

SUPPORTING STATEMENT—PART A

Since 1982, the Bureau of Justice Statistics (BJS) has conducted the Annual Survey of Jails (ASJ) in the years between the Census of Jails collections (COJ, OMB Control No. 1121-0100) to gather data on jail facilities and the inmate populations they supervise. Administered to a sample of approximately 950 local jails (city, county, regional, and private) nationwide, the ASJ provides national estimates on the number of inmates confined in jails, demographic characteristics and criminal justice status of the jail population, counts of admissions and releases, and turnover rates. The ASJ is the only national data collection that tracks jail population size and characteristics from year to year. Policymakers, correctional administrators, and government officials use the ASJ data to develop new policies and procedures, plan budgets, and maintain critical oversight.

The Bureau of Justice Statistics (BJS) requests clearance to conduct the 2020-22 Annual Survey of Jails (ASJ) under OMB Control No. 1121-0094. The last ASJ was fielded in 2018 and collected midyear data. It was approved under the same OMB Control No. 1121-0094 (exp. date 01/31/2019), where it was bundled with the Mortality in Correctional Institutions-Jails (MCI, formerly the Deaths in Custody Reporting Program, new OMB Control No. 1121-0249) and Survey of Jails in Indian Country (SJIC, new OMB Control No. 1121-0329). In 2017, the ASJ was separated from the MCI-Jails and SJIC, and became a stand-alone collection again. In 2019, BJS did not conduct the ASJ because the COJ was fielded in the same year.

JUSTIFICATION

1. Necessity of Information Collection

Local jails are confinement facilities operated under the authority of a sheriff, police chief, or city or county administrator. A small number of local jails are privately operated. Facilities include jails, detention centers, city or county correctional centers, special jail facilities (such as medical or treatment centers and pre-release centers), and temporary holding or lockup facilities that are part of the jail's combined function. Local jails generally have the ability to hold inmates beyond 72 hours and beyond arraignment. Local jails are intended for adults but may hold juveniles before or after their cases are adjudicated. Inmates sentenced to jail facilities usually have a sentence of one year or less. Jails—

- receive individuals pending arraignment and hold them awaiting trial, conviction, or sentencing
- re-admit probation, parole, and bail bond violators and absconders
- temporarily detain juveniles pending their transfer to juvenile authorities
- hold mentally ill persons pending their movement to appropriate mental health facilities
- hold individuals for the military, protective custody, contempt, and the courts as witnesses

- release convicted inmates to the community on completion of sentence
- transfer inmates to federal, state, or other authorities
- house inmates for federal, state, or other authorities due to crowding of their facilities
- operate community-based programs as alternatives to incarceration.

Local jails are the entry point to the correctional system, processing more persons per year than prisons and parole/probation agencies combined. Although jails hold about half as many inmates as prisons on any given day, they admit nearly twenty times as many people as prisons. During 2018, local jails admitted 10.7 million inmates while managing an average daily population of about 737,900 inmates.¹ At midyear 2018, about one-third of the confined jail population were sentenced offenders or convicted offenders awaiting sentencing, and two-thirds were unconvicted inmates being held for a variety of reasons (including inability to meet bail, awaiting trial, mental health holds, drug or alcohol detoxification, and temporary holds for federal, state, or other local authorities).

As the primary source for criminal justice statistics in the United States, BJS is responsible for collecting, analyzing, publishing, and disseminating statistical information on crime, criminal offenders, victims of crime, and the operations of criminal justice systems at all levels of government. BJS conducts two studies regularly to collect administrative data from local jails. The COJ, which started in 1970, is administered periodically to the approximately 3,000 local facilities in the United States. The COJ provides state and national estimates on the number of inmates confined in jails, characteristics of the jail population, counts of admissions and releases, and jail facility characteristics. To save cost and reduce respondent burden, BJS conducts the COJ every 5 to 6 years. In the years between the censuses, BJS administers the ASJ to a probability sample of jails selected from the latest COJ frame to estimate key statistics of the jail population at the national level.

The 2020-22 ASJ will collect data necessary for producing estimates on the jail population, including one-day custody counts by sex, conviction status, and severity of offense (felony vs. misdemeanor), counts of U.S. citizens and non-U.S. citizens, juvenile counts, holds for Immigration and Customs Enforcement (ICE) and other state and federal authorities, average daily population, admissions, releases, and turnover rates. It will also collect data on facility characteristics, including rated capacity and staffing. These data are published in BJS's annual *Jail Inmates* bulletin (<https://www.bjs.gov/index.cfm?ty=pbse&sid=38>) and archived at the National Archives of Criminal Justice Data (NACJD, <https://www.icpsr.umich.edu/icpsrweb/content/NACJD/index.html>). Federal, state, and local government officials; correctional administrators; and researchers analyze the ASJ data to inform jail practices and policies. Comprehensive data on jail inmates help inform the continuing debates on changing correctional populations, associated financial and other societal costs of incarceration, and alternative sanctions to incarceration.

