’s determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission’s Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: October 17, 2019.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2019-23071 Filed 10-22-19; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

[OMB Number 1121-NEW]

**Agency Information Collection
Activities; Proposed eCollection
eComments Requested; New
Collection: Analysis of Publicly
Available Court Data (APACD)**

AGENCY: Bureau of Justice Statistics,
Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Department of Justice (DOJ), Office of Justice Programs, Bureau of Justice Statistics (BJS), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until December 23, 2019.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Suzanne Strong, Statistician, Prosecution and Judicial Statistics Unit, Bureau of Justice Statistics, 810 Seventh Street NW, Washington, DC 20531 (email: Suzanne.M.Strong@usdoj.gov; telephone: 202-616-3666).

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary

- for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
 - Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and
 - Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

- (1) *Type of Information Collection:* New collection.
- (2) *The Title of the Form/Collection:* Analysis of Publicly Available Court Data (APACD).
- (3) *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* The Data Extraction Guide is APACD-001. The applicable component within the Department of Justice is the Bureau of Justice Statistics, in the Office of Justice Programs.
- (4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Respondents will be court administrators or their information technology (IT) staff within state or county courts. *Abstract:* Among other responsibilities, the Bureau of Justice Statistics is charged with collecting data regarding the prosecution of crimes by state and federal offices. This effort is directed towards state and county courts regarding the processing of criminal felony and misdemeanor cases in courts of limited and general jurisdiction. The APACD will collect information from state and county courts by requesting data extracts of court case management systems. Thirty-one states and the District of Columbia have statewide court case management systems. An additional five states have a majority of counties included, with one to four counties missing from the statewide case management systems, for a total of 10 additional counties needed to complete the almost-statewide systems. The remaining fourteen states and Puerto Rico do not have statewide case management systems, or at least not statewide systems that cover most of the state.

BJS will request complete records from the statewide and mostly-statewide systems, with separate requests to the counties not included in the mostly statewide systems. BJS will also sample counties from the states unable to provide statewide extracts. The requests will sample with certainty any county with a total resident population exceeding one million persons.

This is BJS's first collection from state courts since the Survey of Juveniles Charged in Adult Criminal Courts effort in 2014. BJS is requesting that the extracts include all felony and misdemeanor criminal cases disposed of by December 31, 2019. BJS is also requesting that the extracts include defendant demographics; information about charges, hearings, disposition, and sentences; attorney information; diversion and problem-solving court information; and whether a bench warrant was issued during the case. State and local courts can provide the data extract or extracts in any format.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* BJS will send a data extraction guide to a total of 150 jurisdictions. The 150 jurisdictions include 36 states (including 10 counties that are not included in the statewide case management systems) and the District of Columbia, 23 counties with total populations exceeding 1,000,000 residents, and 80 sampled counties representing the 14 states and Puerto Rico that cannot provide statewide data. The expected burden placed on these jurisdictions is about 30 hours per jurisdiction, with an additional 10 hours to explain any data inconsistencies or questions of the data collection team.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total respondent burden is approximately 6,000 burden hours for the 150 jurisdictions.

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 3E.405A, Washington, DC 20530.

Dated: October 18, 2019.

Melody Braswell,
Department Clearance Officer for PRA, U.S.
Department of Justice.

[FR Doc. 2019-23092 Filed 10-22-19; 8:45 am]

BILLING CODE 4410-18-P

DEPARTMENT OF JUSTICE

[OMB Number 1103-0098]

Agency Information Collection Activities; Proposed eCollection eComments Requested; COPS Application Package

AGENCY: Community Oriented Policing Services, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Department of Justice (DOJ) Office of Community Oriented Policing Services (COPS) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: The purpose of this notice is to allow for an additional 30 days for public comment December 23, 2019.

FOR FURTHER INFORMATION CONTACT: If you have comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Lashon M. Hilliard, Department of Justice Office of Community Oriented Policing Services, 145 N Street NE, Washington, DC 20530, (202) 514-6563.

Written comments and/or suggestions can also be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20530 or sent to OIRA_submissions@omb.eop.gov.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701–TA–506 and 508 and 731–TA–1238–1243 (Review)]

Non-Oriented Electrical Steel from China, Germany, Japan, Korea, Sweden, and Taiwan; Notice of Commission Determinations To Conduct Full Five-Year Reviews

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice that it will proceed with full reviews pursuant to the Tariff Act of 1930 to determine whether revocation of countervailing duty orders on non-oriented electrical steel (“NOES”) from China and Taiwan and the antidumping duty orders on NOES from China, Germany, Japan, Korea, Sweden, and Taiwan would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. A schedule for the reviews will be established and announced at a later date.

DATES: February 4, 2020.

FOR FURTHER INFORMATION CONTACT: Abu B. Kanu (202–205–2597), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission’s TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (<https://www.usitc.gov>). The public record for these reviews may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>.

For further information concerning the conduct of these reviews and rules of general application, consult the Commission’s Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

SUPPLEMENTARY INFORMATION: On February 4, 2020, the Commission determined that it should proceed to full reviews in the subject five-year reviews pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)). The Commission found that the domestic interested party group response to its notice of institution (84

FR 58743, November 1, 2019) was adequate. The Commission also found that the respondent interested party group response to its notice of institution concerning the antidumping duty order on imports from Germany was adequate and, therefore, determined to proceed with a full review of that order. The Commission determined that the respondent interested party group responses to its notice of institution concerning the countervailing duty orders on imports from China and Taiwan, and the antidumping duty orders on imports from China, Japan, Korea, Sweden, and Taiwan were inadequate. However, the Commission determined to conduct full reviews of those orders in order to promote administrative efficiency considering its determination to conduct a full review of the antidumping duty order on imports from Germany. A record of the Commissioners’ votes, the Commission’s statement on adequacy, and any individual Commissioner’s statements will be available from the Office of the Secretary and at the Commission’s website.

Authority: These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission’s rules.

By order of the Commission.

Issued: February 7, 2020.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2020–02854 Filed 2–12–20; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

[OMB Number 1121–NEW]

Agency Information Collection Activities; Proposed eCollection; eComments Requested; New Collection: Criminal Cases in State Courts (CCSC), Previously Posted as Analysis of Publicly Available Court Data (APACD)

AGENCY: Bureau of Justice Statistics, Department of Justice.

ACTION: 30-Day notice.

SUMMARY: Department of Justice (DOJ), Office of Justice Programs, Bureau of Justice Statistics, will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. This proposed information collection was previously published, allowing for a 60 day comment period. Seven comments from

the public were received during this period and are thoroughly addressed in the supporting statement for this collection. Three comments requested that information on interpreters be added. The requesters sought data elements reflecting for whom the interpreter was ordered (defendant, witness, victim), whether the interpreter was present for all hearings, and the qualifications of the interpreter. BJS added data elements asking courts to provide whether an interpreter was ordered for the case and for which party(ies) to the case the interpreter was ordered. BJS does not expect these changes to impact the estimated respondent burden.

DATES: Comments are encouraged and will be accepted for an additional 30 day until March 16, 2020.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Suzanne M. Strong, Statistician, Bureau of Justice Statistics, 810 Seventh Street NW, Washington, DC 20531 (email: Suzanne.M.Strong@usdoj.gov; telephone: 202–616–3666). Written comments and/or suggestions can also be sent to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503 or sent to OIRA_submissions@omb.eop.gov.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms

of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* New collection.

(2) *Title of the Form/Collection:* Criminal Cases in State Courts (CCSC), formerly titled Analysis of Publicly Available Court Data.

(3) *Agency form number, if any, and the applicable component of the Department sponsoring the collection:* The Data Extraction guide is CCSC-001. The applicable component within the Department of Justice is the Bureau of Justice Statistics, in the Office of Justice Programs.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* BJS will request complete records from the statewide and mostly-statewide systems, with separate requests to the counties not included in the mostly statewide systems. BJS will also sample counties from the states unable to provide statewide extracts. The requests will sample with certainty any county with a total resident population exceeding one million persons. A total of 150 jurisdictions (states or counties) will be included in this effort.

BJS is requesting that the data extracts provided by courts include all felony and misdemeanor criminal cases disposed of between January 1 and December 31, 2019. BJS is also requesting that the extracts include defendant demographics; information about charges, disposition, and sentences. State and local courts can provide the data extract or extracts in any format.

BJS plans to publish this information in reports and reference it when responding to queries from the U.S. Congress, Executive Office of the President, the U.S. Supreme Court, state officials, international organizations, researchers, students, the media, and others interested in criminal justice statistics.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply:* BJS will send a data extraction guide to 150 jurisdictions. The 150 jurisdictions include 36 states (including 10 counties that are not included in the statewide case management systems) and the District of Columbia, 23 counties with total populations exceeding 1,000,000 residents, and 79 sampled counties representing the 14 states and Puerto Rico that cannot provide statewide data.

The expected burden placed on these jurisdictions is about 30 hours per jurisdiction, with an additional 10 hours to explain any data inconsistencies or questions of the data collection team.

