



U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Statistics

Washington, D.C. 20531

MEMORANDUM TO: Robert Sivinski
Office of Management and Budget (OMB)

THROUGH: Jinney Smith, Deputy Director BJS
Allen Beck, Senior Statistician, BJS
Richard Kluckow, Unit Chief, Corrections Statistics Unit, BJS

FROM: E. Ann Carson, Statistician, Corrections Statistics Unit, BJS

SUBJECT: Nonsubstantive change request to the National Prisoner Statistics program: OMB Control No: 1121-0102 (exp. 01/2023)

DATE: November 2, 2020

The Bureau of Justice Statistics (BJS) is requesting a nonsubstantive change to the data collection form National Prisoner Statistics program (OMB Control No: 1121-0102, expiration 01/2023). BJS is submitting a change to an existing citizenship question of prisoners in the custody of state, federal, or privately-operated facilities. The revised question will clarify how respondents should handle prisoners with unknown citizenship.

In November, 2019, BJS submitted a request to renew, with change, the NPS collection through January 2023. BJS sought to understand better the measurement of citizenship among prisoners, by asking respondents to report both the number of U.S. citizens and non-U.S. citizens. BJS intended for respondents to exclude prisoners of unknown citizenship from their counts. However, results from the data collected during 2020 suggest that multiple states assumed that prisoners of unknown citizenship were U.S. citizens and included them in that count.

To solve this problem, BJS proposes adding a box on the NPS-1B data collection form (Summary of Sentenced Population Movement, and in the web-based data collection tool) for respondents to report the total number of prisoners with unknown citizenship. BJS has attached the question from the 2019 form (before the change) and 2020 form (including the change) to this request memo, and they are reproduced here:

2019 NPS-1B question:

12a. On December 31, 2019, how many Inmates in your custody, plus those held in private prisons, were —

U.S. Citizens	Non-U.S. Citizens
<input type="text"/>	<input type="text"/>

Proposed 2020 NPS-1B question:

12a. On December 31, 2020, how many Inmates in your custody, plus those held in private prisons, were —

U.S. Citizens	Non-U.S. Citizens	Unknown Citizenship
<input type="text"/>	<input type="text"/>	<input type="text"/>

By specifically adding an option for the count of prisoners of unknown citizenship to be reported, BJS believes that respondents will cease combining these individuals with those of known U.S. citizenship. BJS intends to follow up with a maximum of 9 respondents who leave the “unknown citizenship” box blank during data collection in 2021, to determine whether they are still combining the two groups of prisoners. If results indicate that this clarifying change has not improved the reporting practices, BJS will redesign and test the question, and submit a full clearance package to OMB in late 2021.

There is no change in the burden estimates associated with this collection at this time.

2019 NPS-1B form

8. Between January 1, 2019 and December 31, 2019, how many inmates sentenced to more than 1 year under your jurisdiction were released as—

a. Unconditional releases

	Male	Female
(1) Expirations of sentence (Include inmates who served their maximum sentence minus credits.)	<input type="text"/>	<input type="text"/>
(2) Commutations (Include inmates whose sentence was lowered to time served to allow for an immediate unconditional release.)	<input type="text"/>	<input type="text"/>
(3) Other unconditional releases – Specify <input style="width: 100%;" type="text"/>	<input type="text"/>	<input type="text"/>

b. Conditional releases

(1) Probations (Include inmates released on shock probation or placed on probation and conditionally released.)	<input type="text"/>	<input type="text"/>
(2) Supervised mandatory releases (Include inmates who by law had to be conditionally released.)	<input type="text"/>	<input type="text"/>
(3) Discretionary paroles	<input type="text"/>	<input type="text"/>
(4) Other conditional releases – Specify <input style="width: 100%;" type="text"/>	<input type="text"/>	<input type="text"/>

c. Deaths

d. AWOLs

e. Escapes from confinement

f. Transfers to other jurisdictions (Include inmates sent to other jurisdictions to continue sentences already in force.)

g. Releases to appeal or bond

h. Other releases – Specify

i. TOTAL
(Sum of items 8a to 8h)

9. How many inmates with a total maximum sentence of more than one year were —

	Male	Female
a. Under your jurisdiction on January 1, 2019	<input type="text"/>	<input type="text"/>
b. Admitted during 2019 (Transcribe from item 7i)	<input type="text"/>	<input type="text"/>
c. Released during 2019 (Transcribe item 8i)	<input type="text"/>	<input type="text"/>
d. Under your jurisdiction on December 31, 2019 (Add items 9a and 9b, subtract item 9c, should equal item 2a.)	<input type="text"/>	<input type="text"/>

SECTION III – PRISON SYSTEM CAPACITY

10. On December 31, 2019, what was the capacity of your prison system? (Exclude capacity of private facilities.)

	Male	Female
a. Rated capacity (The number of beds or inmates assigned by rating officials to institutions within your jurisdiction.)	<input type="text"/>	<input type="text"/>
b. Operational capacity (The number of inmates that can be accommodated based on staff, existing programs, and services in institutions within your jurisdiction.)	<input type="text"/>	<input type="text"/>
c. Design capacity (The number of inmates that planners or architects intended for all institutions within your jurisdiction.)	<input type="text"/>	<input type="text"/>

SECTION IV – SPECIAL CUSTODY POPULATIONS

11. On December 31, 2019, how many inmates in your custody, plus those held in private prisons, were under age 18?

	Male	Female
	<input type="text"/>	<input type="text"/>

12a. On December 31, 2019, how many inmates in your custody, plus those held in private prisons, were —

	U.S. Citizens	Non-U.S. Citizens
	<input type="text"/>	<input type="text"/>

12b. On December 31, 2019, how many inmates in your custody who were citizens of the United States, plus those held in private prisons who were citizens of the United States —

	Male	Female
a. Had a sentence of more than 1 year	<input type="text"/>	<input type="text"/>
b. Had a sentence of 1 year or less	<input type="text"/>	<input type="text"/>
c. Were unsentenced	<input type="text"/>	<input type="text"/>
d. TOTAL	<input type="text"/>	<input type="text"/>

Proposed 2020 NPS-1B form

8. Between January 1, 2020 and December 31, 2020, how many inmates sentenced to more than 1 year under your jurisdiction were released as—

a. Unconditional releases

	Male	Female
(1) Expirations of sentence (Include inmates who served their maximum sentence minus credits.)	<input type="text"/>	<input type="text"/>
(2) Commutations (Include inmates whose sentence was lowered to time served to allow for an immediate unconditional release.)	<input type="text"/>	<input type="text"/>
(3) Other unconditional releases – Specify <input style="width: 100%;" type="text"/>	<input type="text"/>	<input type="text"/>

b. Conditional releases

(1) Probations (Include inmates released on shock probation or placed on probation and conditionally released.)	<input type="text"/>	<input type="text"/>
(2) Supervised mandatory releases (Include inmates who by law had to be conditionally released.)	<input type="text"/>	<input type="text"/>
(3) Discretionary paroles	<input type="text"/>	<input type="text"/>
(4) