

## **SUPPORTING STATEMENT**

### **National Survey of Prosecutors, 2020**

#### **Overview**

The Bureau of Justice Statistics (BJS) requests clearance to conduct the 2020 National Survey of Prosecutors (NSP). Similar to previous NSP collections, the proposed project will focus on generating national estimates on the administration and operational characteristics of prosecutor offices that handle felony cases in criminal courts.

BJS proposes to survey a sample of 750 of the approximately 2,350 prosecutor offices across the 50 states and the District of Columbia. The survey will allow BJS to sample prosecutors' offices in order to generate nationally representative statistics that describe the work of prosecutors' offices in the United States.

The NSP statistical series is comprised of both core questions used in the past and several new or expanded topics to capture emerging justice issues. Through the NSP, BJS will measure staffing characteristics, budgets, overall caseloads, and cases involving emerging issues important to the Attorney General's priorities, such as the prosecution of violent crime, human trafficking, cybercrime, and opioid cases. The survey will also collect information on new topics areas, to include problem-solving courts, prosecutorial diversion, plea bargains, and trials. BJS plans to field the NSP in January 2021 and end the data collection period no later than July 31, 2021.

#### **A. Justification**

##### **1. Necessity of Information Collection**

BJS seeks to implement a new iteration of the NSP under its existing authorizing legislation to address the current need for updated statistical information. Under 34 USC § 10132, BJS is authorized to “collect and analyze statistical information, concerning the operations of the criminal justice system at the federal, state, tribal, and local levels (**Attachment 1**).” Prosecutor offices are an essential component of the American criminal justice system. The majority of local prosecutors are elected and represent the local government in deciding who is charged with a crime, the type and number of charges filed, whether or not to offer a plea, and the sentencing recommendations for those convicted of crimes. The proposed NSP will provide national level estimates on the administration and operation of prosecutor offices that handle felony cases in criminal courts. In addition to the core measures on staffing, budgets, and caseloads, the NSP will collect data on emerging topics such as the utilization of diversion programs and specialty courts.

##### ***Importance of prosecutor data for BJS to fulfill its mission***

The NSP data collection plays an important role in BJS being able to fulfill its mission to collect and disseminate information on crime and justice. Since 1990, BJS has sponsored national surveys or censuses of prosecutor offices to collect data on the resources, policies, and practices of this component of state court systems. The NSP has enabled BJS to answer key questions about the staffing and number of cases prosecuted annually in state courts. For example, in 2007,

the NSP data revealed that an estimated 2,300 state court prosecutor offices across the U.S. employed about 25,000 prosecuting attorneys and closed an estimated 2.9 million felony cases.

The NSP-20, with its new sections, will provide expanded data utility for BJS and other federal stakeholders on new topic areas such as use of problem-solving courts, diversion opportunities, and prosecution on tribal lands. Data gathered on these subjects will help BJS better understand the array of duties that prosecutors have, as well as the type of programs and services that they typically offer.

NSP data are a resource to federal policymakers in combating crime and ensuring that justice is both efficient and evenhanded. BJS plays a major role in measuring crime and providing information used by policymakers. Through the NSP, BJS has been able to monitor the costs to operate local prosecutor offices. For example, the aggregated operating budgets allocated for the 2,300 state prosecutor offices across the U.S. in 2007 was about \$5.8 billion, which also covered the employment of over 78,000 staff.

The NSP is also a vital component of BJS's statistical portfolio covering the major criminal justice institutions. For instance, the NSP complements other BJS surveys focusing on different aspects of the criminal justice system, such as the *Law Enforcement Management and Administrative Statistics (LEMAS)* and the *Annual Survey of Jails (ASJ)*, which capture the administrative and operational characteristics of law enforcement agencies and jails. The NSP is the only recurring statistical collection on local prosecutor offices that addresses administrative and operational factors. The data collection informs the country about the growth and changes occurring in staffing, budgets, and capacity to deal with these matters.

These data have contributed to numerous statistical reports, national research studies, and advanced the understanding of important emerging operational, legal and social topics such as the prosecution of hate crimes;<sup>1</sup> prosecutorial practices that lead to mass incarceration;<sup>2</sup> and handling of juveniles prosecuted in adult criminal courts.<sup>3</sup> With the NSP last conducted over ten years ago, little recent research has been produced based on NSP. A new iteration of the NSP would likely generate interest to utilize NSP data for future studies.