(6) *An estimate of the total public burden (in hours) associated with the collection:* There are an estimated 6,000 total burden hours associated with this collection.

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, Suite 3E.405B, Washington, DC 20530.

Dated: February 7, 2020.

Melody Braswell,

Department Clearance Officer, PRA, U.S. Department of Justice.

[FR Doc. 2020-02842 Filed 2-12-20; 8:45 am]

BILLING CODE 4410-18-P

NUCLEAR REGULATORY COMMISSION

[NRC-2019-0041]

Instrument Sensing Lines

AGENCY: Nuclear Regulatory Commission.

ACTION: Regulatory guide, issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing Revision 2 to Regulatory Guide (RG) 1.151, "Instrument Sensing Lines." RG 1.151 describes an approach that is acceptable to the staff of the NRC to meet regulatory requirements for instrument sensing lines in nuclear power plants. The RG would endorse, with certain exceptions, standards that were updated and corrected subsequent to the last time the NRC endorsed them in RG 1.151. More information on updates can be found in the **SUPPLEMENTARY INFORMATION** section below.

DATES: Revision 2 to RG 1.151 is available on February 13, 2020.

ADDRESSES: Please refer to Docket ID NRC-2019-0041 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using one of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2019-0041. Address questions about NRC docket IDs in *Regulations.gov* to Jennifer Borges; telephone: 301-287-9127; email: Jennifer.Borges@nrc.gov. For technical questions, contact the individual(s)

listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to pdr.resource@nrc.gov. Revision 2 to RG 1.151 and the regulatory analysis may be found in ADAMS under Accession Nos. ML19156A129 and ML18158A301, respectively.

- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

Regulatory guides are not copyrighted, and NRC approval is not required to reproduce them.

FOR FURTHER INFORMATION CONTACT:

David Dawood, telephone: 301-415-2389, email: David.Dawood@nrc.gov; Yaguang Yang, telephone: 301-415-0655, email: Yaguang.Yang@nrc.gov; and Michael Eudy, telephone: 301-415-3104, email: Michael.Eudy@nrc.gov. All are staff members of the Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

SUPPLEMENTARY INFORMATION:

I. Discussion

The NRC is issuing a revision to an existing guide in the NRC's "Regulatory Guide" series. This series was developed to describe and make available to the public information regarding methods that are acceptable to the NRC staff for implementing specific parts of the agency's regulations, techniques that the NRC staff uses in evaluating specific issues or postulated events, and data that the NRC staff needs in its review of applications for permits and licenses.

Revision 2 of RG 1.151 was issued with a temporary identification of Draft Regulatory Guide, DG-1352. Revision 2 of RG 1.151 describes an approach that is acceptable to the staff of the NRC to meet regulatory requirements for instrument sensing lines in nuclear power plants. It endorses, with certain exceptions, American National Standards Institute/International Society of Automation (ANSI/ISA)-67.02.01-2014, "Nuclear Safety-Related Instrument Sensing Line Piping and Tubing Standard for Use in Nuclear



U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Statistics

Washington, D.C. 20531

[Date]

(NAME), (TITLE)
(AGENCYNAME)
(ADDR)
(CITY), (STATE) (ZIP)

Attachment 5. Extract Announcement
Letter – State Court Administrator,
County Court Administrator versions

Dear (NAME),

I am writing to request your participation in the **2019 Criminal Cases in State Courts (CCSC)** collection, sponsored by the U.S. Department of Justice’s Bureau of Justice Statistics (BJS). The CCSC is intended to collect case-level data about criminal cases tried in state courts.

BJS will request data extracts for all criminal cases with a final disposition between January 1, 2019 and December 31, 2019. BJS requests that all courts of general jurisdiction and, if available, courts of limited jurisdiction, provide these data. Municipal courts are excluded from this collection. There are several ways to provide data, including an extract that follows our formatting request, an unformatted extract, or a complete extract of your data system. The data collected from states will be combined with county data from decentralized states to provide a national picture of the volume of criminal cases, types of cases, demographics of defendants, and outcomes of cases.

BJS is authorized to conduct this data collection under 34 U.S.C. § 10132. BJS, BJS employees, and BJS data collection agents will use the information you provide only for statistical or research purposes pursuant to 34 U.S.C. § 10134 (section 304 of the Omnibus Crime Control and Safe Streets Act of 1968 (Pub. L. No. 90-351), as amended), and will protect it to the fullest extent under federal law. For more information on the federal statutes, regulations, and other authorities that govern how BJS, BJS employees, and BJS data collection agents collect, handle, store, disseminate, and protect your information, see the BJS Data Protection Guidelines at https://www.bjs.gov/content/pub/pdf/BJS_Data_Protection_Guidelines.pdf.

In approximately one week, you will receive an invitation from Urban Institute to participate in this data collection, including a data extract guide. If you have questions regarding the CCSC data collection, please contact BJS’s authorized data collection for this effort, the Urban Institute, at [EMAIL ADDRESS] or at [TOLL FREE PHONE]. If you have general comments about the CCSC program, please contact Suzanne Strong, BJS project manager at Suzanne.M.Strong@usdoj.gov or call (202) 616-3666.

Thank you in advance for your time and consideration.

Sincerely,

Jeffrey H. Anderson, Director



U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Statistics

Washington, D.C. 20531

[Date]

(NAME), (TITLE)
(AGENCYNAME)
(ADDR)
(CITY), (STATE) (ZIP)

Dear (NAME),

I am writing to request your participation in the **2019 Criminal Cases in State Courts (CCSC)** collection, sponsored by the U.S. Department of Justice's Bureau of Justice Statistics (BJS). The CCSC is intended to collect case-level data about criminal cases tried in state and local courts.

BJS will request data extracts for all criminal cases with a final disposition between January 1, 2019 and December 31, 2019. BJS requests that all courts of general jurisdiction provide these data. Limited jurisdiction and municipal courts are excluded from the county-level collection. There are several ways courts can provide data, including an extract that follows our formatting request, an unformatted extract, or a complete extract of your data system. The data collected from counties like yours will be combined with data from other counties and from statewide systems to provide a national picture of the volume of criminal cases, types of cases, demographics of defendants, and outcomes of cases.

BJS is authorized to conduct this data collection under 34 U.S.C. § 10132. BJS, BJS employees, and BJS data collection agents will use the information you provide only for statistical or research purposes pursuant to 34 U.S.C. § 10134 (section 304 of the Omnibus Crime Control and Safe Streets Act of 1968 (Pub. L. No. 90-351), as amended), and will protect it to the fullest extent under federal law. For more information on the federal statutes, regulations, and other authorities that govern how BJS, BJS employees, and BJS data collection agents collect, handle, store, disseminate, and protect your information, see the BJS Data Protection Guidelines at https://www.bjs.gov/content/pub/pdf/BJS_Data_Protection_Guidelines.pdf.

In approximately one week, you will receive an invitation from Urban Institute to participate in this data collection, including a data extract guide. If you have questions regarding the CCSC data collection, please contact BJS's authorized data collection for this effort, the Urban Institute, at [EMAIL ADDRESS] or at [TOLL FREE PHONE]. If you have general comments about the CCSC program, please contact Suzanne Strong, BJS project manager at Suzanne.M.Strong@usdoj.gov or call (202) 616-3666.

Thank you in advance for your time and consideration.

Sincerely,

Jeffrey H. Anderson, Director

Attachment 6:

Request for Data

Check the tracking log for information about previous contacts.

Data Request Email Script (Without Any Prior Contact)

Hello _____,

About a week ago, you should have received an emailed or mailed announcement of the Criminal Cases in State Courts (CCSC) project from the U.S. Department of Justice, Bureau of Justice Statistics (BJS). BJS has partnered with the Urban Institute and the National Center for State Courts.

Urban and the National Center are collecting data on adult criminal cases disposed in 2019 on behalf of BJS. Once compiled, the CCSC data are expected to serve as a strategic resource for policymakers and court administrators, as well as an important component of good governance to improve transparency and public trust in court administration.

We are reaching out to request your jurisdiction's participation in this data collection effort. It is very important that every invited jurisdiction participate in order to develop national statistics on court activity. Please find attached for your review a description of the project and a list of the data elements we are hoping to collect. We would like to work with your office to submit a data request for [JURISTICATION] case-level court data and understand how to properly process and interpret the data.

If you are not the right person to guide us on this data request, please let me know via email at [kfreeman@urban.org or phone at 202-261-5281]. We are also happy to schedule a phone call to answer any questions you may have or discuss our data request further if needed. Please do not hesitate to let us know.

Thank you for your time!

Best,

Kelly Roberts Freeman, PhD

Research Associate
202-261-5281

U R B A N I N S T I T U T E

Justice Policy Center

www.urban.org [urban.org]

Data Request Email Script (With Prior Contact in Phase 1)

Hello _____,

My name is _____. I'm a researcher with the Urban Institute. As you may recall, Urban and the National Center for State Courts contacted you previously on the Bureau of Justice Criminal Cases in State Courts (CCSC) project, which aims to develop national statistics on criminal court activity in the United States.

