Paperwork Reduction Act Submission

Supporting Statement

Agency: National Institute of Justice (NIJ)
Title: Juvenile Residential Facility Census (JRFC)
Form: CJ-15
OMB No.: 1121-0219 (current approval expires 10/31/2019)
Request: Extension, without change, of a currently approved collection

A. JUSTIFICATION

1. Necessity of Information Collection

The National Institute of Justice (NIJ), in partnership with the Office of Juvenile Justice and Delinquency Prevention (OJJDP), is seeking an extension of a currently approved collection, the Juvenile Residential Facility Census (JRFC). The JRFC is a biennial data collection (form CJ-15) sent to facilities that house juvenile delinquent and/or juvenile status offenders. The JRFC requests information about facility operations and services, including: the security procedures in the facility, the number of beds used, and the education, mental health, and substance abuse treatment in the facility. Additional information such as the use of isolation, escapes or runaways from the facility, and deaths of young persons assigned a bed in the facility are also collected.

Since 1971, the Department of Justice (the Department) has taken a strong interest in juveniles in custody, the operation of the facilities in which they are located, and the services available to them while in custody. In 1971, the Department began a census of juveniles in custody known as the Children in Custody (CIC) Census (more formally: *The Census of Public and Private Juvenile Detention, Correctional, and Shelter Facilities*). OJJDP took over the operations of this census in 1974, upon authorization of the Juvenile Justice and Delinquency Prevention Act. In 1993, OJJDP began a broad, long-term examination and revision of its data collection efforts covering juveniles in custody. This effort included extensive consultation with experts interested in the data produced, discussions with respondents, and extensive testing of questions and methodologies. In 1997, OJJDP conducted the first Census of Juveniles in Residential Placement (CJRP)[1] replacing the population component of the former the CIC data collection.

1 CJRP collects individual level data on youth being held in residential placement resulting from contact (i.e., arrest, probation revocation, etc.) with the justice system. As the complement to the JRFC, the CJRP is used to collect information on juvenile offender characteristics (e.g., age, sex, race/ethnicity). The CJRP was collected in 1997, 1999, 2001, 2003, 2006, 2007, 2010, 2011, 2013, 2015, and 2017.

Concurrently, development of the JRFC commenced in 1996. The testing phase was completed in 1999 when the final report on the October 1998 field test was provided to OJJDP. The JRFC was subsequently fielded in 2000 and every other year since.

OJJDP is authorized to conduct this data collection under the JJDP Act of 1974, as amended (see Attachment A). The JJDP Act was reauthorized in December 2018 through the Juvenile Justice Reform Act of 2018 (Public Law No. 115-385).[2]

In fiscal year 2019, the Department transferred OJJDP's research, evaluation, and statistical functions, activities, and staff to NIJ, including the management of the JRFC (and CJRP). As such, NIJ is working in collaboration with OJJDP and its data collection agent, the U.S. Census Bureau, to elevate and advance this work for the juvenile justice community.

NIJ is authorized to conduct this data collection under the Omnibus Crime Control and Safe Streets Act of 1968. Copies of the relevant sections of the NIJ authorizing language are included in Attachment B of this OMB package.

The JRFC complements the CJRP, which is a biennial census that collects information on the characteristics and legal attributes of youth held in the same juvenile facilities included in the JRFC. The JRFC is administered during the even numbered calendar years, while the CJRP is administered in odd numbered years. The JRFC has been conducted ten times since 2000. The most recent collection year for the JRFC was 2018. NIJ anticipates the next JRFC will be conducted in October 2020.

The 2020 JRFC instrument (see Attachment E) will also include additional questions to describe juvenile residential facilities' experience with and response to the Coronavirus pandemic (COVID-19):

a. (5b) Whether the facility had any persons assigned to a bed on 10/28/20 because the facility was permanently closed, temporarily closed or another reason;
b. (5c) The reason(s) why there were no persons assigned beds on 10/28/20, including: facility no longer under contract to hold juvenile offenders, facility was/is under renovation, Coronavirus pandemic (COVID-19)? - suspected or confirmed cases, Coronavirus pandemic (COVID-19)- population moved as a precaution, other;
c. (7b) The reason(s) why there were no persons under age 21 assigned beds on 10/28/20, including: facility no longer under contract to hold juvenile offenders, facility was/is under renovation, Coronavirus pandemic (COVID-19)? - suspected or confirmed

2 H.R.6964 became Public Law No. 115-385 on December 21, 2018.

cases, Coronavirus pandemic (COVID-19)? - population moved as a precaution, other;

d. (6-3) A response option was added to an already existing item about the cause of death, to include COVID-19 as a response option;
e. (8-1) The steps taken to address the Coronavirus pandemic (COVID-19). Response options are grouped into categories including Social Distancing, Personal Protective Equipment, Facility Cleaning and Facility Access.
f. (8-2/a/b/c) If the facility had access to Coronavirus pandemic (COVID-19) testing, when the facility first obtained access to testing, and which young persons were tested;
g. (8-3/a/b) The number of Coronavirus (COVID-19) tests that were conducted and the number of tests that were positive.
h. (8-4/a/b/c/d) The number of young persons assigned beds in the facility that tested positive for Coronavirus (COVID-19), the number of young persons assigned a bed because they were charged with or court-adjudicated for an offense that tested positive, the number of young persons assigned beds for reasons other than offenses that tested positive, and the number of staff employed in the facility that tested positive.

In designing these questions, the Census Bureau worked with NIJ and OJJDP to gather feedback from subject-matter experts and completed cognitive interviews with nine eligible respondents.[3]

2. Needs and Uses

In 1988, Congress required OJJDP to conduct a systematic study of the conditions of confinement in secure juvenile facilities. The Conditions of Confinement (CoC) study brought to light a number of important issues concerning the treatment, safety, security, and services of juveniles in such facilities.[4] The CoC study (1) collected and analyzed data on conditions of confinement in public and private juvenile facilities, (2) determined the extent to which conditions were consistent with those required by nationally recognized standards for juvenile confinement facilities, (3) suggested explanations for variations in conformance to standards among facilities, and (4) assisted OJJDP in formulating recommendations for improving conditions of confinement. Findings from this study highlighted the importance of understanding conditions of confinement and were used to inform the development of the JRFC. Specifically, the study authors recommended that OJJDP modify the CIC (the precursor to the JRFC) to regularly collect information from facilities

3 U.S. Census Bureau. *Creating a COVID-19 Addendum for the 2020 Juvenile Residential Facility Census: Recommendations from Cognitive Testing*. July 29, 2020.