## 2. Needs and Uses

BJS will draw a nationally representative sample of those offices that prosecute felony cases in state courts to conduct the NSP-20. Information on a variety of administrative and legal issues facing prosecutors will be requested. Topics include budget, tenure and salaries of prosecutors and staff, as well as information pertaining to victim services and specialty courts. The administration and operational data from local prosecutor offices complement the sequence of BJS's statistical collections focusing on the key criminal justice measures and institutions. The

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<sup>1</sup> Byers, Bryan D., Kiesha Warren-Gordon, and James A. Jones. "Predictors of hate crime prosecutions: An analysis of data from the national prosecutors survey and state-level bias crime laws." *Race and Justice* 2, no. 3 (2012): 203-219.

<sup>2</sup> Pfaff, John. *Locked in: The true causes of mass incarceration-and how to achieve real reform*. Basic Books, 2017.

<sup>3</sup> DeFrances, Carol J., and Kevin J. Strom. "Juveniles prosecuted in state criminal courts." *Washington, DC: US Department of Justice, Bureau of Justice Statistics* (1997).

prosecutors' decisions impact the public defenders and judge workloads from initial charges to final court disposition, as well as the flow of cases into the correctional system on through the appeals courts.

Since 1990, BJS has released a series of statistical bulletins based on the various NSP collections: *Prosecutor in State Courts* in 1990, 1992, 1994, 1996, 2001, 2005, and 2007. In addition, BJS released *State Court Prosecutors in Large Districts 2001*, *State Court Prosecutors in Small Districts 2001*, *Reporting by Prosecutor Offices to Repositories of Criminal History Records 2005*, and *Juveniles Prosecuted in State Criminal Courts* in 1997. The NSP and the Census of Public Defender Offices (CPDO) are the two primary data collections involving the courtroom work sponsored by BJS. Alongside updated data on public defenders offices, NSP data will enable BJS to compare the administrative and operational characteristics of prosecutors offices and public defender offices. For example, BJS will be able to examine the similarity and differences in staffing, budgets and caseloads handled by prosecutor and public defender offices.

In addition to fulfilling its organizational mission to measure the operations of the criminal justice system, the changes to the proposed NSP-20 will enhance the utility of prosecutors' statistical data. In 2014, BJS and the FBI formed the Panel on Modernizing the Nation's Crime Statistics. The panel was given the mission to develop new classifications of crime by weighing various perspectives on how crime should be defined, provide suggestions as to the best means of collecting data and recommend how crime data collection should proceed in a manner that accommodates demands of stakeholders, while placing minimal burden on data providers.<sup>4</sup> Although there is no specific mention of prosecutorial initiatives from the two reports produced by the panel, there are several instances where their call for action is consistent with the aims of the NSP-20. For example, the 2018 report emphasizes collecting data from outcomes that occur after arrest, including measures such as the number of arrests resulting in prosecution, number of filings, and outcomes/sentences by offense in court.<sup>5</sup> Data collected in the NSP-20 will gather this information and others in order to further enhance statistical data on prosecutors.

Additionally, constituencies such as other Department of Justice and federal agencies, state policymakers, and researchers are expected to use the NSP-20 data. The National Institute of Justice could use the data to design court research programs. State policymakers and researchers can use the NSP-20 data to examine developing prosecutorial practices, such as the growing use of diversion programs and specialty courts.

BJS will make the NSP-20 data set available to the public through restricted use files located at the National Archive of Criminal Justice Data Archive (NACJD) at the University of Michigan, Ann Arbor, MI (<https://www.icpsr.umich.edu/icpsrweb/content/NACJD/index.html>).

## **NSP-20 Core Topics**

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<sup>4</sup> National Academies of Sciences, Engineering, and Medicine. *Modernizing crime statistics: Report 1: Defining and classifying crime*. National Academies Press, 2016.

<sup>5</sup> National Academies of Sciences, Engineering, and Medicine. *Modernizing crime statistics: Report 2: New systems for measuring crime*. National Academies Press, 2018.

**Staffing.** Staffing questions in the NSP are directed at gathering accurate estimates on the total number and types of positions employed. Staffing data are crucial to understanding the human resources available to address crime in local communities. BJS has routinely used this information to do comparisons of changes in prosecutor office staffing over time. For instance, in 2007, prosecutor offices employed an estimated 78,000 compared to more than 79,000 in 2001. The other source of justice employment data comes from the Census Bureau, but these data aggregate all data for prosecutors, court offices, and judges under a judicial and legal category.<sup>6</sup> Additionally, the U.S. Bureau of Labor Statistics collects employment data of attorneys, however this information does not specify exact positions. Rather, the data only identifies employers as government agencies or of other legal services.<sup>7</sup> The NSP data allows BJS to determine the prosecution office portion of the total judicial and legal employees reported elsewhere. Moreover, the NSP-20 obtains information about staffing in terms of prosecutors and support staff; something no prior data collection has provided. BJS will also be collecting demographics of line attorneys, a measure not included in previous iterations of the NSP.

**Victim Services.** Statistics in BJS's 2019 *Victim Service Providers in the United States* publication revealed that prosecutor's offices represented 18.2% of victim service providers in the U.S.<sup>8</sup> Although useful information, this does not indicate which types of victim services that they provide. The NSP-20 will ask whether prosecutor offices provide direct services or referrals to an outside organization for support for child abuse, domestic violence, elder abuse, hate crimes, homicide support, human trafficking, and sexual assault to gather such information. In the past, the NSP has not collected information directly from prosecutors on the victim services or programs available from or use by staff. This information is important to obtain in order to better understand the services that state prosecutors provide to crime victims.

**Budget.** The NSP has collected prosecutor office budget information for comparisons since 1990. The only national estimates of the operating costs for prosecution in local criminal courts are based on the NSP. In 2007, local prosecutor offices reported an estimated total operating budget of \$5.8 billion, with the average budget ranging from \$526,000 for offices serving less than 100,000 to \$49.3 million for those with 1 million or more residents. Based on NSP data, offices are funded through several mechanisms: county, state, and federal governments, and local special programs generate funds from fee for services and/or asset forfeitures. BJS has used the data on budgets to conduct comparisons of the changes over time and develop estimates for average cost per case handled.

**Caseloads.** Prosecutor caseload statistics are important to trend analyses and comparisons among the various offices across the country. In 2007, BJS estimated that state prosecutors closed 2.9 million cases charged as felonies (excluding misdemeanors) in state courts, averaging out to be about 94 cases for each prosecuting attorney on staff in full-time offices.<sup>9</sup> Having heavy

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<sup>6</sup> The United States Census Bureau, Annual Survey of Public Employment and Payroll.

[https://www.census.gov/content/dam/Census/library/publications/2020/econ/2019\\_summary.pdf](https://www.census.gov/content/dam/Census/library/publications/2020/econ/2019_summary.pdf)

<sup>7</sup> Bureau of Labor Statistics, U.S. Department of Labor, Occupational Outlook Handbook, Lawyers.

<https://www.bls.gov/ooh/legal/lawyers.htm#tab-5>

<sup>8</sup> Oudekerk, B., Warnken, H., & Langton, L. (2019). *Victim Service Providers in the United States, 2017.*

<https://www.bjs.gov/content/pub/pdf/vspus17.pdf>

<sup>9</sup> Prosecutors in State Courts, 2007 - Statistical Tables <http://www.bjs.gov/content/pub/pdf/psc07st.pdf>

caseloads can place demanding constraints on prosecutors that impact how they handle cases. Excessive prosecutor caseloads may result in unintended consequences that can harm crime victims, create a backlog in case processing, and lead to delays in trial.<sup>10</sup> Thus, there is a need for an up-to-date dataset that identifies national trends of caseloads. The NSP-20 proposes to gather data on the number of felony and misdemeanor cases closed, method of case closures, and office policies for case processing. BJS will use the caseload information to document case trends and caseload variations across offices.