Based on our previous discussion, we would like to move forward and make a formal bulk data request. We are requesting all criminal case-level data in [JURISDICTION] for cases that concluded in 2019. Attached to this email is a short description of our project with the Bureau of Justice Statistics and the National Center for State Courts and a list of the data elements we are requesting.

Please reach out to myself at [EMAIL and PHONE] or [Kelly Roberts Freeman at 202-261-5281 (kfreeman@urban.org)] if you have any questions or if you require more information.

Best,

[NAME]

[PROJECT TITLE/CCSC POC for [JURISDICTION]]

[ORGANIZATION]

[CONTACT]

Update the tracking with the outcome of this contact.

Attachment 7:

Initial Follow-Up

Check the tracking log for information about previous contacts and any notes about tentative submission dates.

For nonresponsive jurisdictions, try multiple forms of contact (e.g. phone and email) and have representatives from the Urban Institute and NCSC reach out.

Email Script

Dear _____,

On behalf of the Bureau of Justice Statistics, the Urban Institute and the National Center for State Courts are reaching out to collect nationally representative case-level criminal court data for the Criminal Cases in State Courts (CCSC) project. We submitted a data request on [DATE] and haven't received a response. We wanted to see if you have any questions about our data request or the project, and if we have provided everything needed to comply with [JURISTCTION'S] requirements for data requests.

If you have any questions about our data request, the project, or your participation in the project, please do not hesitate to contact me via any means listed below. We thank you in advance for your participation in this very important national study.

Sincerely,

[NAME]
[PROJECT TITLE/CCSC POC for [JURISTCTION]]
[ORGANIZATION]
[CONTACT]

Phone Script

Hello, my name is _____ from the [Urban Institute/National Center for State Courts], and I'm calling on behalf of the U.S. Department of Justice, Bureau of Justice Statistics. We reached out to you about participating in the Criminal Cases in State Courts (CCSC) project on [DATE], and I was calling to confirm that we have submitted everything necessary for you to consider and respond to our data request.

- *Has the jurisdiction received the contact email?*
 - Are you the appropriate point of contact for this request?
 - **Yes:** Are there any questions you have about the project or your participation that we can answer?
 - **No questions:** Thank you very much for your time and participation. [Go to next question about data extraction guide]
 - **Yes, questions:** Record jurisdictions questions and answers here. [Go to next question about data extraction guide]
 - **No:** *Identify appropriate point of contact*
 - Thank you very much for your time. We will reach out to _____ via [PHONE/EMAIL]. We look forward to working with your jurisdiction.
 - END CALL
- *Do you need a copy of the data extraction guide?*
 - **Yes:** We will provide you one via email by [DATE] (confirm email).
 - **No:** [Go to next question]
- *Do you have any questions about the project or data request?*
 - **Yes:** Answer questions, then move on to the talking points under “No.”
 - **No: Is your jurisdiction able to participate in this data collection effort?**
 - Agree to participate: Thank you very much for your time and participation. Is there a good time for us to reach back out to check in with you on this request? [record new date in tracking log]
 - Refuse to participate: Thank you very much for your time. We understand that your jurisdiction may not be able to fulfill our request at this time. As the CCSC data are expected to be nationally representative, it is very important that every invited jurisdiction participate in order to develop national statistics. If your jurisdiction is able to participate at a later date, please do not hesitate to reach out to us.

Update the tracking with the outcome of this contact.

DATA USE AGREEMENT
BETWEEN THE BUREAU OF JUSTICE STATISTICS
AND <DATA PROVIDER NAME>
FOR THE <INSERT NAME OF BJS PROGRAM>

I. PURPOSE

The purpose of this Data Use Agreement (hereinafter referred to as the Agreement) is for <data provider name> to provide to the Bureau of Justice Statistics (BJS), located within the Office of Justice Programs (OJP) of the U.S. Department of Justice (DOJ), (the Parties) with <add general description of the data at issue> data on <an annual, other frequency, or one-time basis> for the <insert name of BJS program>. The data that BJS obtains from the <data provider name> will contribute to BJS’s objectives to <insert a brief sentence or two describing the program objectives, such as “describe characteristics of the offender population at the national and state levels”>.

This Agreement includes the following attachments:

- <BJS program> project description (Attachment I)
- List of data variables and reference years that <data provider name> will provide to BJS (Attachment II)
- BJS Data Protection Guidelines (available at https://www.bjs.gov/content/pub/pdf/BJS_Data_Protection_Guidelines.pdf).

II. AUTHORITY

The Director of BJS is statutorily authorized to “utilize, with their consent, the records . . . [and] information of other Federal, State, local and private agencies and instrumentalities. . .” 34 U.S.C. § 10132.

<Data provider name> may provide data to BJS under <insert appropriate authority(ies)>

III. GOVERNANCE

This Agreement and the performance of the parties’ obligations hereunder will be governed by and construed and enforced in accordance with federal law.

IV. DEFINITIONS

Key terms in this Agreement (e.g., incident, personally identifiable information, information identifiable to a private person, etc.) will maintain their definitions as provided by federal law and policy, to include: statutes, regulations, and other guidance provided by the Office of Management and Budget (OMB) and the DOJ.

For the purpose of this Agreement, the term “award recipient” refers to the entity (e.g., a private organization or an institution of higher learning) that receives funding from BJS through a cooperative agreement, grant, contract, subaward, or subcontract to perform statistical or research activities (e.g., collecting, receiving, handling, maintaining, transferring, processing, storing, or disseminating data). The term “data collection agent” refers to an individual who works under BJS’s authority through such an award to complete statistical or research activities in conjunction with the funded project(s).

V. EFFECTIVE PERIOD

This Agreement shall become effective upon the date of signature by the second of the authorized officials of BJS and <data provider name>. This Agreement shall renew automatically and remain in effect for five years from the effective date, or until terminated by one or both of the parties.

VI. MODIFICATION OR TERMINATION

Either party may modify this Agreement at any time by a written modification that is approved and signed by the appropriate authorities of each party. Either party may terminate this Agreement by a written modification submitted 60 days before the new end date.

The <data provider name> shall retain the right to terminate this Agreement at any time should BJS or its data collection agents violate the terms of the Agreement.

VII. DATA CONFIDENTIALITY

Data collected by BJS are maintained under the confidentiality provisions outlined in 28 C.F.R. Part 22 and 34 U.S.C. §§ 10134 and 10231. Relevant provisions include the following—

- BJS shall utilize the data it collects from <data provider name> only for research and statistical purposes
- Data collected by BJS shall be gathered in a manner that precludes their use for law enforcement or any purpose relating to a private person or public agency other than a statistical or research purpose
BJS shall provide access to the <data provider name> data file and the information contained in it to entities outside of BJS only to the extent that the entity has a need to know, consistent with the above referenced federal statutes and regulations
- No identifiable information shall be disclosed to persons or entities outside of the BJS project team without the express permission of <data provider name>
- Any reports, analyses, or other summaries of the information contained in the <data provider name> data files that are made publicly available shall not contain

information that can reasonably be expected to lead to the identification of an individual or other person identified therein.

BJS data collection agents working under BJS's direction may be involved in the collection and handling of data provided under this Agreement. Such data collection agents are required by law to follow the same federal confidentiality statutes and regulations that govern how BJS protects information collected under its authority. For additional information regarding data protection responsibilities, see the BJS Data Protection Guidelines.

VIII. DATA SECURITY AND PRIVACY

BJS shall maintain the appropriate administrative, physical, and technical safeguards to protect identifiable information collected or maintained under its authority in accordance with applicable DOJ IT security policies and regulations, OMB guidance, and federal law.

The BJS Data Protection Guidelines summarize the specific technical requirements that BJS is required to follow, including –

- Ensure that information systems that maintain identifiable information are adequately secured and protected against unauthorized disclosure in accordance with the [Federal Information Security Modernization Act of 2014](#) (FISMA; Pub. L. No. 113-283)
- Adhere to [National Institute of Standards and Technology](#) (NIST) guidelines to categorize the sensitivity of all information collected or maintained on behalf of BJS
- Once the system has been categorized, secure data in accordance with the accepted Risk Management Framework
- Employ adequate controls to ensure data are not comingled with any other dataset or product without the express written consent of BJS (applicable to BJS data collection agents)
- Reduce the volume of PII collected, used, or retained to the minimum necessary
- Limit access to PII to only those individuals who must have such access, including requisite IT security administrators
- Limit the use of PII to only the purposes for which it was approved
- Ensure all cooperative agreements and contracts involving the processing and storage of PII comply with DOJ policies on remote access and security incident reporting
- Employ sanctions for anyone failing to comply with DOJ policies and procedures, in accordance with applicable laws and regulations
- Ensure that all BJS employees and data collection agents complete data security and confidentiality training, as applicable.

To comply with the Cybersecurity Enhancement Act of 2015 (codified in relevant part at 6 U.S.C. § 151), OJP facilitates, through the DOJ Trusted Internet Connection

and the Department of Homeland Security's EINSTEIN 3A system, the inspection of all information transmitted to and from OJP systems including, but not limited to, data collected and maintained by BJS.