4 Parent, D.G., Leiter, V., Kennedy, S., Livens, L., Wentworth, D., and Wilcox, S. (1994). Conditions of Confinement: Juvenile Detention and Corrections Facilities. Washington, DC: United States Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

including data on isolation and searching, incidence of injuries, escapes, suicidal behavior, and average duration of confinement. These elements were eventually incorporated into the JRFC.

The data collected from the JRFC has, and will continue to, inform the public's understanding of residential facilities in the United States holding youth within the juvenile justice system. Facilities included in the JRFC represent a wide range of facility types: secure and nonsecure; public (state or local), private, and tribal; and long-term and short-term holding. No other single data collection at the national or state-level, collects the detail of information gathered by this census. Specifically, the JRFC collects information on the following:

- facility characteristics, including size, structure, security arrangements, and ownership;
- use of bedspace in the facility, which indicates whether the facility is overcrowded;
- the type of facility, such as detention center, training school, or group home;
- other residential services that the facility provides, such as independent living, foster care, or other arrangements;
- health care, education, substance use treatment, and mental health treatment provided to youth in these facilities;
- use of screenings or assessments conducted to determine counseling, education, health, or substance use treatment needs;
- conditions of confinement, including the restraint of youth, the use of isolation to control behavior, and improper absences from the facility; and
- number of deaths of juveniles in custody.

A critical aspect in continuing the current progress is the consistent and routine monitoring of these conditions. This survey contains several elements designed to track nationally and at the state-level, the conditions of juveniles in confinement (both secure and non-secure).

Currently, NIJ and OJJDP consult with the data providers and others in the juvenile justice and corrections field on an ongoing basis to ensure that the information being collected is relevant and useful. See Sections 4 and 8 of the Supporting Statement for more information regarding consultation with experts and others. NIJ and OJJDP also work diligently to ensure that JRFC findings are made available to practitioners in the field and the general public. For example, OJJDP publishes a *Juvenile Residential Facility Census* bulletin following each collection cycle.[5] JRFC findings and data are also published through the OJJDP Statistical

5 Hockenberry, S. and Sladky, A. (2018). Juvenile Residential Facility Census, 2016: Selected Findings. *National Report Series Bulletin*. NCJ 251785, Washington, DC: United States Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.

Briefing Book website, which includes numerous dynamic data tables, charts, and maps, with accompanying text interpretations that answer a wide range of questions about juveniles in corrections.[6] The interactive data analysis tool developed by OJJDP facilitate independent analysis of aggregate national and state-level JRFC data on the characteristics of residential placement facilities, including detailed information about facility operation, classification, size, and capacity.[7] Nearly half of all page views on the OJJDP website are to its Statistical Briefing Book and the web resources based on JRFC and CJRP are among the most visited. See Section 16 of the Supporting Statement for more information about dissemination of results and availability of the data for secondary analyses.

OJJDP submits an Annual Report to Congress, that describes trends in and characteristics of juvenile offenders in residential placement not limited to information on offense and demographic profiles, and information on deaths in custody, consistent with the reporting requirements outlined in the previous section,.[8] JRFC data are used to respond to information requests from the White House, Congressional offices, other federal agencies, state and local government agencies, policymakers, practitioners, researchers, the news media, and the public. In fact, a number of other federal agencies rely on the JRFC data for use in their own reports and publications (see Section 6 of the Supporting Statement for additional information about these efforts).

In fiscal year 2018, OJJDP issued a competitive solicitation, “Redesign Study of OJJDP's Juveniles in Corrections Data Collections,” to assess and improve the data collection instruments and methodologies currently used in the JRFC (and CJRP).[9] A cooperative agreement, managed by NIJ, was awarded to RTI International (RTI) will result in new instrumentation and enhanced methodologies that will improve the federal government’s ability to interpret and report the national and state-level characteristics of and trends in juvenile offenders in out-of-home placement (and the facilities in which they are held). As part of this effort, RTI will engage with NIJ, OJJDP and external experts to assess the utility and relevance of the items and evaluate gaps in the current JRFC (and CJRP) instruments to determine if they adequately capture recent changes in facility operations and service delivery; current federal legislative requirements (including the 2018 reauthorization of the JJDP Act); and other contemporary juvenile justice issues. While this work is

6 OJJDP Statistical Briefing Book. Juveniles in Corrections. Available: https://www.ojjdp.gov/ojstatbb/corrections/faqs.asp

7 Puzzanchera, C., Hockenberry, S., Sladky, T.J., and Kang, W. (2018). "Juvenile Residential Facility Census Databook." Available: https://www.ojjdp.gov/ojstatbb/jrfcdb/

8 OJJDP Annual Reports. Available: https://www.ojjdp.gov/about/annualreports.html

9 OJJDP FY 2018 Redesign Study of OJJDP's Juveniles in Corrections Data Collections. Available: https://www.ojjdp.gov/grants/solicitations/FY2018/JuvinCorrectionData.pdf.

underway, the JRFC collection will be maintained in its current capacity to ensure the Department is responsive to legislative requirements and can monitor trends; however, NIJ and OJJDP expect the recommendations that result will be submitted for OMB review and implemented in subsequent data collections cycles (following the current requested extension period).

3. Use of Information Technology

NIJ, OJJDP, and the Census Bureau are committed to decreasing the burden of data collection and costs for both respondents and collectors, as well as increasing data quality by promoting electronic data submission (see Attachment D for screenshots of the electronic form). Electronic submission allows the data providers the ability to fill out an electronic form via the respondent web application, fill out a spreadsheet template, or submit a data file created by running a program which can be written once and reused to pull data for multiple years. For the data collectors, electronic submission results in less time being spent on manually entering data, hence improving data quality--since data pulled directly from the respondents' data systems are not subject to human error created when transposing data from paper to computer. To ensure that a particular data format is accepted, the Census Bureau encourages respondents to contact them with any inquiries regarding electronic data submission. The Census Bureau has taken advantage of the variety of electronic means of data submission, as this option typically reduces the burden and costs for both the respondent and the data collector. Along with these savings, the data are cleaner and less prone to error when collected directly from the respondents' own systems.