### **Diversion Programs and Problem-Solving Courts**

The NSP-20 will also document the prosecutor office use of diversion programs and problem-solving courts. Prosecutor offices looking for resources to address budget constraints may be increasing their use of deferred prosecution programs for both felony and misdemeanor crimes.<sup>11</sup> The NSP-20 will gather information of the diversion programs in each jurisdiction, including who refers defendants to diversion and what types of offenses are eligible for participation. Similar questions will be asked of problem-solving courts.

### **3. Use of Information Technology**

For the NSP-20, BJS will utilize a multi-mode collection design. The primary mode will be an Internet based survey, but BJS will follow up with hardcopy versions during later outreach. For the online web-based survey, BJS will provide the respondents with the instructions and link for submitting their data via the web, a user ID and password. The web questionnaire will display the same OMB form number, contact information, directions and instructions, and burden statement as the paper version, as well as be formatted to have the same look and feel. The respondents will be able to start, save and return to the web based survey for completion.

BJS and its data collection agent will encourage respondents to utilize the web-based survey option for NSP-20. Respondents will be provided a user ID and password in the introductory letter sent prior to the mailing of the hardcopy survey. The advantages to using web-based surveying compared to other modes include reduced costs for data entry by the data agent, improved error and missing item checking capability, incorporation of complex skip patterns, and the provision detailed pop-up instructions for additional guidance.<sup>12</sup> The respondent will also have the capability to stop the survey and resume at a later date, and to print a copy of their survey responses after completion.

### **4. Efforts to Identify Duplication**

BJS staff have reviewed other surveys, other research data collections and programs, and

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<sup>10</sup> Gershowitz, Adam M., and Laura R. Killinger. "The state (never) rests: How excessive prosecutorial caseloads harm criminal defendants." *Nw. UL Rev.* 105 (2011): 261.

<sup>11</sup> Koppel, Nathan. 2012. Probation pays bills for prosecutors. *Wall Street Journal (Online)*, Jan 20, 2012. <http://online.wsj.com/article/SB10001424052970203750404577171031387548446.html>

<sup>12</sup> Dillman, Don A. *Mail and Internet surveys: The tailored design method--2007 Update with new Internet, visual, and mixed-mode guide*. John Wiley & Sons, 2011. See also, *A comparison of mail, fax, and Web-based survey methods*. *International Journal of Market Research*, 43(4), 441-452.

academic literature to identify duplication. This review revealed no duplicative effort based on the systematic nature of NSP-20 survey.

The National Institute of Justice (NIJ) recently announced their Court Strategic Research Plan for 2020-2024.<sup>13</sup> NIJ proposes supporting research efforts that will assess the staffing, skills, education and experience of the workforce, as well as evaluating the impact of staffing, budget, and other resource allocations of courts. Although these efforts are similar to those of the NSP-20, NIJ's efforts are grant programs and not necessarily surveys. Additionally, NIJ focus is on the entire courtroom working community, not just prosecutors. A national portrait of information of prosecutor's offices from surveys is still needed. Thus, the NSP-20 will complement but not duplicate NIJ's initiative.

In conducting a literature review, BJS found that several one-time prosecutor surveys or studies have been produced by external organizations on a specific issue or specific to a particular state. The Urban Institute's 2018 National Survey of State Prosecutors' Offices is a notable example. Survey results revealed that while prosecutors have interest in collecting and using data, many barriers often stand in the way of widespread incorporation of data in prosecutorial decision making.<sup>14</sup> Similarly, a 2019 study focused on the priorities, challenges and solutions experienced by prosecutors.<sup>15</sup> The authors found that although crime levels have decreased, prosecutors face significant challenges that range from increased time demands surrounding examination of electronic evidence to battling the opioid crisis. Though noteworthy, studies such as these still leave the need for a more comprehensive approach towards examining the work of prosecutors. Additionally, none of these studies are ongoing efforts, which is needed for detailed trend analyses on key policy relevant issues like budgets, staffing and caseloads pressures. Moreover, the NSP-20 will adhere to BJS's efforts to track the salaries of government legal employees. Although both the Bureau of Labor Statistics and the Census Bureau have produced reports on government attorneys, none have data specifically on prosecutors and their support staff.<sup>16, 17</sup> Thus, it is BJS's conclusion that the data collected on the NSP-20 are not attainable from any other data source

## **5. Efforts to Minimize Burden**

The proposed NSP-20 instruments were designed to reduce respondents' burden in multiple ways. First, BJS received feedback from an expert panel of prosecutors (see table 1) to identify the most pressing information among peers. Only those determined to be critical measures were

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<sup>13</sup> National Institute of Justice Courts Strategic Research Plan 2020-2024.