The Bureau of Justice Statistics (BJS) is authorized to conduct this data collection under 34 U.S.C. § 10132. BJS, its employees, and its data collection agents will only use the information

¹Zeng, Z. (2020). *Jail Inmates in 2018*. Bureau of Justice Statistics, Washington, D.C. NCJ 253044.

you provide for statistical or research purposes pursuant to 34 U.S.C. § 10134, and will protect it to the fullest extent under federal law. For more information on how BJS will use and protect your information, go to

https://www.bjs.gov/content/pub/pdf/BJS_Data_Protection_Guidelines.pdf.

The 2020 ASJ uses a stratified probability sample of jails drawn from all local jail jurisdictions in the 2019 COJ frame. The combined jail/prison systems in Alaska, Connecticut, Delaware, Hawaii, Rhode Island, and Vermont, are not in the universe for the ASJ (since they are included in the National Prison Statistics Program). However, Alaska has 15 jails that are locally operated, so these facilities are included in the ASJ universe. Jails in the sample will be surveyed annually for 5 years before the next sample refresh. The 2020-24 ASJ panel includes approximately 950 jails selected to represent all local jails nationwide. The ASJ sample is drawn at the jurisdiction level. A jail jurisdiction is a county (parish in Louisiana) or municipal government that administers one or more local jails and represents the entity responsible for managing jail facilities under its authority. Most jail jurisdictions consist of a single facility, but some have multiple facilities, or multiple facility operators (e.g., county jail, sheriff's office, and police department), called reporting units. For example, three reporting units in Allegheny County, Pennsylvania, represent a single jail jurisdiction. When a jail jurisdiction with multiple reporting units is sampled, data are collected from all reporting units within that jail jurisdiction. In selecting the jails, all jurisdictions are grouped into 10 strata based on their average daily population (ADP) and the presence of juveniles as measured in the 2019 COJ. In 8 of the 10 strata, a random sample of jail jurisdictions is selected. The remaining two strata are designated as certainty strata, where all jail jurisdictions are selected with a probability of one. One certainty stratum consists of all jails that are operated jointly by two or more jurisdictions (referred to as multi-jurisdictional jails). The other certainty stratum consists of all jail jurisdictions that—

- held juvenile inmates at midyear 2019 and had an ADP of 500 or more inmates during the 12 months ending on June 30, 2019; or
- held only adult inmates and had an ADP of 750 or more at midyear 2019.

Simplification to one survey instrument

In the past, the ASJ used two forms—CJ-5 Annual Survey of Jails and CJ-5A Annual Survey of Jails for Private and Multijurisdictional Jails. The two forms are the same except for slightly different language—form CJ-5 used the plural form “jail facilities”, while form CJ-5A used the singular form “jail facility.” Regardless the type of governing body, the majority of jails have only one facility; only 7% of all jails have more than one facility. Starting with the 2020 ASJ, BJS will simplify the survey instrumentation and administer a single form (CJ-5) with the plural form “jail facilities” to all jails. ASJ respondents will be instructed to answer all questions for the combined jail population across their facilities.

New items added

The 2020-22 ASJ will include three new items that have been tested through a cognitive test under OMB Control No. 1121-0339. These new items include inmate counts by age group,

counts of non-U.S. citizens by conviction status, and counts of probation violators and parole violators, all measured at midyear.

Evidence from BJS' periodic individual-level inmates surveys, i.e., National Inmate Survey (NIS 2007, 2008-9, 2011-12) and the Survey of Inmates of Local Jails (SILJ, 2002), suggests that the age structure of jail inmates is shifting toward an older one. In the past, the ASJ collected counts of adults and juveniles, but not numbers of inmates by age group. As a result, the ASJ data does not capture the age structure of jail inmates. In 2018, BJS tested a new age question that asked jails provide counts of inmates in six age groups (17 or younger, 18-24, 25-34, 35-44, 45-55, 55 or older) by sex in a cognitive test. Based on comments received from jail respondents, BJS proposes to add to the 2020-22 ASJ a simplified version of the question that collects inmate counts by age group only, without the sex breakdown.