Plans for electronic submission of data for the CJRP began during the design phase in 1996. Since the first CJRP collection in 1997, with each initial mailout, all respondents have been provided with the option of submitting data electronically through the Census Bureau's secure, online data collection application. To reduce burden on respondents and facilitate more timely/accurate submission, the Census Bureau is committed to accepting a number of different data submission formats, including:

- Respondents' own spreadsheets;
- Respondents' own reports (i.e., data submitted in Word, pdf, txt, etc.);
- Census-created template to upload data;
- Data entered manually online;
- Data received via mail; and
- Data provided via telephone.

Beginning with the 2011 CJRP collection, the Census Bureau provided an online Web reporting form option to reduce the burden on respondents. (The screenshots of the Web form and a copy of the paper form are available in Attachments D and E, respectively.) The Bureau's secure servers use "HTTPS" (Hypertext Transfer Protocol over Secure Socket Layer) to ensure the encrypted transmission of data between the respondents' browser and the Bureau. This means that instead of sending readable text over the Internet, both the respondents' and the Census Bureau's servers encode (scramble) all text using a security key. That way, personal data sent to the respondents' browser or data the respondent sends back is extremely difficult to decode in the unlikely event it was intercepted by an unauthorized party. All browsers connecting to the Census Bureau's secure server must use a minimum encryption key size of 128 bits.

All respondents who use the Web reporting form option are given a unique username and password. The passwords contain the following characteristics: 12 characters, 1 uppercase character, 1 lowercase character, 1 number, and at least 1 special character from the following: ! # $ * $? ~. All respondents are locked out of the Web site upon submission of their data. However, using their unique username and password, they can return at any time to retrieve a copy of their data in PDF format.

The Web reporting option, first offered for the 2008 JRFC, has proven to have growing popularity among respondents and have increased each data collection. From 2010 to 2018, the percentage of online data submissions doubled, increasing from 30.5 percent to 60.6 percent. From 2016 to 2018, web data submissions increased from 54.2 percent to 60.6 percent, continuing to make online submissions the most popular method of return (see Table 1). Mailed submissions have dropped from 47.6 percent in 2010 to 29.6 percent in 2018. The remaining 9.7 percent of submissions were received in 2018 via fax, phone, or electronic transfer.

Table 1. Distribution of Method of Response, 2018

	Frequency	Percentage
Total	1,902	100.0%
Mail	563	29.6%
Fax	25	1.3%
Phone	73	3.8%
Web	1,153	60.6%
Electronic Transfer	88	4.6%

Other	--	--

Note: 2018 = 2018 JRFC Respondents as of May 2019

Figure 1. Method of Response by Collection Year (Percentage)

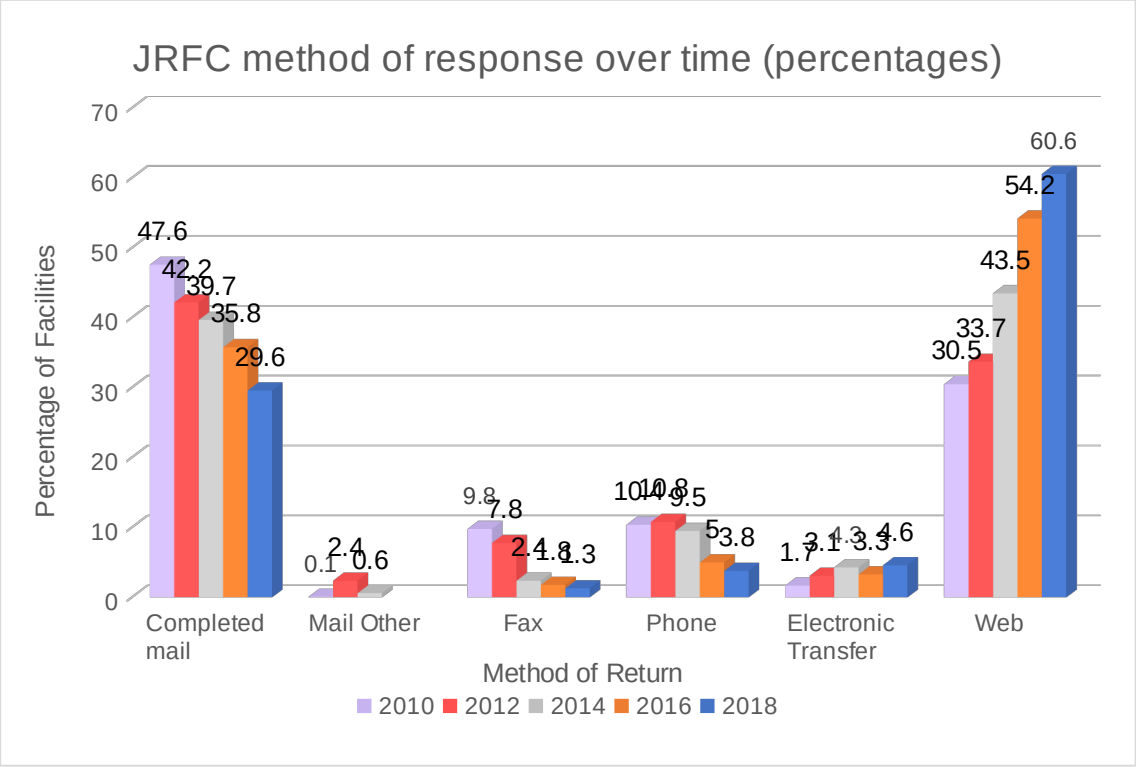
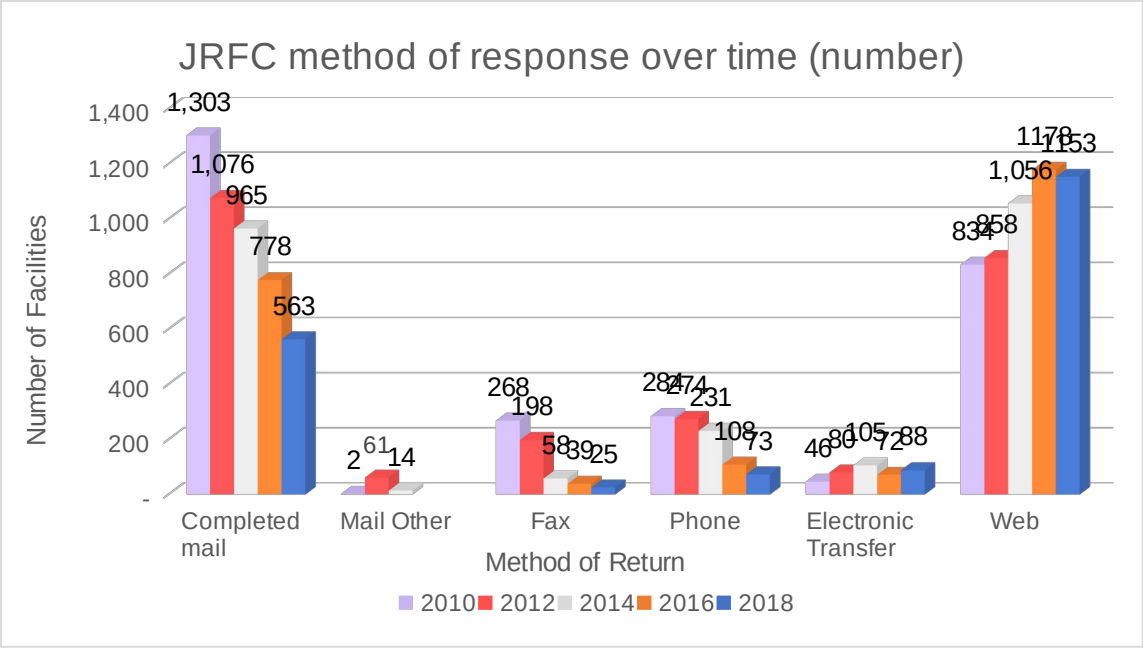