IX. DISPOSITION OF DATA

BJS shall follow federal regulations at 28 C.F.R. § 22.25 related to the disposition of data containing PII, which requires the maintenance of a separate name-code index to ensure that an individual cannot be identified in the data file or the destruction of PII after a three-year period, unless the data are still needed for statistical purposes.

X. DATA ARCHIVAL

BJS shall archive data to facilitate and encourage replication and further research in the field of criminal justice. Each dataset submitted for archival shall be subject to a comprehensive disclosure risk assessment and thoroughly examined to verify that its contents do not violate explicit or implicit confidentiality pledges that BJS provides to respondents. To the extent possible, BJS shall remove, mask, or collapse direct and indirect identifiers prior to submitting data for archival, and the appropriate level of data security shall be applied to protect data confidentiality and mitigate the risk of indirect identification.

XI. INCIDENT RESPONSE PROCEDURES

In the event of a real or suspected data incident involving PII collected or maintained by BJS or its data collection agents pursuant to this Agreement, BJS shall follow DOJ's established incident response procedures and rules of behavior. These procedures include the timely internal and external notification to the appropriate DOJ officials, law enforcement agencies, and individuals potentially impacted by the incident; assessment of the potential risk of harm; and development of appropriate mitigation options. BJS contractors that collect or maintain PII under BJS's authority are similarly required to maintain procedures to effectively respond to an incident. In the event of a suspected incident, BJS may disclose information to the appropriate agencies, entities, and persons to respond to an incident involving PII maintained by BJS or to assist another agency in its response to an incident. The BJS Data Protection Guidelines provide more details about DOJ's incident response procedures.

XII. PENALTIES FOR UNAUTHORIZED DISCLOSURE

Each party shall be responsible for any and all acts or omissions of its own staff, employees, officers, agents, and contractors.

Violations of the confidentiality provisions of 34 U.S.C. § 10231 shall constitute a violation of this Agreement and may be punished by a fine not to exceed \$10,000, in

addition to any other penalty imposed by federal law. Further confidentiality protections for statistical data are contained in 18 U.S.C § 1905. Penalties for violating this statute include mandatory termination from employment, as well as a fine, term of imprisonment of not more than one year, or both.

In the event BJS or its data collection agents fails to comply with any of the material terms of this Agreement, the <data provider name> shall have the right to terminate the Agreement, in addition to pursuing all penalties available under federal law. Additionally, at the direction of <data provider name>, BJS shall forthwith return or dispose of all information provided by <data provider name>.

XIII. LIABILITY/INDEMNIFICATION:

Each party shall be responsible for any liability arising from its own conduct and retains immunity and all defenses available to them pursuant to federal law, and neither party agrees to insure, defend, or indemnify the other party.

In the event of a dispute between the parties, the parties shall use their best efforts to resolve the dispute in an informal fashion through consultation and communication that is mutually acceptable to both parties.

XIV. APPROVALS

By their signatures below, the authorized officials approve this Agreement:

BUREAU OF JUSTICE STATISTICS

_____ Date _____

<data provider name>

_____ Name, Title _____ Date _____

Compliance Agreement of BJS Data Collection Agent

<BJS Award Recipient name>, as a BJS award recipient and data collection agent authorized to work on the <insert BJS program name> funded under award number(s) <insert cooperative agreement or grant numbers>, has reviewed and agrees to comply with the terms and conditions of the foregoing Agreement between <data provider name> and BJS.

(Name of Data Collection Agent)

(Name of Authorized Representative)

(Signature of Authorized
Representative/Date)

DRAFT

Attachment 9:

Second Follow-Up

Check the tracking log for information about previous contacts.

For nonresponsive jurisdictions, try multiple forms of contact (e.g. phone and email) and have representatives from the Urban Institute and NCSC reach out.

Email Script

Dear _____,

As you may recall from prior contacts, the Bureau of Justice Statistics partnered with the Urban Institute and the National Center for State Courts to collect adult felony and misdemeanor case-level data for the Criminal Cases in State Courts (CCSC) project. We had submitted a data request on [DATE] and followed up with you on [DATE]. Since we have not received a [response/signed MOU/data], we wonder if we have provided everything needed to comply with [JURISTICATION'S] requirements for data requests, or if you have any concerns that we can address.

Should you have any questions, need additional information about the CCSC project or data request, or need our support in any other way, please do not hesitate to contact me via any means listed below. We thank you in advance for your participation in this very important national study.

Sincerely,

[NAME]
[PROJECT TITLE/CCSC POC for [JURISTICATION]]
[ORGANIZATION]
[CONTACT]

Phone Script

Hello, my name is _____ from the [Urban Institute/National Center for State Courts], and I'm calling on behalf of the Department of Justice, Bureau of Justice Statistics. Our partners at the [National Center for State Courts/Urban Institute] reached out to you about participating in the Criminal Cases in State Courts (CCSC) project on [DATE] and followed up on [DATE]. I am calling to confirm that we have submitted everything necessary for you to review our data request.

- *Do you have everything you need from us?*
 - **Yes:** Are there any ways we can help your jurisdiction?
 - **Agree to participate:** Thank you very much for your time and participation. Is there a good time for us to reach back out to check in with you on this request?
 - **Refuse to participate:** Thank you very much for your time. We understand that your jurisdiction may not be able to fulfill our request at this time. As the CCSC data are expected to be nationally representative, it is very important that every invited jurisdiction participate in order to develop national statistics. If your jurisdiction is able to participate at a later date, please do not hesitate to reach out to us.
 - **No:** *Identify what needs are not yet met*
 - Thank you very much for your time. We will make sure that we get you those materials/that support by [DATE] (record what jurisdiction needs).

Update the tracking with the outcome of this contact.



U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Statistics

Washington, D.C. 20531

[Date]

Attachment 10. BJS Outreach MAILED VERSION

(NAME) (TITLE)
(ADDR)
(CITY), (STATE) (ZIP)

Dear (NAME),

I am writing to let you know the data collection for the Bureau of Justice Statistics' (BJS's) **Criminal Cases in State Courts (CCSC)** is closing soon and we have not yet received a data file from you.

For your convenience, the data extract guide is enclosed. Your response is critical to being able to provide a national view of the criminal cases processed by state courts. Please respond by contacting Urban Institute at PHONE or EMAIL to arrange file transfers. You can submit the data as a formatted data extract, an unformatted data extract, or a complete extract of your criminal case management system.

The Bureau of Justice Statistics (BJS) is authorized to conduct this data collection under 34 U.S.C. § 10132. BJS, BJS employees, and BJS data collection agents will use the information you provide only for statistical or research purposes pursuant to 34 U.S.C. § 10134 (section 304 of the Omnibus Crime Control and Safe Streets Act of 1968 (Pub. L. No. 90-351), as amended), and will protect it to the fullest extent under federal law. For more information on the federal statutes, regulations, and other authorities that govern how BJS, BJS employees, and BJS data collection agents collect, handle, store, disseminate, and protect your information, see the BJS Data Protection Guidelines at https://www.bjs.gov/content/pub/pdf/BJS_Data_Protection_Guidelines.pdf.

We thank you in advance for your time and contribution to this important study. Participation is voluntary, but by submitting the data by [DATE], the results of this study will provide comprehensive, accurate and timely information on criminal case processing in the United States. BJS will report data from the CCSC and make it available on its website at <https://www.bjs.gov> after the project closes. BJS will not release any personally identifiable information included in the data extracts. If you have any questions, e-mail me at Suzanne.M.Strong@usdoj.gov or call (202) 616-3666.

Sincerely,

Suzanne M. Strong, CCSC Project Manager

EMAILED VERSION

Dear (NAME),

I am writing to let you know the data collection for the Bureau of Justice Statistics' (BJS's) **Criminal Cases in State Courts (CCSC)** is closing soon and we have not yet received a data file from you.

For your convenience, the data extract guide is attached. Your response is critical to being able to provide a national view criminal cases processed by state courts. Please respond by contacting Urban Institute at PHONE or EMAIL to arrange file transfers. You can submit the data as a formatted data extract, an unformatted data extract, or a complete extract of your criminal case management system.

The Bureau of Justice Statistics (BJS) is authorized to conduct this data collection under 34 U.S.C. § 10132. BJS, BJS employees, and BJS data collection agents will use the information you provide only for statistical or research purposes pursuant to 34 U.S.C. § 10134 (section 304 of the Omnibus Crime Control and Safe Streets Act of 1968 (Pub. L. No. 90-351), as amended), and will protect it to the fullest extent under federal law. For more information on the federal statutes, regulations, and other authorities that govern how BJS, BJS employees, and BJS data collection agents collect, handle, store, disseminate, and protect your information, see the BJS Data Protection Guidelines at https://www.bjs.gov/content/pub/pdf/BJS_Data_Protection_Guidelines.pdf.

We thank you in advance for your time and contribution to this important study. Participation is voluntary, but by submitting the data by **[DATE]**, the results of this study will provide comprehensive, accurate and timely information on criminal case processing in the United States. BJS will report data from the CCSC and make it available on its website at <https://www.bjs.gov> after the project closes. BJS will not release any personally identifiable information included in the data extracts. If you have any questions, e-mail me at Suzanne.M.Strong@usdoj.gov or call (202) 616-3666.

Sincerely,

Suzanne M. Strong, CCSC Project Manager

Attachment 11:

Confirm Data Script/Additional Follow-up

Check the tracking log for information about previous contacts.

*Send out an initial email confirming receipt of the data (unless the respondent prefers telephone).
Follow up with an email or call for data clarification.*

Confirmation of Receipt - Email Script

Dear _____,

Hello, this is _____, your state/county's contact person from the [Urban Institute/National Center for State Courts]. I am emailing to confirm our receipt of a data extract you provided to us on [DATE]. This dataset was provided in response to the Criminal Cases in State Courts (CCSC) project led by the Department of Justice, Bureau of Justice Statistics (BJS). We will email you for guidance when we review your data file more closely. Thank you so much for your participation in our project.

Best,

[NAME]
[PROJECT TITLE/CCSC POC for [JURISDICTION]]
[ORGANIZATION]
[CONTACT]

Data Clarification Email Script

[LATER CONTACT AFTER IN-DEPTH REVIEW, EMAIL]

Hello, this is _____, your state/county's contact person from the [Urban Institute/National Center for State Courts]. I am calling to discuss some questions we have about the data you submitted on [DATE] in response to the Criminal Cases in State Courts project. We have a few questions regarding [list items needing clarification for follow-up in bullet points for easy review]. We estimate that we would need about [AMOUNT OF TIME] to discuss our questions via telephone. Can we schedule a call to discuss these items? Here are some available days and times for your review [list potential days/times the following week for consideration]. If these do not work, please send us your availability and we will work with you to address these questions as quickly as possible. Thank you again for your participation and guidance in understanding your data.

Best,

[NAME]
[PROJECT TITLE/CCSC POC for [JURISDICTION]]

[ORGANIZATION]
[CONTACT]

Data Clarification Phone Script

Hello, this is _____, your state/county's contact for the Criminal Cases in State Courts project from the [Urban Institute/National Center for State Courts]. Thank you for being available to discuss some questions we had about your data. Is now still a good time?

- **Yes:** Discuss questions. Upon completion, make notes on data structure, formatting, or definitions in the Data Quality Notes column of the Data Collection Tracker.
- **No:** Can we schedule a better time to talk to you about the data? (*Schedule an appropriate time and update the Data Collection Tracker about this call. After subsequent call, make notes on data structure, formatting, or definitions in the Data Quality Notes column of the Data Collection Tracker.*)

Update the tracking with the outcome of this contact.

Attachment 12

Thank You Email

Dear NAME,

On behalf of the Bureau of Justice Statistics (BJS), Urban Institute, and National Center for State Courts (NCSC) I would like to thank you for your participation in the **2019 Criminal Cases in State Courts (CCSC)**. I truly appreciate your support, and the efforts of <<ANY ADDITIONAL PERSONS EXTRACTING DATA>> for providing the data extract, as it is vital to the success of this collection.

This letter confirms that we have processed the data you provided, and the data are ready for inclusion in our analysis file. We anticipate that the report, *Criminal Case Processing in State Courts, 2019* (working title), will be published in the winter of 2021. The report will be available on our website www.bjs.gov.

If you have questions or updates to the contact information for you or your agency, you may contact Urban Institute team at [TOLL FREE NUMBER] or by email at [EMAIL]. You may also contact me at (202) 616-3666 or Suzanne.M.Strong@usdoj.gov.

Sincerely,

Suzanne M. Strong
Project Manager, Criminal Cases in State Courts
Bureau of Justice Statistics

From: [Uyehara, Paul \(CRT\)](#)
To: [Strong, Suzanne M. \(OJP\)](#)
Subject: FW: BJS APACD Comment OMB 1121 query
Date: Thursday, December 19, 2019 4:57:32 PM
Attachments: [DRAFT APACD Data extraction 20191014 FCS comments 121919.xlsx](#)

Suzanne,

My section has a long standing initiative that seeks to improve language access in state courts in order to comply with Title VI of the Civil Rights Act of 1964. We have case examples and other materials illustrating the scope and nature of the initiative on one of our websites. <https://www.lep.gov/resources/resources.html#SC>. We are submitting these comments consistent with efforts to increase compliance with Title VI, as we have an interest in supporting state court efforts to improve data collection practices related to court interpreting, and to make the data available to others.

The attached spreadsheet outlines several ideas for additional language data to be collected. We think the additional data would increase the utility of the APACD project. For our office and other federal civil rights offices, the additional data would be useful for enforcement and compliance efforts in several ways. For courts that gather and share the data, it can be studied to help determine if it appears that the court is providing defendants, witnesses, and crime victims with qualified court interpreters so that the individuals are able to participate in court proceedings and programs in the same way that English speakers do. Case delays related to interpreter unavailability, especially by language, may suggest problems in the state's interpreter corps or how interpreters are managed. If a court does not capture the data, it may suggest weaknesses in how it manages and provides language assistance. Attorneys and advocates would benefit from the availability of such data for the same reasons that we would.

DOJ program offices may also draw upon this data to help design programs, consider local and state needs, and award grants. Programs such as the Office on Violence against Women and the Office for Victims of Crime administer grants, for example, that are concerned with service delivery to limited English proficient and Deaf/Hard of Hearing defendants, victims, and witnesses. Likewise, advocates and other Civil Rights Division sections may be able to make use of the race and gender data to spot potential discrimination in law enforcement or the courts, further increasing the utility of the data.

Courts will benefit from gathering and sharing the data as well. Internally, courts can use the data to ensure that language needs are being properly addressed in criminal cases. Problems and inefficiencies can be spotted, decisions can be made about allocating resources and training, and so forth. Courts may also gain insights from analysis of data submitted by other states. As an entity assisting state courts, the National Center for State Courts also seeks to help the courts improve language access in criminal as well as civil programs. <https://www.ncsc.org/Services-and-Experts/Areas-of-expertise/Language-access.aspx>.

You are aware of the NCSC NODS data project, which includes language data requirements. We made suggestions to them to strengthen their data proposal as well with respect to language. To the extent that states adopt NODS standards when they are completed, any burden from BJS

data reporting should be reduced.

For these reasons, my section sees many benefits from the proposed BJS data collection for other DOJ components, the courts, and the public. And we encourage broadening the data to be gathered as outlined in our spreadsheet. Please let me know if you have any questions.

Paul

Paul M. Uyehara
Senior Attorney
Federal Coordination and Compliance Section
Civil Rights Division
U.S. Department of Justice
4 Constitution Square, Suite 7.131
150 M Street, N.E.
Washington, D.C. 20530

(202) 305-9813
(202) 307-0595 (fax)
paul.uyehara@usdoj.gov
<http://www.justice.gov/crt/about/cor/>

From: Uyehara, Paul (CRT)
Sent: Friday, December 13, 2019 9:37 AM
To: Strong, Suzanne M. (OJP) <Suzanne.M.Strong@ojp.usdoj.gov>
Subject: RE: BJS APACD Comment OMB 1121 query

Thanks very much for the guide Suzanne. The connection with NCSC and NODS should simplify our comments.

Paul

From: Strong, Suzanne M. (OJP) <Suzanne.M.Strong@ojp.usdoj.gov>
Sent: Friday, December 13, 2019 8:49 AM
To: Uyehara, Paul (CRT) <Paul.Uyehara@crt.usdoj.gov>
Subject: RE: BJS APACD Comment OMB 1121 query

Good morning Paul,

Thank you for your interest in the APACD. Attached, you will find our draft data extract guide. Please be mindful that we are still revising the guide based on interviews with state court data experts.

NCSC is a subcontractor on this award. BJS is aware of NODS and we are trying to be consistent with the standards developed in that project.

I would welcome any comments, which are due by 12/23/19. After that date, we will post the 30 day

notice and submit the entire Paperwork Reduction Act package to the Office of Management and Budget. I do anticipate some delay because of the holidays, but expect it will be submitted in early January.

Thank you,
Suzanne

Suzanne M. Strong, PhD
Statistician

Direct: (202) 616-3666

Main: (202) 307-0765

www.bjs.gov



From: Uyehara, Paul (CRT)
Sent: Thursday, December 12, 2019 6:07 PM
To: Strong, Suzanne M. (OJP) <Suzanne.M.Strong@ojp.usdoj.gov>
Subject: BJS APACD Comment OMB 1121 query

Suzanne,
My office is hoping to send you informal comments on the new BJS proposed information request to criminal courts. It would be helpful if you could share the proposed collection instrument with instructions so we could see what it already contains. In addition, we wanted to confirm that you are in touch with the National Center for State Courts and aware of its current National Open Court Data Standards project, <https://www.ncsc.org/nods>. Since we recently submitted comments to them, it might simplify our input depending on your proposed instrument. And it presumably relates to the burden for individual courts to respond to you if the final NODS format aligns with your needs.