<https://www.ncjrs.gov/pdffiles1/nij/254684.pdf>

<sup>14</sup> Olsen, Robin, Leigh Courtney, Chloe Warnberg, and Julie Samuels. "Collecting and Using Data for Prosecutorial Decisionmaking." (2018).

[https://www.urban.org/sites/default/files/publication/99044/collecting\\_and\\_using\\_data\\_for\\_prosecutorial\\_decisionmaking\\_0.pdf](https://www.urban.org/sites/default/files/publication/99044/collecting_and_using_data_for_prosecutorial_decisionmaking_0.pdf)

<sup>15</sup> Lawrence, Daniel S., Camille Gourdet, Duren Banks, Michael G. Planty, Dulani Woods, and Brian A. Jackson, Prosecutor Priorities, Challenges, and Solutions. Santa Monica, CA: RAND Corporation, 2019. [https://www.rand.org/pubs/research\\_reports/RR2892.html](https://www.rand.org/pubs/research_reports/RR2892.html).

<sup>16</sup>The United States Census Bureau, Annual Survey of Public Employment and Payroll.

<https://www.census.gov/programs-surveys/apes.html>

<sup>17</sup> Bureau of Labor Statistics, U.S. Department of Labor, Occupational Outlook Handbook, Lawyers.

<https://www.bls.gov/ooh/legal/lawyers.htm>

included in the survey instruments. The instruments then went through cognitive testing interviews with twenty-four respondents to ensure that the survey was clear and practical. Feedback from the interviews revealed that it took respondents about 1 hour to complete the survey. Respondents also noted several problematic questions throughout the survey. The survey was then revised by rewording or eliminating those questions. Attached is RTI's cognitive report and (**Attachment 2**) revised survey (**Attachment 3**).

Moreover, the instruments that will be utilized are designed to optimize web-based data collection, with built-in help text and skip patterns, while also supporting a paper version that may be more efficient for those respondents who prefer that option. BJS expects that most respondents will use the online survey software to complete the survey. A number of web-based system functions will be in place to ease the burden of survey completion. RTI will utilize an intelligent log-in program for data collection, which will store agency information and responses, allowing for multi-session, non-sequential completion of the survey instrument. This will reduce the burden by allowing agencies to stop as needed. Help icons located next to each survey question will link respondents to item-specific information, additional guidance, and helpdesk contact information to facilitate requests for assistance. The online system will also provide a glossary of terms for respondent reference.

In addition, a help desk will be staffed during normal business hours (Eastern Time) and will be available to respondents through a toll-free number. When not available, calls to the help desk will be routed automatically to another survey team member for immediate response. Voice mail will be available outside of regular business hours and a dedicated NSP-20 help e-mail address will be provided with the introductory letter and survey packet. Respondents will also receive a hard copy questionnaire, along with directions, by mail. Additionally, respondents will be able to access a PDF version of the survey online, which can be printed. Once complete, this paper version of the survey can be used to enter data through the web-based survey instrument or can be returned via e-mail, fax, or mail.

## **6. Consequences of Less Frequent Collection**

Delaying this collection will require DOJ, BJS and data users to continue to rely on information that was collected over a decade ago in 2007. We expect there may have been changes to the budgets, staffing levels, caseloads and attributes of many offices. The NSP-20 will enable BJS to measure these administrative and operational changes to compare with NSP data from prosecutor offices in past collections.

## **7. Special Circumstances**

No special circumstances have been identified.

## **8. Adherence to 5 CFR 1320.8(d) and Outside Consultations**

BJS has consulted with the National District Attorney Association (NDAA), RTI International

and a panel of prosecutors regarding the content, data availability, and the clarity of instructions. Consultants included the following:

**Table 1. Members of the NSP-20 Expert Panel**

<b>Name</b>	<b>Title</b>	<b>Location</b>
Alan Ostergren	County Attorney	Muscatine County, IA
Amy Weirich	District Attorney	Shelby County, TN
Angelo Onofri	County Prosecutor	Mercer County, NJ
Bill Montgomery	County Attorney	Maricopa County, AZ
Christian Champagne	District Attorney	6th Judicial District, CO
John Belton	Third Judicial District Lincoln	Ruston, LA
John Dodson	County Attorney	Uvalde County, TX
Joseph Dallaire	District Attorney	Fairbanks, AK
Justin Kollar	Prosecuting Attorney	Kauai County, HI
Kim Ogg	District Attorney	Harris County, TX
Kirsten Pabst	District Attorney	Missoula County, MT

The research under this clearance is consistent with the guidelines in 5 CFR 1320.6. The first 60-day notice for public commentary was published in the Federal Register, Volume 85, Number 157, page 49395 on August 13, 2020 (**Attachment 4**). Two substantive comments were received, one from Vera Institute requesting additional questions on defendant demographics and one from Elizabeth Webster, a professor at Loyola University Chicago, requesting additional questions on appellate practices of prosecutor offices. BJS made no changes as a result for reasons detailed in the response to comments in **Attachment 6**.

The 30-day notice for public comment was published in the Federal Register, Volume 85, Number 206, pages 67569-67570, on October 23, 2020 (**Attachment 5**).

**9. Paying Respondents**

Not Applicable. Neither BJS nor RTI will provide any payment or gift of any type to respondents. Respondents will participate on a voluntary basis.

**10. Assurance of Confidentiality**

According to 34 U.S.C. § 10134, the information gathered in this data collection shall be used only for statistical or research purposes, and shall be gathered in a manner that precludes their use for law enforcement or any purpose relating to a particular individual other than statistical or research purposes. The data collected through the NSP is included in the public domain. In addition, respondents are informed that survey participation is voluntary.



**11. Justification for Sensitive Questions**

No questions of a sensitive nature are included in the survey.

**12. Estimate of Respondent's Burden**

BJs estimates a total of 1,000 respondent burden hours may be required to complete the NSP-20, including contact with agencies that decline to participate, nonresponse follow-up, and validation of incorrect information.

**Table 2. Estimated Burden Hours for NSP-20**

<b>Number of completed responses for the NSP</b>	750 offices
Time to complete the survey instrument by each respondent	60 minutes
Time for follow-up for nonresponse or data validation	20 minutes
Total average burden per respondent	80 minutes
Total burden for all respondents (80 minutes * 750 respondents)/60 minutes	1,000 hours

BJs plans to collect information from 750 offices, but expects that some offices will select not to participate.

The following factors were considered when creating the total 1,000 hour burden estimate: the estimated total number of prosecutor offices, the ability of offices to access or gather the data, the case management systems capabilities generally found within the local prosecutor office, and nonresponse follow-up or data validation.

**13. Estimate of Cost Burden**

BJs anticipates that the full-time equivalent of one person per surveyed office will complete the data collection instrument. Assuming a pay rate approximately equivalent to the GS-11/01 level (\$72,030 per year), the estimated office cost of employee time would be \$34.63 per hour. Approximately 750 agencies will be asked to complete the NSP-20. Based on the estimated time burden per response and employee pay rate, the respondent employee time cost burden to complete the survey is estimated at \$34,630 (\$34.63 x 1,000).

**14. Cost to Federal Government**

The total expected cost to the Federal Government for this data collection is \$599,582 all to be borne by the BJS (Table 3). Currently, the division of labor for a data collection cycle on the NSP-20 is as follows: RTI will collect the data and prepare a dataset for BJS analysis, while BJS staff will analyze the data, prepare statistical tables, write reports based on these data, and archive the data for public use. A GS-Level 11 Statistician will be responsible for overseeing RTI's work on this project, conducting the analyses and drafting the planned reports.

The estimated cost to the federal government for this data collection is based on the following:

**Table 3. Estimated Costs for the 2020 National Survey Prosecutors**

BJS Costs		Costs
<b>Staff salaries</b>		
	GS-11 Statistician (25%)	\$ 18,008
	GS-15 Supervisory Statistician (5%)	\$ 7,135
	GS-13 Editor (10%)	\$ 10,266
	Other Editorial Staff	\$ 5,000
	Senior BJS Management Review of report	\$ 2,000
	<b>Subtotal Salaries</b>	<b>\$ 42,409</b>
	Fringe Benefits (28% of salaries)	\$ 11,875
	<b>Subtotal: Salary &amp; Fringe</b>	<b>\$ 54,284</b>
	Other Administrative Costs of Salary and Fringe (15%)	\$ 8,143
	<b>Subtotal BJS Costs</b>	<b>\$ 62,427</b>
<b>Data Collection Agent Costs (RTI)</b>		
	Personnel	\$ 175,198
	Fringe Benefits	\$ 68,327
	Travel	\$ 12,976
	Supplies	\$ 6,732
	Consultant/Contracts	\$ 123,506
	Other	\$ 8,388
	<b>Total Indirect</b>	<b>\$ 204,455</b>
	<b>Subtotal Data Collection Agent Costs</b>	<b>\$ 599,582</b>
	<b>Total Estimated Costs</b>	<b>\$ 662,009</b>

15. Reason for Change in Burden

The burden hours for the NSP-20 have decreased from 1,282 in the NSP-14 to 1,000 hours due reframing of the current sample survey compared to the previous census. Even with reduced burden, compared with prior surveys, the NSP-20 involves the inclusion of additional questions focusing on topics beyond the typical staffing, caseloads, and budgets. These measures were added to more accurately reflect the work of prosecutors.

## 16. Project Schedule and Publication Plan

The projected schedule for the NSP-20 is planned as follows:

**Table 4. Data Collection and Publication Schedule**

	<b>Start Date</b>	<b>End Date</b>
<b>Data Collection Period</b>	January 2021	July 2021
<ul style="list-style-type: none"> <li>• Nonresponse follow-up by mail, e-mail, fax and telephone</li> </ul>	February 2021	June 2021
<ul style="list-style-type: none"> <li>• Data editing, verification, and final callbacks</li> </ul>	February 2021	July 2021
<b>Data Processing</b>	January 2021	October 2021
<b>Data Analyses</b>	October 2021	December 2021
Reports: <i>Prosecutors in State Courts, 2020</i>	October 2021	March 2022
<b>NSP data archived with NACJD</b>		March 2022

Data collection is anticipated to begin after securing OMB approval. Data collection will involve a series of mailings and non-response follow-up activities that will begin in January 2021 and end in July 2021. Processing of the data, including editing, data entry and retrieval, will occur in tandem with the data collection period. The final data imputation and processing will occur after all follow-up is completed and is estimated to be complete by October 2021. Preliminary analyses of the data to ensure proper instrument skip patterns, range checks, and accurate reporting will begin shortly after the start of data collection and will continue throughout data collection. The final data set will be delivered to BJS in October 2021 and analysis will begin no later than December 2021.

A full report, *Prosecutors in State Courts, 2020* will be published in 2022. This report will cover a variety of topics, including both descriptive analyses and comparative trends where possible. First, the Staffing and Services section of report will describe the number and type of staff employed by the prosecutor offices. The staffing totals will be used to identify changes over the years. Next, the report will describe the prosecutor office budgets and functions covered annually. The budget data will be used to conduct trend analyses with historical information available. Third, the report will provide descriptive statistics on the total cases closed, types of case, and the number of convictions and dismissals reported. This section of the report will also highlight the types of policies regarding case processing, including written policies or supervisory approvals needed for the number and level of charges filed, dismissals, pre-trial release, plea agreements and sentencing recommendations. Finally, the report will discuss evidence in the prosecution of cases, including statistics on the use of forensic and digital evidence.

The dataset, and supporting documentation, will be made available for download without charge at the National Archive of Criminal Justice Data at the Inter-University Consortium for Political and Social Research (ICPSR). It is expected the data will be available to the public for download

in March 2022. Access to these data permits analysts to identify the specific responses of individual training academies and to conduct statistical analyses.

**17. Display of Expiration Date**

The OMB number and expiration date will be shown on the survey.

**18. Exception to the Certification Statement**

Not applicable.