Figure 2. Method of Response by Collection Year (Number)



Note: 2018 = 2018 JRFC Respondents as of May 2019

4. Efforts to Identify Duplication

NIJ, OJJDP, and the Census Bureau take numerous steps to identify all sources of statistical information on youth involved in the juvenile justice system; however currently, no other entity routinely and systematically collects the type of data on juvenile facilities found in the JRFC and required by Congress. Indeed, other federal agencies often turn to NIJ and OJJDP for information on the services provided by juvenile correctional facilities.

In an effort to avoid duplication and assist its federal agency partners, NIJ and OJJDP have collaborated with (or recently assisted) the Bureau of Justice Statistics (BJS) and the Department of Education's National Center for Education Statistics (NCES) and Office of Civil Rights (OCR). (See Section 6 for more information about collaboration among federal agencies.) Note also that both the BJS and ED collections have different purposes, priorities, and schedules than the CJRP.

Specifically, OJJDP provided BJS with an updated roster of the juvenile residential facilities for use in the 2018 National Survey of Youth in Custody (NSYC-3). The NSYC-3 is part of BJS's National Prison Rape Statistics Program. BJS's NSYC collects data on the incidence and prevalence of sexual assault in juvenile facilities under the Prison Rape Elimination Act of 2003 (PREA; P.L. 108-79) and is collected episodically. Representatives from OJJDP participated in two workshops to provide expertise and consultation on questions that were added to the NSYC to reduce the possibility of unnecessary or redundant data collection efforts. Additionally, the roster of juvenile residential facilities

has been used in a similar fashion to sample facilities for BJS's Survey of Sexual Victimization (SSV). BJS's SSV is collected annually and is a complete enumeration of all state operated facilities and a sample of locally-run facilities.

OJJDP also has an agreement to provide information to BJS on juvenile deaths collected from the JRFC and CJRP to comply with the mandate of the Deaths in Custody Reporting Act (DICRA) of 2013 (see Attachment C) which charges the United States Attorney General to collect information on the "death of any person who is detained, under arrest, or is in the process of being arrested, is en route to be incarcerated, or is incarcerated at a municipal or county jail, State prison, State-run boot camp prison, boot camp prison that is contracted out by the State, any State or local contract facility, or other local or State correctional facility (including any juvenile facility)." Rather than initiating an additional collection to capture this information, it is anticipated that findings from the 2020 JRFC will be aggregated with BJS data on adult prisons and jails for inclusion in BJS's DICRA report.

OJJDP has also assisted the Department of Education (ED)'s Office of Civil Rights (OCR) Civil Rights Data Collection (CRDC) efforts. Currently the CRDC does not collect data from juvenile facilities, nor any information about the youth housed in these facilities. The Department of Education's CRDC collection is used for "enforcement and monitoring efforts regarding equal educational opportunity." While Census confidentiality statutes as well as the "Federal Assurance of Confidentiality" sent to each facility, limits the information that OJJDP can share for non-research (i.e., civil rights enforcement) purposes, OJJDP consulted with its Office of General Counsel (OGC) and determined that the roster of public juvenile facilities could be shared with OCR in 2015. Most recently, OJJDP also provided OCR with pre-release, aggregate state-level data from the JRFC in April 2016.

Finally, to ensure this information is not collected by other non-federal entities, the NIJ, OJJDP, and the Census Bureau continue to monitor the research literature. All such reviews have indicated that JRFC-type information is not independently available through other means. While some states and localities maintain similar information, it is often incomplete and such localized information sources do not cover the entire country, which is the intent of the JRFC.

This is also true for new questions on juvenile residential facilities' experience with and response to COVID-19. While other external organizations such as the Sentencing Project and the National Commission on Correctional Healthcare (NCCHC) track publicly reported or voluntarily reported information on juvenile cases, there is no

comprehensive national collection on cases, deaths, releases, and facility practices related to COVID-19.

5. Efforts to Minimize Burden

As noted above in Section 3, efforts have been made in the design of the JRFC to minimize burden. Respondents are given the option of submitting data electronically through the Census Bureau's secure, online data collection application. The Web reporting form option reduces respondent burden by building in automatic skip patterns based on answers to previous items and allows for internal edit checks. The system also allows for respondents to complete the form at their convenience and in multiple sessions, if needed.

Respondents are provided the statement of statutory and policy protections of confidentiality, as well as the burden statement along with the paper cover letter that accompanies the mailed (paper) JRFC form (see Attachment E). As part of the collection process, respondents are encouraged to read the frequently asked questions in the "FAQs" section of the Census Bureau's online form or call a 1-800 number for assistance with electronic submissions.

Since this is a facility-based census, the aim is to obtain one completed form for each facility. However, many states have identified a designated central reporter, who is then responsible for completing and sending in the forms for some or all public facilities. Similarly, some private agencies operate more than one juvenile facility and have indicated that they can serve as an umbrella reporter to receive and complete forms for all of their designated facilities. As such, the Census, OJJDP, and now NIJ have worked with states and agencies to identify "central reporters" who can report for multiple respondents, wherever possible. This approach reduces respondent burden and helps to standardize the responses by agency so that they are consistent and errors are minimized.

Finally, as part of the ongoing effort to develop recommendations for improving the JRFC (noted in Section 2), NIJ and OJJDP will be working with RTI to identify new strategies with the potential to reduce respondent burden and enhance response rates in a cost-efficient manner.

6. Consequences of Less Frequent Collection

If this data collection does not proceed, NIJ and OJJDP will not have the information necessary to respond to Congressional and Presidential reporting mandates. This includes mandates included in the Juvenile

Justice Delinquency Prevention Act (see Attachment A) and the Deaths in Custody Reporting Act (see Attachment C). Additional, potentially more burdensome supplemental data collections would be needed to address the issues covered in this collection; and federal, state, and local policymakers would need to rely on anecdotes or incomplete and inaccurate data rather than on comprehensive, federally-collected data in developing juvenile justice policy. Without this data collection, comparable national and state-level data would not be available to policymakers, practitioners, and the general public; and OJJDP, federal, state and local agencies would not have important information to develop programs for youth in residential placement and monitor trends in facility conditions and services.

Without the JRFC, there would be no ability to provide a current, comprehensive juvenile facility frame for related federal, sample-based data collections that are also required by statute, as noted previously in Section 4. Additionally, a number of other federal agencies and initiatives rely on JRFC data for their own reports and publications, and without this collection these efforts to understand and track information on juvenile facilities would be severely hampered. For example, OJJDP has regularly provided JRFC data to the Department of Health and Human Services to update an indicator for its Healthy People initiative. JRFC data are used to track measure, MHMD-7: *Increase the proportion of juvenile residential facilities that screen admissions for mental health problems*. OJJDP has also provided biennial JRFC data to the Office of National Drug Control Policy (ONDCP), to update ONDCP's Performance Reporting System, part of their annual National Drug Control Strategy. JRFC data are used to report on Measure 4.1: *Percent of residential facilities in the Juvenile Justice System offering substance abuse treatment*. Finally, OJJDP has successfully worked to include data from its juvenile corrections collections in the Federal Interagency Forum on Child and Family Statistics (Forum), *America's Children in Brief: Key National Indicators of Well-Being, 2018* report and the Department of Education's National Center for Education Statistics (NCES), *Indicators of School Crime and Safety* report. NIJ and OJJDP continue to work to identify opportunities for collaboration and inclusion of relevant JRFC and CJRP data.

A variety of non-federal entities also routinely analyze and disseminate JRFC data, including but not limited to the Annie E. Casey Foundation's National KIDS COUNT Project, the Pew Charitable Trusts Public Safety Performance Project issue briefs, the Child Trends DataBank, and the MacArthur Foundation funded Juvenile Justice, Geography, Policy, Practice & Statistics website.

7. Special Circumstances Influencing Collection

The special circumstances listed in the instructions for OMB Form 83-I do not apply to this data collection for the following reasons:

- The census will be biennial (not quarterly or more frequently);
- The respondents will have more than 30 days to respond;
- Only one copy of the document will be requested;
- The collection does not require respondents to maintain records beyond the data collection itself;
- The collection is designed to be a census of juveniles in custody on the reference date and, as such, will produce valid and reliable results;
- NIJ will not require reporting of statistical data that have not been approved by OMB;
- The pledge of confidentiality provided with the data collection derives directly from statute (see Attachment G for 34 U.S.C. 10231); and
- The collection does not request proprietary information.

8. Adherence to 5 CFR 1320.8(d) and Outside Consultation

The Department of Justice announced the data collection in the *Federal Register* in accordance with 5 CFR 1320.8(d). The 60-day Federal Register notice was published on April 24, 2019 (Federal Register, Vol. 84, No. 79, page 17202). The 30-day Federal Register notice was published on June 28, 2019 (Federal Register, Vol. 84, No. 125, pages 31107-31108). NIJ would have responded to all questions and comments on the CJRP, however no public comments were received in response to this notice.

During the development phases of this project, OJJDP consulted extensively with experts in the field. These consultants provided expert advice on the operations and population of the specific facilities. Currently, NIJ social scientists consult with OJJDP programmatic staff as well as staff at the Census Bureau and experts at the National Center for Juvenile Justice to determine the value of the information being collected, the phrasing and content of questions, and the form structure. NIJ and OJJDP also rely on experts in the field of juvenile corrections to advise the agency regarding needed changes, deletions, or additions to the form. This information is gathered through conferences, regional meetings with State Juvenile Justice Specialists, and internal agency meetings. A list of the individuals directly involved in informing the JRFC data collection is included in Attachment I.

NIJ and OJJDP have also consulted with the Bureau of Justice Statistics (BJS) on its administration of the JRFC. Statisticians from BJS have

consulted on JRFC regarding a variety of topics, not limited to frame maintenance, facility ID structure, and instrument content. The agencies have also agreed to coordinate their collection of deaths in custody information in response to the Deaths in Custody Reporting Act (Attachment C). (Detailed juvenile facility death information is collected by OJJDP via the JRFC and CJRP.) NIJ social scientists continue to work closely with BJS staff to share JRFC information that may pertain to BJS's National Survey of Youth in Custody (NYSC) and provide substantive expertise globally on juveniles in residential confinement. This ongoing effort allows NIJ, OJJDP, and BJS to leverage resources, avoid duplication, and potentially link data sets for future analyses. Most recently, BJS staff have reviewed this OMB PRA package for the 2020 JRFC and provided recommendations which NIJ has responded to and incorporated into the final document.

Starting in 1993, OJJDP and the Census Bureau's Center for Survey Methods Research (CSMR) worked together to develop and improve the JRFC and CJRP questionnaires. During the development period, CSMR staff visited more than 50 individual facilities, asking very specific questions about the operation of the facility, the format of the questionnaire, and the facility's ability to complete the form. Also important during the development and testing phase was minimizing the burden placed on the respondents, because both OJJDP and CSMR understood fully that an overly burdensome form would result in high nonresponse rates.

Since the first collection, OJJDP and the Census Bureau have developed a broad range of formal and informal relationships with the data providers. These data providers serve as a network of support for the project by providing updates on facility lists, comments on publications, information about juvenile corrections, and reviewers for questionnaire drafts. The Census Bureau has worked with data providers to help them set up reporting systems that fit with the JRFC reporting mechanisms, thereby decreasing the burden on a number of the data providers. While pilot testing of the form for the upcoming 2020 collection has not been conducted, the collection's history of high response rates and the ongoing, annual use by other federal agencies and the public demonstrate its ongoing value, utility, and relevance for the field.

In March and April 2019, the U.S. Census Bureau conducted outreach to eligible respondents to learn more about their challenges with responding to the JRFC and CJRP. The sessions were conducted by telephone and lasted one hour. Nine respondents were interviewed, representing 1,042 offenders in 57 facilities. The findings indicate that most respondents prefer advanced notice at the beginning of the data collection (reference date), which occurs during the fourth week in October biennially. Eight out of nine respondents indicated that they could provide data if the collection occurred during the first quarter of the calendar year. One respondent cited state audits, licensing, and inspections as the reason why a first quarter data collection would be inconvenient. Various reasons were given for not participating in the most recent collection cycle (2017 CJRP). Five respondents stated that there was a different respondent during the previous data collection cycle or the data request did not reach the appropriate staff. Other reasons were: the respondent had too much paperwork; the information was not immediately available while submitting; the respondent thought the survey had already been completed; and the respondent does not track offender information because very few offenders are placed in the facility (most youth are abused/neglected/non-offenders).

In April 2020, the U.S. Census Bureau drafted new questions relating to the Coronavirus (COVID-19) pandemic. The draft was reviewed by experts from NIJ, OJJDP, the National Center for Juvenile Justice (NCJJ), the Council of Juvenile Justice Administrators (CJJA), and Research Triangle Institute (RTI). Simultaneously, the draft underwent an expert review by the U.S. Census Bureau's Data Collection Methodology and Research (DCMR) Branch. After revisions based on expert review, the Census Bureau conducted cognitive interviews with nine eligible respondents selected with consideration to geographic location, size of juvenile population, ownership status, and potential experience dealing directly with COVID-19. The cognitive interviews yielded important insights on data availability, question wording and flow, and estimated burden. The cognitive test resulted in removing certain terminology and questions (e.g., on "suspected" cases), as well as reorganization to reduce respondent burden and improve data quality. In addition, as noted under Section 2, NIJ is currently overseeing a separate project to develop, improve, and test data collection instruments and methodologies for OJJDP's juveniles in corrections data collections, including the JRFC and CJRP. NIJ and OJJDP expect these improvements will be submitted for OMB review and implemented in future data collections cycles (following the current requested extension period).

Finally, federal social science staff at NIJ (and previously at OJJDP) connect with JRFC respondents at national conferences and meetings, including:

- The National Juvenile Court Data Archive workshops, most recently in 2016 (Louisville, KY), 2017 (Tempe, AZ), and 2018 (Greenville, SC). In a significant number of states data providers for juvenile court data also provide juvenile correction data, so the workshops are an important venue to discuss common issues and topics such as data sharing and privacy/security concerns.

- The Council of Juvenile Justice Administrators Winter Meetings in 2018 and 2019.[10] State juvenile correctional agency administrators have historically been critical to JRFC collections, either as direct data contributors or as the key authority for encouraging facility participation. These meetings provide an opportunity to educate and inform the field about the latest data from the national juvenile corrections data collection efforts; to encourage engagement and participation from state agency administrators; to discuss strategies for improving the quality, coverage, and timeliness of the data; and to share data resources.

9. Paying Respondents

NIJ and OJJDP do not compensate respondents who participate in this data collection. Participation is voluntary.

10. Assurance of Confidentiality

All information tending to identify individuals (including entities legally considered individuals) will be held strictly confidential according to Title 34, United States Code Section 10231. A copy of this section is included with this submission as Attachment G. Regulations implementing this legislation require that NIJ and OJJDP staff and contractors maintain the confidentiality of the information and specify necessary procedures for guarding this confidentiality. These regulations (28 CFR Part 22) are also included in Attachment H. The cover letter that accompanies the JRFC notifies persons responsible for providing these data that their response is voluntary and the data will be held confidential. A copy of this letter, along with the necessary notification, is included in Attachment F this package, and the JRFC form is included in Attachment E.

10 Census Bureau staff responsible for managing the JRFC and CJRP data collection activities joined NIJ staff at the Council of Juvenile Justice Administrators Winter Meeting in January 2019 and the Summer Meeting in August 2019.

11. Justification for Sensitive Questions

NIJ and OJJDP's interests would not be served if many facilities declined participation due to particularly sensitive questions. Therefore, NIJ, OJJDP, and the Census Bureau have paid particular attention to the views of the respondents toward particular issues and questions. All questions deemed too inflammatory or sensitive were removed (such as questions about severe disciplinary actions) during the pretesting stage. The final tests of the questionnaire, as well as the ten JRFC administrations to date, indicate that most respondents do not consider the questions too intrusive or sensitive. However, one set of questions still has a sensitive nature: the final section on deaths in the facility.

Congress mandates in the JJDP Act that OJJDP report on the number of deaths to youths in custody. Under Section 207 of the Act, Congress requires OJJDP to include in its annual report the number of juveniles who died while in custody and the circumstances under which they died. OJJDP previously asked about the annual number of deaths to youths in custody on the Census of Public and Private Juvenile Detention, Correctional, and Shelter Facilities, the precursor to JRFC and CJRP. Since 2000, the JRFC has been the mechanism used by OJJDP to gather this information.

In 2016, the most recent year for which there is final data, facilities reported 6 deaths. While juvenile deaths in custody are rare, they can be indicative of the conditions in the facilities. In order to develop policies affecting the safety and security of persons in these facilities, it is vital to know what circumstances can potentially lead to death. For example, a substantial number of all deaths in custody arise from suicides. Knowing this fact, administrators, policy makers and staff can take appropriate action to assure that youth in danger of suicide receive appropriate treatment and attention. Similarly, if a substantial number of persons are killed by other residents, policy makers can take appropriate action to defuse any potentially dangerous situations.