Thanks

Paul

Paul M. Uyehara
Senior Attorney
Federal Coordination and Compliance Section
Civil Rights Division
U.S. Department of Justice
4 Constitution Square, Suite 7.131
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Washington, D.C. 20530

(202) 305-9813

(202) 307-0595 (fax)

paul.uyehara@usdoj.gov

<http://www.justice.gov/crt/about/cor/>

Appendix A. Requested Data Elements and Definitions

Category	Data Element	Definition	Core Data Element	FCS Comments - Additional data elements	FCS Comments - Definitions	FCS Comments - Values
General Case and Defendant Information	Jurisdiction identifier	A unique identifier for the jurisdiction where the case was filed (e.g., county name, district number, circuit number).	i			
	Court level	Level of court.	i			
	Court case identifier	Anonymized series of characters that identify the court case that follows a case through court levels. This identifier should be assigned to each charge within the same case.	i			
	Initiating action	Type of action that initiated the case.				
	Prosecutor or prosecuting agency	Identifier for individual prosecutor and/or prosecuting agency; may be anonymized.				
	Defendant identifier type	e.g., anonymized number, FBI number, etc	i			
	Defendant identifier	Anonymized series of characters that identify the same individual within the court system, across cases and courts within the state.	i			
	Defendant indigency status	Indicator of whether individual was determined to be indigent at any point during the case.				
	Date of birth	Individual's date of birth. If date of birth is not available, please use age at disposition.	i			
	Gender	Individual's gender.	i			
	Ethnicity	Individual's ethnicity determines whether a person is of Hispanic origin or not.	i			
	Race	Individual's self-identification with one or more racial groups.	i			
				Add element: Primary Language.	Define: Individual's primary language if limited English proficient	
Charge Information	Offense date	Date when the offense occurred.				
	Arrest date	Date when the defendant was arrested.	i			
	Charge identifier	Sequence number uniquely identifying each filing charge within a case (count number). This is not the statute number or case type code.	i			
	Charge filing date	Date the charge was filed.	i			
	Filing charge statute number	The statute number that defines the alleged behavior as a an offense.	i			
	Filing NCIC Code	The NCIC code associated with the charge at filing.				
	Filing charge description	Description of the offense at filing.	i			
	Filing charge degree	Charge class severity/degree at filing.	i			

	Filing charge degree detail	The specific class severity or degree provided by statutory laws for each charge against the defendant.		
	Filing charge modifiers	The specific type of mitigator or enhancer associated the filed charge.		
	Disposition charge statute number	The state statute number that defines the alleged behavior as a criminal offense for each disposed charge.	i	
	Disposition NCIC Code	The NCIC code associated with the charge at disposition.		
	Disposition charge description	Description of the offense at disposition.	i	
	Disposition charge degree	Charge class severity/degree at disposition.	i	
Category	Data Element	Definition	Core Data Element	
	Disposition charge degree detailed	The specific class severity or degree provided by statutory laws for each disposed charge.		
	Disposition charge modifiers	The specific type of mitigator or enhancer associated the disposed charge.		
	Charge disposition date	Date when each charge received a judgment or disposition.	i	
	Charge sentencing date	Date when each charge received a sentence.	i	
	Charge manner of disposition	The manner in which each charge was disposed.	i	
	Charge result of disposition	The judgment or disposition entered by the court for each charge.	i	
Sentencing Information	Sentence type	Type(s) of sentence(s) the defendant was mandated to serve.	i	
	Sentence length in days	Length in days of sentence imposed by the court.	i	
	Sentence length in months	Length in months of sentence imposed by the court.		
	Sentence conditions	Additional conditions imposed at sentencing.	i	
	Concurrent/consecutive sentence	Flag to indicate the sentence is to be served concurrently or consecutively.	i	
	Time served credit length	Length of time (in days) spent in pretrial detention that was credited toward the sentence the defendant was mandated to serve.		
	Fine amount	Dollar amount of the fine the defendant was sentenced to pay.	i	
	Fees/costs amount	Dollar amount of the all fees/costs the defendant was mandated to pay.		
	Restitution amount	Dollar amount of the restitution the defendant was sentenced to pay.		
Hearing Information	Event date	Date the event took place or was scheduled.		
	Event type	Type of event.		
	Event outcome	The status of the hearing or conference, including whether it was actually held or reasons for not holding the event.		Add to definition: "including interpreter not available"
	Judicial officer	Name or unique code for the judicial officer who presided over the event.		
Attorney Information	Defense attorney assignment date	Date defense attorney was assigned.		

	Defense attorney type	Type of defense attorney.				
	Defense attorney withdrawal date	Date defense attorney was withdrawn.				
				Add category & element: Court Interpreter Information	Definition: Court interpreter(s) present for hearing.	Values: In-person; Video remote; Telephone; Absent
				Add element: Number and Credentials of Court Interpreters	Definition: Number and Credentials of Court Interpreters	Values: [Number of] Certified, Qualified, Other
				Add element: Role	Definition: specify person(s) needing interpreter	Values: Defendant; Witness; Victim; Parent/guardian of defendant, witness, victim [permit more than one entry]
Pretrial Release Information	Pretrial release date	Date of pretrial release.				
	Type of bond	Type of pretrial release bond imposed by the court at the bond/bail hearing.				
	Conditions of release	Conditions the defendant must follow when released pre- trial.				
	Pretrial release revocation date	Date of pretrial release revocation.				
	Pretrial release revocation reason	The reason pretrial release was revoked.				
	Judicial officer	Name or unique code for the judicial officer who presided over the event.				
Category	Data Element	Definition	Core Data Element			
Diversion and Problem solving Court Information	Diversion program entry date	Date of entry into diversion program.				
	Diversion program	The diversion program the defendant entered.				
	Diversion point of referral	The stage of the case when the defendant was referred to the diversion program.				
	Diversion program exit date	Date of exit from diversion program.				
	Diversion program outcome	The program outcome achieved by the defendant.				
	Problem solving court entry date	Date of entry into problem solving court.				
	Problem solving court type	The problem solving court docket the defendant entered.				
	Problem solving court point of referral	The stage of the case when the defendant was referred to the problem solving court.				
Problem solving court exit date	Date of exit from problem solving court.					

	Problem solving court outcome	The program outcome achieved by the defendant.		
Warrant Information	Bench warrant issued Date	Date bench warrant was issued.		
	Reason for bench warrant	Reason the warrant was issued.		
	Bench warrant returned or served date	Date bench warrant was returned or served.		

Appendix B. Preferred Data Structure, Formats, and Example Values

Category & File Structure	Data Element	Format	Example Values		
General Case and Defendant Information <i>One record per case</i>	Jurisdiction identifier	String	County name; district name; circuit name		
	Court level	String	District; circuit		
	Court case identifier	Numeric or string			
	Initiating action	String	1=Summons; 2=Arrest; 3=Warrant; 4=Warrantless arrest; 5=Indictment		
	Prosecutor or prosecuting agency	String			
	Defendant identifier(s)	Numeric or string			
	Defendant indigency status	Numeric	1=Yes; 0=No		
	Date of birth	Date			
	Gender	String	1=Male; 2=Female		
	Ethnicity	Numeric	1=Spanish/Hispanic/Latino; 0=Not Spanish/Hispanic/Latino		
Race	String	1=White; 2=African American; 3=American Indian or Alaskan; 4=Asian 5= Pacific Islander or Native Hawaiian; 5=Other 6=Two or more races			
Charge Information <i>One record per charge</i>	Court case identifier	Numeric or string			
	Defendant identifier	Numeric or string			
	Offense date	Date			
	Arrest date	Date			
	Number of charges/counts	Numeric			
	Charge identifier	Numeric or string			
	Charge filing date	Date			
	Filing charge statute number	Numeric or string			
	Filing NCIC Code	String			
Filing charge description	String				

	Filing charge degree	String	1=Felony; 2=Gross misdemeanor; 3=Misdemeanor
	Filing charge degree detail	String	1=Felony 1; 2=Felony 2; 3=Misdemeanor A; 4=Misdemeanor B; etc.
	Filing charge modifiers	String	1=Attempt; 2=Conspiracy; 3=Domestic violence; 4=Using a weapon in the commission of a crime; etc.
	Disposition charge statute number	Numeric or string	
	Disposition NCIC Code	String	
	Disposition charge description	String	
Category & File Structure	Data Element	Format	Example Values
	Disposition charge degree	String	1=Felony; 2=Gross misdemeanor; 3=Misdemeanor
	Disposition charge degree detailed	String	1=Felony 1; 2=Felony 2; 3=Misdemeanor A; 4=Misdemeanor B; etc.
	Disposition charge modifiers	String	1=Attempt; 2=Conspiracy; 3=Domestic violence; 4=Using a weapon in the commission of a crime; etc.
	Charge disposition date	Date	
	Charge sentencing date	Date	
	Charge manner of disposition	String	1=Bindover/transfer; 2=Jury trial; 3=Bench/non-jury trial; 4=Guilty plea; 5=Entry into a drug court or other problem solving court; 6=Diversions (not a problem solving court); 6=Dismissal/nolle prosequi; 7=Other
	Charge result of disposition	String	1=Bindover/transfer; 2=Conviction; 3=Acquittal; 4=Mistrial; 5=Entry into a problem solving court docket; 6=Diversions (not to a problem solving court docket); 7=Continued without a finding; 8=Dismissed/nolle prosequi; 9=Other
Sentencing Information <i>One record per case or charge</i>	Court case identifier	Numeric or string	
	Defendant identifier	Numeric or string	
	Initial court sentence date	Date	
	Sentence type	String	1=Death penalty; 2=Life in prison; 3=State prison; 4=Jail; 5=Lifetime supervision; 6=Extended supervision/split sentence; 7=Probation; 8=Fine; 9=Restitution; 10=Community service; 11=Time served; 12=Other. This field should include all sentences imposed in the case.
	Sentence length in days	Numeric	The sentence length should be recorded separately for each type of sentence.
	Sentence length in months	Numeric	The sentence length should be recorded separately for each type of sentence.
	Sentence conditions	String	1=Suspension or revocation of driver's license; 2=Sex offender registration; 3=Firearms eligibility; etc.