In the past, the ASJ collected the total number of non-U.S. citizens confined on the last weekday in June. To support the Department of Justice's initiative to count criminal non-U.S. citizens under correctional supervision in the U.S., BJS proposes to further collect counts of U.S. citizens by conviction status from jails that provide a positive count of non-U.S. citizens. During the 2019 COJ, 97% of the jail respondents provided data on one-day counts of non-U.S. citizens; and among those that held non-U.S. citizens, 99% a breakdown by conviction status. These item response rates (IRR) are similar to the typical rates of the COJ and ASJ items.

In 2002, about half of the jail inmates were probation, parole, or pre-trial release violators (i.e., individuals who have failed to comply with the conditions of release by committing a new offense or a technical offense).² In the past, BJS collected data on conditional release violations of jail inmates only in the NIS and SILJ. BJS first collected data on probation and parole violations in a jail facility survey in the 2019 COJ. Ninety-six percent of the jail respondents provided data on the new item. The 2020-22 ASJ will collect the numbers of jail inmates held for probation, parole, pretrial release, and other conditional release violations. Collecting these data through the COJ and ASJ will allow BJS to track jail reentry annually.

COVID-19 Addendum

In addition to the three new items described above, the 2020 ASJ instrument will also include an addendum of five questions to estimate the impact of the COVID-19 pandemic on U.S. jails: (1) one-day inmate counts every month from January to May 2020; (2) the number of inmates that received expedited release due to COVID-19; (3) the number of COVID-19 tests jail inmates received and the number of positive tests; (4) the number of inmates and staff that tested positive for COVID-19; and (5) the number inmate and staff deaths related to COVID-19. Questions 2 through 5 will be asked with reference to the period from March 1, 2020, to June 30, 2020. BJS plans to include the same COVID-19 questions on the 2021 ASJ to capture the impact of the pandemic on jails from July 1, 2020 through December 31, 2020. In designing these questions, BJS reached out to nine external experts and jail administrators for feedbacks.

²James, D. (2004). *Profile of Jail Inmates, 2002*. Bureau of Justice Statistics, Washington, D.C. NCJ 201932.

2. NEEDS AND USES

Uses of ASJ by BJS

The ASJ fits into BJS's larger portfolio of administrative data collections on correctional populations in the United States. It is the only collection that tracks annual changes in the jail population at the national level. The ASJ data are the primary source of BJS's annual bulletin *Jail Inmates*. The data are also used to produce the annual bulletin *Correctional Populations in the United States*.

BJS releases the ASJ data and documentation at the NACJD after the publication of the annual bulletin *Jail Inmates*. The ASJ and COJ are the main data sources used by BJS researchers to address government and public inquiries on local jails.

BJS adapts each iteration of the ASJ collection to meet the changing needs and interests of jail administrators, policymakers, and researchers. Updates of the 2020-22 ASJ include three new questions on the inmate population composition: counts by age group, counts of non-U.S. citizens by conviction status, and counts of probation violators and parole violators. The 2020 and 2021 ASJ instruments also add five COVID-19 questions, collecting data on COVID-19 tests and deaths, and early release due to COVID-19. All new items were tested through cognitive test performed under the BJS generic OMB clearance and added to the instrument after appropriate or full OMB approval.

External uses of ASJ

Other entities rely on the ASJ data for research, planning, and programmatic purposes. The ASJ data and statistical reports are used by the U.S. Department of Justice (DOJ), U.S. Congress, correctional administrators, students, academic researchers, and advocates. Examples of users and uses of these data include the following:

U.S. Congress—To evaluate the adequacy of jail facilities to meet changing inmate populations and to assess the needs of local jurisdictions for housing space relative to crime and available resources. For example, both the Senate and House versions of the Criminal Justice Reinvestment Act of 2009 (S. 2772 and H.R. 4080) cite BJS data on jail population growth between 2000 and 2008, as well as BJS data on jail admissions to justify the legislation;

U.S. Department of Justice, Civil Rights Division—To understand capacity and confinement conditions as they relate to civil rights;

Office of Juvenile Justice and Delinquency Prevention—To assess the extent to which juveniles are held in adult jails and whether they are held as adults;

National Institute of Corrections (NIC)—To evaluate local jail conditions, establish industry standards, and assess needs for technical assistance and training for local jail officials. Data from BJS's jail statistical reports are cited in NIC publications on local jails. These publications are disseminated to the jail administrator community;

Jail Administrators—To assess inmate populations and characteristics within their own jurisdictions relative to others, and to compare programs and services. For example, BJS staff regularly respond to requests for information from local jail officials about how their jurisdictions compares on measures including staffing and consent decree conditions to others of comparable size or geography;

American Jail Association—To cite data in articles for their weekly electronic newsletter, the “AJA Alert”, and their monthly “American Jails” magazine. AJA has a link to BJS on its jail statistics page (<https://www.americanjail.org/jail-statistics>);