During the two stages of interviews and the feasibility test undertaken to develop and test the JRFC, as well as the ten administrations of the census so far, no facility has indicated any problem with reporting the death of a youth under their care. Even in cases where the death may have been preventable, the facilities have sufficient trust in NIJ, OJJDP, and the Census Bureau to report these instances. As with any confidential data, NIJ and OJJDP take all due precautions to assure that information of this kind which facilities consider sensitive will not be released in such a way as to disclose the particular facility involved.

12. Estimate of Respondent Burden

NIJ and OJJDP estimate the average time to complete the form to be two hours and 40 minutes, with the inclusion of the new COVID-19 questions. While there was no pilot testing of the 2020 form, the original national field test, subsequent administrations of the JRFC, and analysis of the JRFC paradata are a sufficient source for the burden estimates. The Census Bureau analyzed 2018 JRFC paradata available to date from its online data collection system (Centurion) which show that the average time spent in the system in less than one hour (see Figures 3 and 4). However, this is unlikely to represent the entire amount of time spent gathering records. There may be some burden differences due to differences in facility characteristics, staffing and services provided. However, there should not be a difference in burden based upon whether the facility is a public- or privately- operated facility.

The number of respondents in the facility universe decreased to 2,031 for the current collection cycle. It is estimated that 1,848 respondents will complete the entire core questionnaire in an average of 2 hours per respondent (2 hours x 1,848 facilities= 3,696 hours). The one-time inclusion of the COVID-19 related content will add an estimated 40 minutes, on average, to the response burden for those who complete the section (40 minutes x 1,848= 1,232 hours). It is anticipated that approximately 10 percent or 185 facilities will provide critical item data only by phone during nonresponse follow-up calls taking on average 10 minutes (10 minutes x 185 facilities= 30.8 hours). It is also anticipated that approximately 10 percent or 185 facilities will provide updated contact information on calls taking an average of 5 minutes (5 minutes x 185 facilities= 15.4 hours). The total annual burden hours requested is 4,974 hours (see Table 2).

Table 2. Estimated total burden hours for JRFC 2020

	Frequency	Time	Total Hours
Form completion	1,848	2 hours, 40 min*	4,928
Nonresponse (critical items)	185	10 min	30.8
Contact updates	185	5 min	15.4
Total burden hours			**4,974**

*Note: Includes 40 minutes to complete new questions on COVID-19.

Figure 3. Time Spent in Online Data Collection System (Percentage), 2018

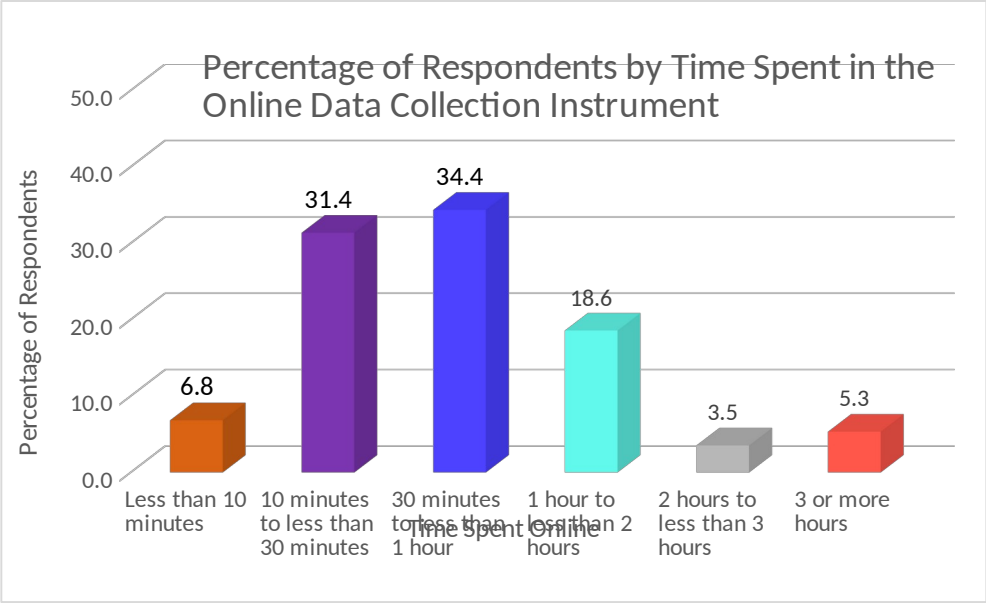
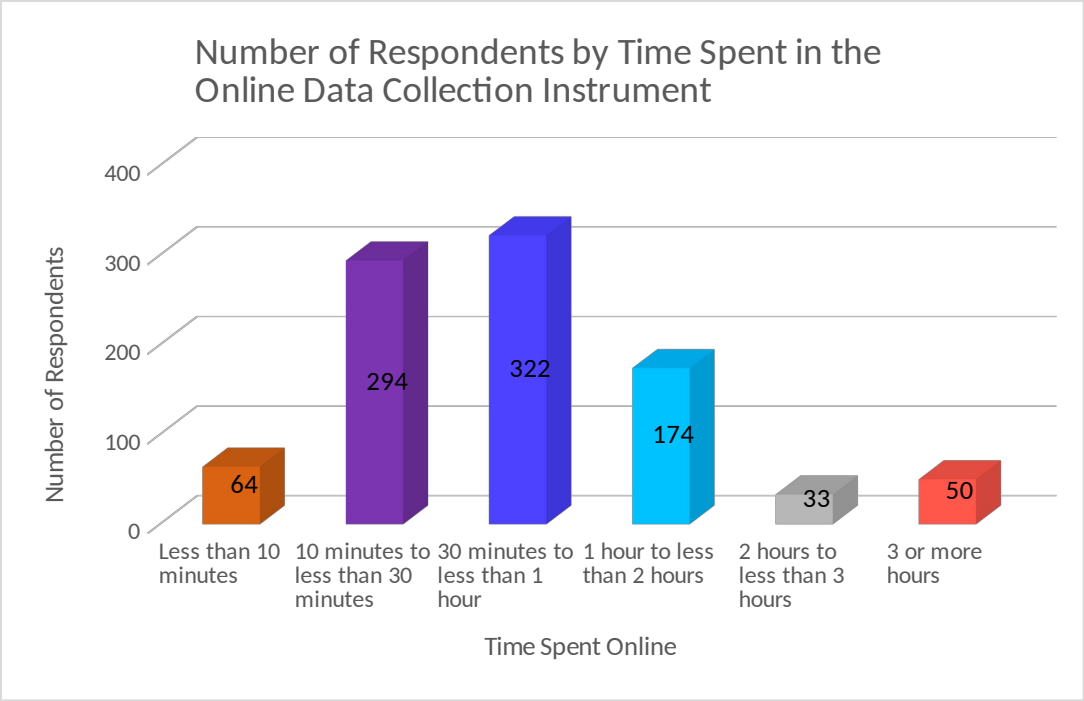


Figure 4. Time Spent in Online Data Collection System (Count), 2018



Note: 2018 = 2018 JRFC Respondents as of May 2019

13. Estimate of Respondent's Cost Burden

The form was designed so as not to require any new systems or efforts on the part of respondents. Rather, respondents provide information that are already needed for their own operational functions. As such, this data collection requires no startup costs or maintenance costs from respondents.