	Concurrent/consecutive sentence	Numeric	1=Yes; 0=No
	Time served credit length in days	Numeric	
	Fine amount	Numeric	Dollar amount.
	Fees/costs amount	Numeric	Dollar amount.
	Restitution amount	Numeric	Dollar amount.
	Court case identifier	Numeric or string	
	Defendant identifier	Numeric or string	
	Event date	Date	
Category & File Structure	Data Element	Format	Example Values
Hearing Information <i>One record per scheduled court event</i>	Event type	String	1=Initial appearance; 2=Arraignment; 3=Plea hearing; 4=Pretrial hearing; 5=Trial; 6=Grand jury indictment; 7=Bond/bail setting; 8=Bond/bail review; 9=Bench warrant issued; 10=Motion, order; 11=Probation violation; 12=Appeal filed; 12=Other
	Event outcome	String	1=Held; 2=Continued; 3=Cancelled; 4=Postponed/rescheduled; 5=FTA
	Judicial officer	Numeric or string	
Attorney Information <i>One record per attorney</i>	Court case identifier	Numeric or string	
	Defendant identifier	Numeric or string	
	Defense attorney assignment date	Date	
	Defense attorney type	String	1=Public defender; 2=Assigned counsel; 3=Private attorney
	Defense attorney withdrawal date	Date	
Pretrial Release Information <i>One record per pretrial release event or outcome</i>	Court case identifier	Numeric or string	
	Defendant identifier	Numeric or string	
	Pretrial release date	Date	
	Type of bond	String	1=Signature bond (release on recognizance); 2=Unsecure personal bond; 3=Monetary bond (includes cash and surety bonds); 4=Property bond; 5=Other
	Conditions of Release	String	1=Release on supervision; 2=Electronic monitoring; 3=Drug testing; 4=Program compliance; 5=No contact orders; etc.
	Pretrial release revocation date	Date	

	Pretrial release revocation reason	String	1=FTA; 2=New offense; 3=Violation of a technical condition of pretrial release (e.g., not reporting to supervision, urine test results, having contact with known criminal associates, violate a no contact order, etc.)
	Judicial officer	Numeric or string	
Diversion and Problem solving Court Information	Court case identifier	Numeric or string	
	Defendant identifier	Numeric or string	
	Diversion program entry date	Date	
	Diversion program	String	Name of the program
	Diversion program point of referral	String	1=Pre-plea; 2=Post-plea; 3=Post-sentence
	Diversion program exit date	Date	
Category & File Structure	Data Element	Format	Example Values
One record per program per case	Diversion program outcome	String	1=Successful completion; 2=Neutral; 3=Unsuccessful
	Problem solving court entry date	Date	
	Problem solving court type	String	Name of the program
	Problem solving court point of referral	String	1=Pre-plea; 2=Post-plea; 3=Post-sentence
	Problem solving court exit date	Date	
	Problem solving court outcome	String	1=Successful completion; 2=Neutral; 3=Unsuccessful
Warrant Information One record per warrant	Court case identifier	Numeric or string	
	Defendant identifier	Numeric or string	
	Bench warrant issued Date	Date	
	Reason for bench warrant	String	1=FTA; 2=Violation of conditions
	Bench warrant returned or served date	Date	



National Center for
Access to Justice
AT FORDHAM LAW SCHOOL

By email: OIRA_submissions@omb.eop.gov;
Suzanne.M.Strong@usdoj.gov

December 23, 2019

Attn: Department of Justice Desk Officer
Office of Management and Budget
Office of Information and Regulatory Affairs
Washington, DC 20530

Attn: Suzanne M. Strong, Statistician
Prosecution and Judicial Statistics Unit
Bureau of Justice Statistics
810 Seventh Street NW
Washington, DC 20531

Re: Department of Justice - [OMB Number 1121-
NEW], Agency Information Collection, Activities;
Proposed eCollection, eComments Requested;
New Collection: Analysis of Publicly Available
Court Data (APACD)
[84 Fed. Reg. 56838 \(October 23, 2019\)](#)

Dear Ms. Strong and the Department of Justice Desk Officer,

The National Center for Access to Justice submits the comments, below, in response to the request concerning the proposed *New Collection: Analysis of Publicly Available Court Data*, referenced above.

We believe that BJS should collect information about the language proficiency of and provision of services to defendants, victims and witnesses in the justice system. More specifically, we encourage the Department to collect data in the following categories:

- data about defendants', victims' and witnesses' primary language(s) spoken, as well as whether defendants are proficient in English;
- data about whether interpreter services were requested by the court or the defendant, victim, witness;

150 West 62nd Street, New York, NY 10023, info@ncforaj.org, ncforaj.org & justiceindex.org

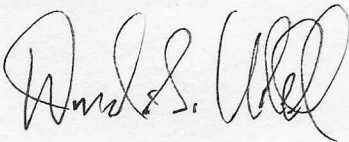
- data about whether interpreter services were in fact provided in response to the requests made for such services;
- data about the qualifications and credentials of court interpreters;
- data about delays in the provision of court interpreter services, including delay occasioned by there being a lack of available interpreters;
- data about race, gender, ethnicity and other demographic factors of defendants;
- data about the dispositions of matters, in relation to other data points identified in these comments.

The data collection urged in these comments will be invaluable to determining the need for interpreter services in cases across the country, and the degree to which people with limited English proficiency are receiving the most basic due process right of being able to assert and/or participate in their own defenses, and in the proceedings of the criminal justice system.

The National Center for Access to Justice (NCAJ) uses data, research, policy analysis and advocacy to expose how the justice system fails to stand up for equal justice, and to bring about necessary change. Our work is rooted in the principle that all people should enjoy access to justice, which we describe as the meaningful opportunity to be heard, and to obtain the law's protection. Our projects to expand access to justice include the Justice Index, justiceindex.org, in which we identify and promote best policies and practices for assuring access to justice in multiple domains, including best policies for assuring language access for people with limited English proficiency. See <https://justiceindex.org/2016-findings/language-access/#site-navigation>.

Thank you for the opportunity to submit these comments in support of a data collection process that will illuminate the experiences of people in need of language assistance services in the American justice system, and that will help to assure access to justice.

Very truly yours,



David S. Udell
Executive Director

December 23, 2019

Suzanne Strong
Statistician
Prosecution and Judicial Statistics Unit
Bureau of Justice Statistics
810 Seventh Street NW
Washington, DC 20531

Submitted via email to Suzanne.M.Strong@usdoj.gov

**RE: New Collection: Analysis of Publicly Available Court Data (APACD),
84 Fed. Reg. 56838 | OMB Number 1121-NEW | Doc. No. 2019-23092**

Dear Ms. Strong,

Legal Aid Foundation of Los Angeles (LAFLA) provides these written public comments on the Analysis of Publicly Available Court Data (APACD) from the Department of Justice, Bureau of Justice Statistics. Specifically, we suggest enhancing the data collection to include language related data, such as interpreter requests, languages requested, issues encountered, complaints received, how such complaints were resolved, and court interpreter credentialing and qualification processes.

LAFLA is a nonprofit law firm that protects and advances the rights of the most underserved – leveling the play field and ensuring equal access to the justice system. Every year, LAFLA helps more than 100,000 people in civil legal matters by providing direct legal representation and other legal assistance for low-income people across the Greater Los Angeles region. Its unique combination of neighborhood offices, self-help centers at courthouses, and domestic violence clinics puts LAFLA on the frontlines in communities at the forefront of change. LAFLA's Asian Pacific Islander (API) Community Outreach Project was founded in the 1990s in recognition of the great need for improved access to justice for API immigrant communities, particularly those who do not speak English as their dominant language.