The Vera Institute of Justice—To produce reports measuring the number of jail inmates incarcerated nationwide. Examples of Vera reports include “Divided Justice: Trends in Black and White Jail Incarceration, 1990-2013” (<https://www.vera.org/publications/divided-justice-black-white-jail-incarceration>), “The New Dynamics of Mass Incarceration” (<https://www.vera.org/publications/the-new-dynamics-of-mass-incarceration>), “Out of Sight: The Growth of Jails in Rural America” (<https://www.vera.org/publications/out-of-sight-growth-of-jails-rural-america>), “State Incarceration Trends” (<http://www.vera.org/state-incarceration-trends>), and “People in Jails in 2019” (www.vera.org/people-in-jail-in-2019).

The Prison Policy Initiative —To produce reports measuring the effects of mass incarceration. An example of a Prison Policy Initiative report is “Mass Incarceration: The Whole Pie 2019” <https://www.prisonpolicy.org/reports/pie2019.html>.

Researchers and Academics—To conduct research on a range of topics that have been published. For example, the archived 2017 ASJ dataset alone has generated 353 data downloads: <https://pcms.icpsr.umich.edu/pcms/reports/studies/37373/utilization>. Recent academic books and journal articles have also used BJS’s jail data in a variety of studies:

- Gaes, Gerald G. 2019. Current status of prison privatization research on American prisons and jails. *Criminology and Public Policy*. 18, (2), 269-293.
- Liu, Patrick, Ryan Nunn, and Jay Shambaugh. 2019. Nine Facts About Monetary Sanctions in the Criminal Justice System. *Economic Facts*. The Hamilton Project.
- Liu, Patrick, Ryan Nunn, and Jay Shambaugh. 2018. The Economics of Bail and Pretrial Detention. *The Hamilton Project*. Washington, DC: Brookings.

3. Use of Information Technology

As with the 2018 ASJ, BJS will administer the 2020-22 ASJ as a web survey. The 2020-22 ASJ website will be modeled after the 2018 ASJ website (see Attachment A: Website screenshots), which was redesigned and deployed in 2018. The ASJ website will be password protected and accessible to three groups of users:

- 1) The data collection agent will administer the survey, conduct and record data quality and non-response follow-up activities, and generate reports on survey progress and data quality measures. Each employee of the data collection agent will have an individual login so that all work can be easily tracked.

- 2) Respondents will learn about the data collection on the website, preview the form, submit data online, and review submitted data. Each agency will be given an ID and password for the website.
- 3) BJS staff will download survey data and para-data, weekly collection summaries, survey data, and survey administration documents from the website. BJS staff will also view the data collection team's communication with each respondent and individual respondents' forms. Only two BJS staff will have access to the system.

In designing the ASJ web survey, BJS and the data collection agent make use of information technology to improve data quality and minimize respondent burden by reducing data-quality follow-up outreach, in the following ways:

- **Survey flow and navigation** The web survey will follow the paper form in content (Attachment B: Form CJ-5), but will offer an improved flow. Respondents will be led through the items in smaller segments rather than scrolling through the items on a single screen. In addition, the survey will use skip logic (also called branching) to move respondents to a different question or page, based on their response to the current question. Improved survey navigation will reduce the survey dropout rate, minimize the possibility of respondents inadvertently skipping an item, and decrease burden for jails for which certain questions do not apply;
- **Real-time error alerts** The web survey will alert respondents of potential data problems when they skip an item or report inconsistent values (e.g. male population greater than total population);
- **Data review and comparison** Upon completion of the form, respondents will receive an on-screen report that compares select items to the data they submitted to the 2019 COJ. This allows the respondents to review and edit their entries prior to final submission;
- **Machine edits** A data validation program will be developed to check the internal consistency of submitted data by comparing the values of related items (these checks are called machine edits). During the course of data collection, machine edits will run every night on submitted data. Data elements that fail the checks will be logged and reviewed by the data collection agent for data quality follow-up;
- **Paradata** Survey paradata will be collected to describe the data collection process, including timestamps of respondent login and data entry, navigation, time spent on each page, device and browser information, and record of communication between respondents and the data collection team. Paradata will be used for quality control and to estimate future survey respondent burden.

While BJS encourages submission of data through the web, alternative modes (i.e., fax, email, mail, and phone) are also offered if respondents prefer these methods. In the most recent deployment of the ASJ in 2018, 4% of the respondents submitted data through an alternative mode.