14. Costs to Federal Government

The following table provides an overview of the costs of implementing the JRFC. Please note that although the data collection for JRFC occurs every other year, for "off" years there are still costs incurred due to planning, development, and testing activities. The total combined costs including the Census Bureau and NIJ for 2019 is expected to be $522,922.

U.S. CENSUS DIVISION & TASKS	2019 (budgeted)	U.S. CENSUS DIVISION & TASKS	2020 (projected)
Economic Reimbursable Division (ERD)		**Economic Reimbursable Division (ERD)**	

Project Management Duties (requirements/spec docs) Revise 2020 Instrument Work on upgrades, enhancements to 2020 collection based upon 2018 collection lessons learned. Assist with planning for expert review and testing of survey instrument	**$250,999**	Project Management Duties (requirements/spec docs, monitor progress, status updates to sponsor, etc.) Address verification and Mailout operations Testing of all applications (web, processing, etc.) Keying, Micro level data review and follow up Non-Response follow-up Imputation/Edit Research & Development	**$322,543**
Information Technology (IT) Enhance, test, and maintain web instrument Gather requirements develop and enhance processing application Develop/test 2020 database initialization process Develop/test 2020 load process	**$216,766**	**Information Technology (IT)** Complete development/testing of web collection and processing system applications Complete development/testing of system databases Complete development/testing load process Maintain support processing system	**$143,243**
Economic Statistical Methods Division (ESMD) Report, imputation, and document review	**$15,583**	**Economic Statistical Methods Division (ESMD)** Training Prepare Data files for tables in imputations (Data QC) Create Tables Run Imputations Create Final Documentation	**$57,639**
National Processing Center Pre-mailout contact verification calls	**$20,890**	**National Processing Center** Docuprint questionnaires Mailout single questionnaires Questionnaire check in Questionnaire keying Non-Response Follow up operations Scheduled delivery of Questionnaires to Headquarters	**$65,604**
Auxiliary Forms Design Postage Supplies Training	 $4,500 $850 $250 $500	**Auxiliary** Postage Printing Supplies	 $3,300 $3,000 $250

	$6,100	Training	$515 **$7,065**
U.S. CENSUS CJRP TOTAL	**$510,338**		**$596,094**
NIJ	**2019 (budgeted)**		**2020 (projected)**
Social Science Analyst Staff Time Printing (bulletins included in mailout)	$11,084 $1,500		$22,168 $1,499
NIJ CJRP Total	**$12,584**		**$25,692**
TOTAL (CENSUS + NIJ)	**$522,922**		**$621,786**

15. Reasons for Change in Burden

This application includes new questions to the previously approved form (CJ-15) related to COVID-19. Consequently, there is an increase in the level of burden per respondent. However, the number of respondents in the facility universe decreased to 2,031 for the current collection cycle. As a result, the total requested burden hours (4,974 hours) is similar to previous collection cycles. NIJ and OJJDP also expect the burden per respondent to return to prior levels in future collection cycles.

16. Project Schedule and Publication Plans

NIJ and OJJDP consider publication of the JRFC information important not only for federal agencies, but also for enhancing the work of the facilities themselves. NIJ, with OJJDP funding, manages a comprehensive system for analysis and distribution of the information collected. Under this plan, NIJ manages a cooperative agreement to the National Center for Juvenile Justice (NCJJ) for the National Juvenile Justice Data Analysis Program (NJJDAP). The NJJDAP analyzes the JRFC data and produces standard fact sheets, bulletins, and reports for publication. (Please see Attachment J for the most recent *Juvenile Residential Facility Census, 2016: Selected Findings* Bulletin. An additional way that the data are released are via OJJDP's website through the online Statistical Briefing Book, located at http://www.ojjdp.gov/ojstatbb/ which offers users standard tables and figures, as well as interactive data analysis tools where users can create customized crosstabs.

The JRFC data files are available for use by other researchers through the National Archive of Criminal Justice Data part of the Inter-university Consortium for Political and Social Research (ICPSR) at the University of Michigan (https://www.icpsr.umich.edu/icpsrweb/ICPSR/series/00241). Recently,

OJJDP made a concerted effort to speed up the data archiving process to make the data publicly available as soon as possible. Consequently, JRFC data files are now available through 2016 and we anticipate the 2018 files will be available shortly after they are finalized.

In an effort to promote the publication of research findings from the JRFC and to increase its utility to the field, OJJDP has facilitated panels at the 2017 and 2018 American Society of Criminology Annual Meeting to educate researchers and students about national juvenile justice data availability.

In addition, OJJDP partnered with BJS in fiscal year 2017 to award a BJS visiting fellowship for a scholar to review, improve and use juvenile data in OJJDP and BJS data collections for statistical purposes. OJJDP has also made a concerted effort in recent years to include categories in its competitive research solicitations specifically focused on funding secondary analyses of archived data, such as the JRFC.

Finally, OJJDP has taken steps over the past several years to produce graphical displays from new data being released to take advantage of new dissemination vehicles such as the OJJDP listserv, Twitter, and other social media outlets. OJJDP developed and published a series of interactive charts and maps, as well as sortable data tables using JRFC data and CJRP on its Statistical Briefing Book. The most recent “Data Snapshot” based on JRFC provides information on service availability in juvenile residential placement facilities (see Attachment K).

17. Display of Expiration Date

The present request does not ask for such approval. The expiration date will be displayed along with the OMB approval number.

18. Exceptions to the Certification Statement

No exceptions to the certification statement are requested or required.