LAFLA has conducted pioneering work to ensure language access to the courts, public benefits, immigration services, and other government agencies and systems. In 2010, LAFLA filed an administrative complaint against the Los Angeles Superior Court with the U.S. Department of Justice, alleging violations of Title VI of the Civil Rights Act of 1964, based on the failure to provide interpreters in civil proceedings. In response, the DOJ's Civil Rights Division and U.S. Attorney's Office launched a federal investigation of the entire California state court system. As a result, the California Judicial Council developed and adopted a Strategic Plan for Language Access in the California Courts, which provides for interpreters free-of-charge in all proceedings and at all points of contact throughout the

Other Office Locations:

East Los Angeles Office, 5228 Whittier Blvd., Los Angeles, CA 90022; 213-640-3883
Long Beach Office, 601 Pacific Ave., Long Beach, CA 90802; 562-435-3501
Santa Monica Office, 1640 5th St., Suite 124, Santa Monica, CA 90401; 310-899-6200
South Los Angeles Office, 7000 S. Broadway, Los Angeles, CA 90003; 213-640-3950

judicial process. The plan called on the courts to provide free interpretation services for all court proceedings, provide language services outside the courtroom at counters and other public areas, translate court documents and other materials, post signs notifying litigants of the availability of interpretation, translate key pages on the court website, provide training for court staff, and monitor complaints. We provide these public comments as an extension of our commitment to justice, which includes meaningful access to the courts in all its contexts, whether it be criminal, civil, family, probate, or small claims proceedings.

Language Diversity in Los Angeles

Los Angeles County has a total population of over 10 million,¹ making it larger than all but nine states,² with over one third of the population being immigrants.³ Latinos make up over 48% of the county's population, and APIs represent over 16%—the largest API population in the mainland U.S.⁴ Over 34% of those living in Los Angeles County are foreign-born, compared to nearly 13% nationally.⁵ In fact, 43% of Latinos⁶ and 70% of Asians⁷ in Los Angeles County are foreign-born. Californians speak over 200 languages,⁸ and 57% in Los Angeles County speak a language other than English at home.⁹

Individuals with limited English proficiency (LEP) have historically faced challenges in seeking access to basic amenities, legal remedies and supportive services. Reports have found that limited English proficiency has impacted the “ability to access fundamental necessities such as employment, police protection, and health care.”¹⁰ Unsurprisingly, access to justice has proven difficult for individuals who speak a language other than English at home, who have higher rates of poverty than the general population in Los Angeles County and California.¹¹ In fact, in Los Angeles County, 57% of foreign-born female head of households, who are not naturalized U.S. citizens, with children under 18 years old, live below the federal poverty line.¹²

Requirements Under Title VI

For individuals who do not speak English as their dominant language, accessing and navigating the courts can be challenging. Title VI of the Civil Rights Act of 1964 (Title VI) requires that equal access be provided to LEP litigants.¹³ Under Title VI and its implementing regulations, recipients of federal funds, which includes state courts, must provide “meaningful

¹ <https://www.census.gov/quickfacts/fact/table/losangelescountycalifornia/PST045218>

² <https://www2.census.gov/programs-surveys/popest/tables/2010-2018/state/totals/nst-est2018-03.xlsx>

³ <https://www.census.gov/quickfacts/fact/table/losangelescountycalifornia/PST045218>

⁴ https://factfinder.census.gov/bkmk/table/1.0/en/ACS/17_5YR/DP05/0500000US06037

⁵ <https://www.census.gov/quickfacts/fact/table/US.losangelescountycalifornia.CA/POP645217>

⁶ https://factfinder.census.gov/bkmk/table/1.0/en/ACS/17_5YR/B16005I/0500000US06037

⁷ https://factfinder.census.gov/bkmk/table/1.0/en/ACS/17_5YR/B16005D/0500000US06037

⁸ <https://www.courts.ca.gov/languageaccess.htm>

⁹ https://factfinder.census.gov/bkmk/table/1.0/en/ACS/15_5YR/B16001/0500000US06037

¹⁰ https://www.migrationpolicy.org/sites/default/files/language_portal/California%20Speaks%20-%20Language%20Diversity%20and%20English%20Proficiency%20by%20Legislative%20District_0.pdf

¹¹ https://factfinder.census.gov/bkmk/table/1.0/en/ACS/17_1YR/S1603/0500000US06037

¹² https://factfinder.census.gov/bkmk/table/1.0/en/ACS/17_5YR/S0501/0500000US06037

¹³ [42 U.S.C. § 2000d \(2004\)](#); [67 Fed. Reg. 41455-41471 \(2002\)](#).

access” to their services for LEP individuals.¹⁴ For courts, this includes, at a minimum, competent interpretation during hearings, trials, and motions.¹⁵ The United States Department of Justice has explicitly noted that “the federal requirement to provide language access to LEP individuals applies notwithstanding conflicting state or local laws or court rules.”¹⁶ Language access is not therefore a matter of the courts’ largesse or discretion. Rather, federal and many state laws compel the courts to provide meaningful language access services. Providing language access is a necessary core court function. The courts must treat language access as a “basic and essential operating expense, not as an ancillary cost.”¹⁷

Enhancement of Data Collected by BJS

The request for public comments indicates that the APACD will collect information from state and county courts by requesting data extracts of court case management systems. The data collection will include defendant demographics; information about charges, hearings, disposition, and sentences; attorney information; diversion and problem-solving court information; and whether a bench warrant was issued during the case. In light of the requirements under Title VI and similar state court mandates, data collection efforts should be enhanced to specify that defendant demographics should include primary language spoken. Further, data collected should include information related to interpreter requests, issues encountered, complaints received, how such complaints were resolved, and court interpreter credentials and qualifications.

Many states are enhancing their case management systems to integrate with interpreter management software and to record primary language needs of parties, in accordance with Title VI and similar state mandates.¹⁸ These systems and related protocols may also capture and address when language needs are requested, how they are provided, whether there were delays or continuances, complaints filed, the nature of such complaints, and how such complaints are resolved. This data should be collected to ensure compliance with Title VI. Finally, data should be collected on court interpreter credentialing and qualification processes, as there is inconsistency among different states in this area. These practices and procedures are critical to ensuring that LEP litigants and defendants receive quality interpretation and meaningful language access to the judicial system.¹⁹

Thank you for the opportunity to provide these comments to the Bureau of Justice Statistics. In the public interest community, we continuously seek to identify, understand, and address the complexities of the barriers our communities face, to ensure that justice is still an

¹⁴ *See id.*

¹⁵ *Id.*

¹⁶ www.lep.gov/final_courts_ltr_081610.pdf.

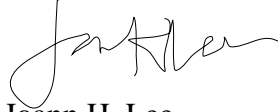
¹⁷ *Id.*

¹⁸ <http://ww2.nycourts.gov/sites/default/files/document/files/2018-06/language-access-report2017.pdf>;
<https://www.courts.ca.gov/documents/lap-toolkit-technological-options-outside-the-courtroom.pdf>;
https://www.courts.ca.gov/documents/CLASP_report_060514.pdf

¹⁹ <https://www.ncsc.org/~media/Files/PDF/Topics/Language-Access/language-access-called-to-action.ashx#page=66>;
https://www.americanbar.org/content/dam/aba/administrative/legal_aid_indigent_defendants/ls_sclaid_standards_for_language_access_proposal.pdf#page=103

option for all. If you have any questions or seek any further information, please contact Joann Lee at jlee@lafla.org or (323) 801-7976. Thank you.

Sincerely,



Joann H. Lee
Special Counsel

BJS Response to Public Comments received on under the 60 Day FR Notice

During the 60-day comment period, **BJS received substantive comments from three organizations: Civil Rights Division (USDOJ), Legal Aid Foundation of Los Angeles, and National Center for Access to Justice.** The three organizations were similar in that they requested BJS consider collecting (1) defendant primary language, (2) information on whether an interpreter was ordered and for what party, (3) whether the interpreter was actually provided or whether there were delays because an interpreter was not present, and (4) interpreters qualifications.

Feedback incorporated into the data extraction guide

BJS considered each requested data element, and determined that adding these data elements would be too burdensome. See the below section for a more detailed description.

Data elements requested, but already included in the data extract guide were defendant demographics and case outcomes.

Feedback not incorporated into the data extraction guide

Based on information from the National Center for State Courts (NCSC), courts have varying ability to report limited English proficiency or defendant primary language. The source of the information is likely to be administrative (e.g., on the arrest document based on the officer's perception or from some other agency evaluation). Thus, the information may not be entirely accurate. Second, many courts use the request for an interpreter, either by the defendant, attorney, or judge, to be evidence of limited English proficiency. BJS had not included interpreter requests or limited English proficiency questions during the state data interviews; therefore, we do not know anything whether states keep that information in their case management systems. It is likely that interpreter information may be stored in a text document, such as an order for an interpreter, rather than in the case management system.

BJS decided not to request any information on hearings, based on the information gathered during interviews with state data experts. Many of the state courts expressed that hearing information is stored in a separate scheduling system, or that the information is overwritten each time there is a hearing, or hearing information would be difficult to extract and match at the case-level. Since BJS is not asking for hearing data, BJS cannot ask whether an interpreter was present or whether a case was delayed because an interpreter was not present for a hearing.

Based on feedback from NCSC, interpreter qualifications are not likely to be stored in court case management systems. There may be an external certification obtained by the interpreters, or the qualifications are met and recorded by some other outside agency.