4. Efforts to Identify Duplication

The ASJ is not duplicated by any other government agency for the purpose of collecting and disseminating information on inmate counts, population characteristics, and facility operations and programs. BJS conducted a Google search and a search of the NACJD for a similar data collection, and did not find any study similar to the ASJ.

Although several items are collected in both the ASJ and BJS's 2019 Mortality in Correctional Institutions-Jails Annual Summary Form (i.e., confined population, average daily population, admissions, and deaths), BJS suspended the MCI collection after the 2019 collection year, so these data will no longer be available through the MCI. Starting in 2020, the Bureau of Justice Assistance (BJA) is responsible for capturing deaths in jail custody, but information on inmate counts, confined population, average daily population, and admissions will not be collected. Unlike BJA's questions on deaths in custody, the ASJ's death questions will focus on inmate and staff deaths from COVID-19. BJS is motivated to capture COVID-19 deaths in a timely manner; otherwise, BJS will miss the mark on addressing this public-health emergency.

The National Commission on Correctional Healthcare (NCCHC) and researchers from Harvard University are gathering information on how the COVID-19 pandemic is affecting correctional facilities. Unlike the ASJ, which uses a national sample of local jails, the NCCHC study includes jails, prisons and juvenile facilities that requested participation in the study. As of April 3, 2020, 100 facilities have consistently reported data. https://www.ncchc.org/filebin/COVID/NCCHC-HU_SurveillanceTracker_20200406_No7_April_3.pdf. In addition, the NCCHC's study collects inmate and staff COVID-19 cases only, while the ASJ COVID-19 addendum will also collect the number of inmates and staff tested, COVID-19 deaths, and admissions and expedited releases related to COVID-19.

5. Impact on Small Businesses

Not applicable. The ASJ data collection does not involve small businesses. The respondents are jail administrators.

6. Consequences of Less Frequent Collection

Through the ASJ, BJS collects annual data on local jail populations and publishes the annual bulletin series *Jail Inmates*. Timely jail data help policymakers, correctional administrators, and government officials monitor jail conditions, identify population trends, plan budgets, and develop new policies and procedures. If the ASJ were fielded less frequently, BJS would not be able to deliver crucial policy-relevant data in a timely fashion.

7. Special Circumstances Influencing Collection

Not applicable. There is no circumstance in which a respondent would respond more than once a year and provide more data than on the survey form. The ASJ collection is consistent with the guidelines in 5 CFR 1320.6.

8. Federal Register Publication and Outside Consultation

The 60 and 30-day notices for public comment were published in the Federal Register on **January 27, 2020 and April ##, 2020.** In addition to emails conveying support for this data collection, BJS received three comments in response to the 60-day notice in the Federal Register. One comment came from an advocacy organization, the Campaign for Youth Justice (CFYJ), one from the Pretrial Justice Institute, and one from the public. The full comments are included in Attachment C.

60-day Federal Register comments

The Federal Policy Counsel at CFYJ recommended disaggregating the data on persons age 17 or younger by race, to more effectively assess the impact of reform laws and determine how to address racial and ethnic disparities in the juvenile and criminal justice system. The number of juveniles held in local jails has decreased precipitously over the past 10 years, and in 2018, they represented less than 0.5% of the total jail population. Since the ASJ questionnaire is limited in size and scope in order to retain high response rates, and the main goal of the ASJ is to describe aggregate population and key subpopulation counts, disaggregating a small subpopulation by race will be overly burdensome and may result in nonresponse to the entire juvenile question. BJS will not adopt this suggestion.

The Pretrial Justice Institute (PJI) made several suggestions to the survey instrument, including

1. Reinstating a question from the 2016 ASJ on the number of inmate deaths;
2. Adhering to Census Bureau's guidelines in collecting race and ethnicity data;
3. Collecting data on conviction status for inmates by offense severity category (felony, misdemeanor, and other);
4. Asking for racial breakdown of staff and officers;
5. Reinstating the question on numbers of inmates supervised outside jail in various programs;
6. Breaking down inmate counts by race and ethnicity within each sex and age group;
7. Challenging the value in collecting data on inmates U.S. citizenship status.

BJS plans to reinstate the question on numbers of inmates supervised outside jail in various programs (suggestion #5 above). BJS does not plan to collect death counts in the ASJ because BJA is tasked with capturing deaths in jail custody starting from 2020; collecting death counts in the ASJ will result in duplicate work. BJS will continue to use the existing race and ethnic categories (non-Hispanic white, non-Hispanic black, Hispanic, non-Hispanic American Indian and Alaska Natives, non-Hispanic Asian, non-Hispanic Native Hawaiian or Other Pacific Islander, Two or more races, and other) in the ASJ because they strike a balance between specificity and burden in collecting *aggregate* race data from jails. BJS will not adopt

suggestions #3, #6, and #7 because they add significant burden to jail respondents and will likely affect response rates as a result.

A member of the public suggested that the ASJ collect data on whether a jail's medical department has been surveyed and whether it is accredited, or not, by a national correctional organization such as the American Correctional Association (ACA), the National Commission on Correctional Health Care (NCCHC) or any nationwide correctional health accrediting body. While BJS understands the interest in these data, it will not adopt the suggestion for several reasons. First, the ASJ is focused on jail inmate population statistics and its limited scope does not include accreditation information of correctional medical departments. Second, individual jails' accreditation information is available from the ACA, so collecting it in the ASJ will result in duplicate work.

Other outside consultation

The updated ASJ instruments include three new items that were tested through a cognitive test under generic clearance OMB 1121-0339. During the cognitive test, BJS interviewed the following 33 jail respondents:

- Ms. Starr Ridley from Prince George's County Department of Corrections, MD
- Jail Administrator Elaine Davis from Kossuth County Sheriff's Office, IA
- Jail Administrator Jon Borgman from Newaygo County Sheriff's Office, MI
- Captain Roger Bodine from Yellowstone County Sheriff's Office, MT
- Captain Nick Gallam from Aiken County Sheriff's Office, SC
- Captain William Vaughn from Anderson County Sheriff's Office Detention Center, SC
- Commander Sean Doty from Lynnwood Police Department, WA
- Dr. Reena Chakraborty from D.C. Department of Corrections, DC
- Ms. Alissa Milbourne from Maricopa County Sheriff's Office, AZ
- Lieutenant Jason Ramos from Sacramento County Sheriff's Department - Main Jail, CA
- Ms. Carrie Breeden from Lee County Sheriff's Office, FL
- Captain Jared Schechter from Sedgwick County Sheriff's Office, KS
- Major Marco Giannetta from Philadelphia Department of Prisons, PA
- Jail Administrator Joey Pederson from Tri County Community Corrections, MN
- Major Julie Tipton from Cleveland County Sheriff's Office, OK
- Ms. Hope Goldman from Spartanburg County Detention Facility, SC
- Superintendent Jason J. Edgcomb from LaSalle County Jail, IL
- Administrative Secretary Kori Hebert from St. Charles Parish Sheriff's Office, LA
- Corp. Jessica Schuelke from Hays County Sheriff's Office, TX
- Ms. Debbie Richmond from South Central Regional Jail - West Virginia Regional Jail and Correctional Facility Authority, WV
- Jail Administrator Lori Leahy from Green Lake County Sheriff's Office, WI
- Sgt. Mark Beatley from Marion County Jail, IN

- Chief Deputy Pat Williamson from Jasper County Sheriff's Office, IN
- Sgt. George McCreless Jr. from Jefferson County Sheriff's Office, AL
- Capt. Sharon Piggs from Caddo Parish Sheriff's Office, LA
- Lieutenant Joe Vasquez from Hidalgo County Sheriff's Office, TX
- Ms. Tammy Zacherl from Bay County Jail Facility, FL
- Warden Carl Patrick from Morehouse Parish Sheriff's Office, LA
- Lieutenant CM Hicks from Pitt County Sheriff's Office, NC
- Lieutenant Calvin Moore from Loudoun County Sheriff's Office, VA
- Ms. Carrie Breen from Lewis County Sheriff's Office, WA
- Mr. Cortez Rainey from Division of Pretrial Detention and Services (DPDS), MD
- Sgt. Daniel Beck from Passaic County Sheriff's Office, NJ

The 2020 and 2021 ASJ instruments will include several new COVID-19 related questions in response to the public health emergency. BJS wrote the questions in April 2020 and consulted the following nine outside experts and jail respondents on question design:

- Executive Director Robert Kasabian from the American Jail Association
- Correctional health expert Dr. Ingrid Binswanger, MD, University of Colorado
- Acting Director Shaina Vanek from National Institute of Corrections, DC
- Dr. Reena Chakraborty from D.C. Department of Corrections, DC
- Ms. Myrna Petors from Prince George's County Department of Corrections, MD
- Ms. Hope Goldman from Spartanburg County Detention Facility, SC
- Lieutenant Paul Belli from Sacramento County Main Jail, CA
- Deputy Warden Marco Giannetta, Philadelphia Department of Prisons, PA
- Mr. Cortez Rainey from Division of Pretrial Detention and Services (DPDS), MD

Based on the 2018 cognitive test and the 2020 COVID-19 question test, BJS revised wording of some new questions (e.g., probation and parole violators, COVID-19 inmate and staff testing, and COVID-19 related releases) and removed some new items (including breakdowns of inmates by offense) from the instrument. In addition, instructions and question flow were revised to reduce respondent burden and improve data quality.

9. Paying Respondents

Participation in the surveys is voluntary and no gifts or incentives will be given.

10. Assurance of Confidentiality

The Bureau of Justice Statistics (BJS) is authorized to conduct this data collection under 34 U.S.C. § 10132. BJS, its employees, and its data collection agents will only use the information you provide for statistical or research purposes pursuant to 34 U.S.C. § 10134, and will protect it to the fullest extent under federal law. For more information on how BJS will use and protect your information, go to https://www.bjs.gov/content/pub/pdf/BJS_Data_Protection_Guidelines.pdf.

11. Justification for Sensitive Questions

There are no questions of a sensitive nature included in ASJ. In addition, the data collected and published from the ASJ are counts aggregated to the national level, from which the identity of specific persons cannot reasonably be determined.

12. Estimate of Hour Burden

The ASJ will collect data from approximately 950 reporting units (RU), representing all local jail jurisdictions (city, county, regional, and private) nationwide. The jail RUs are central reporters with jurisdictional authority over one or more jail facilities. Most jurisdictions have only one facility, although a few have more than one facility. BJS will contact these central reporters and request that they report data for all facilities under their jurisdictional authority.

Estimates of burden on respondents are based on the number of hours required to review the instructions associated with the instruments, search existing data sources, obtain information necessary to complete data collection instruments, and respond to any data quality follow-up calls from the data collection agent. These estimates are based on previous estimates of item burden, input received from external experts and jail respondents BJS consulted in the 2018 jail collection cognitive test and in the 2020 COVID-19 question test.

We estimate an average reporting time of 120 minutes for the survey form CJ-5 with the addendum on COVID-19 (Attachment B) in 2020 and 2021 and an average reporting time of 80 minutes for the form without the COVID-19 questions in 2022. If needed, jail respondents will be contacted by email or telephone to verify data quality issues. We estimate that data quality follow-up is needed for 70% of the respondents (665) each year and that the validation will run an average of 10 minutes for each respondent. In addition, we estimate that 60 jails each year will be contacted to verify facility operational status and point-of-contact information, which takes 5 minutes each on average. In total, the ASJ will incur a total burden estimate of 2,016 hours (see table 1), or 127 minutes per respondent, each year in 2020 and 2021 and 1,383 hours, or 87 minutes per respondent, in 2022. The estimated burden for the ASJ in 2020-2022 is higher than that for the 2018 ASJ due to the new questions (inmate counts by age group, non-U.S. citizen counts by conviction status and counts of probation, parole, and pretrial release violators) and the COVID-19 questions.

Table 1. Reporting mode and estimated burden					
<i>2020 and 2021 ASJ:</i>					
Primary reporting mode	Purpose of contact	Number of data providers (RUs)	Number of responses	Average reporting time	Estimated total burden hours
Web	Data collection	950	950	120 min	1,900 hrs
Email and telephone	Data quality follow-up validation	665	665	10 min	111 hrs
Email and telephone	Verify facility operational status and point-of-contact	60	60	5 min	5 hrs
Total					2,016 hrs
<i>2022 and 2023 ASJ:</i>					
Primary reporting mode	Purpose of contact	Number of data providers (RUs)	Number of responses	Average reporting time	Estimated total burden hours
Web	Data collection	950	950	80 min	1,267 hrs
Email and telephone	Data quality follow-up validation	665	665	10 min	111 hrs
Email and telephone	Verify facility operational status and point-of-contact	60	60	5 min	5 hrs
Total					1,383 hrs

13. Estimate of Respondent Cost Burden

We do not expect the data collections to incur any capital, startup, or system maintenance costs to respondents. The information requested is of the type and scope jails normally collect as part of their operations, and no special hardware or accounting software or system is necessary to provide information for this data collection. Furthermore, purchase of outside accounting or

information collection services, if performed by the respondent, is part of usual and customary business practices, not specifically required for providing information to BJS.

Based on the total burden hours at an average labor cost of about \$23.70 per hour (based on Bureau of Labor Statistics data: <https://www.bls.gov/oes/current/oes333012.htm>), we estimate that the labor cost to respondents will be approximately \$50.29 per jail (for a total of \$47,779) each year in 2020 and 2021 and \$34.50 per jail (for a total of \$32,777) in 2022.

14. Estimated Cost to the Federal Government

Total cost to the federal government for all aspects of the ASJ will be \$448,800. Currently, the division of labor for a data collection cycle of ASJ is as follows: The data collection agent (Research Triangle Institute (RTI)) maintains and updates the respondent contact information database, develops the web instruments, collects data through the web, fax, email, or mail, conducts follow-up, cleans data and impute missing data, and prepares a final dataset for BJS use. BJS staff design the survey forms, analyze the data, prepare statistical tables, and write reports based on these data.

Based upon contractual costs, the estimated costs to the government associated with the collection, processing, and publication of reports, and preparation of data tables are projected for 2019 in table 2 (below). A total estimated cost of \$448,800 is divided between RTI for respondent outreach efforts, data collection and follow-up, data imputation, and dataset preparation (\$311,000) and BJS for program management, analysis, and reporting and dissemination (\$137,800). Both BJS and RTI costs include salary, fringe, and overhead.

Table 2. Estimated costs for the 2020 Annual Survey of Jails		
BJS costs		
	Staff salaries	
	GS-14 Statistician (20%)	\$27,500
	GS-13 Statistician (40%)	\$46,500
	GS-15 Supervisory Statistician (1%)	\$1,600
	GS-15 Chief Editor (1%)	\$1,600
	Other Editorial Staff (3%)	\$3,000
	Front-Office Staff (GS-15 & Directors)	\$5,900
	Subtotal salaries	\$86,100
	Fringe benefits (33% of salaries)	\$28,700
	Subtotal: Salary & fringe	\$114,800

	Other administrative costs of salary & fringe (20%)	\$23,000
	Subtotal: BJS costs	\$137,800
RTI costs (data collection agent)		
RTI costs (salaries, fringe benefits, mail-out, fax, email and telephone follow-up, programming, table creation, and overhead)		\$311,000
Total estimated costs		\$448,800

15. Changes in Respondent Burden

The estimated burden of each iteration of 2020-22 ASJ (2,016 hours in 2020 and 2021; 1,383 hour in 2022s) is less than the burden of the application previously approved under OMB clearance No. 1121-0094 (2,711 hours). This is because the last OMB clearance includes three jail collections—ASJ, MCI-Jails, and SJIC. The burden for the current ASJ is greater than the portion attributable to the last approved ASJ (1,173 hours, not including data quality follow-up and facility verification) due to the added questions.

16. Project Schedule and Publication Plans

Each cycle of ASJ collection runs from early June through November 20 (see Part B for a detailed data collection schedule.) About one month after data collection closes, the data collection agent will deliver a clean and edited data file to BJS. During the next three years, BJS expects to publish the following standard reports and data products using ASJ data:

The **Annual Jail Inmates bulletin** (<https://www.bjs.gov/index.cfm?ty=pbse&sid=38>) presents state and national-level estimates of the number of inmates confined in local jails, by sex, race, and Hispanic origin. It will also provide information on changes over time in the incarceration rate, average daily population, number of admissions, expected length of stay, rated capacity, percent of capacity occupied, and inmate-to-correctional officer ratios, as well as the number of inmates confined to jail and persons admitted to jail during the year by jurisdiction size.

The ASJ data will be incorporated into the annual **Correctional Populations in the United States bulletin** (<https://www.bjs.gov/index.cfm?ty=pbse&sid=5>). This report will present statistics on persons supervised by U.S. adult correctional systems, including persons supervised in the community on probation or parole, and those incarcerated in state or federal prison or local jail.

BJS will archive the ASJ data at the National Archives of Criminal Justice Data (NACJD) (<https://www.icpsr.umich.edu/icpsrweb/ICPSR/series/7>) about one month after release of the annual ASJ bulletin.

Table 3. 2020-22 ASJ Publications		
Publication type	Title/topic of publication	Estimated publication date
Special Report	Impact of COVID-19 on Local Jails, 2020	Spring 2021
Bulletin	Jail Inmates, 2020	Winter 2021
Bulletin	Correctional Populations in the United States, 2020	Winter 2021
Online Data Tool	Corrections Statistical Analysis Tool – Jail Inmates	Winter 2021
Data Archive	Annual Survey of Jails-Jail Level Data, 2020	Spring 2022
Bulletin	Jail Inmates, 2021	Winter 2022
Bulletin	Correctional Populations in the United States, 2021	Winter 2022
Data Archive	Annual Survey of Jails-Jail Level Data, 2021	Spring 2023
Bulletin	Jail Inmates, 2022	Winter 2023
Bulletin	Correctional Populations in the United States, 2022	Winter 2023
Data Archive	Annual Survey of Jails-Jail Level Data, 2022	Spring 2024

17. Expiration Date Approval

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

18. Exceptions to the Certification

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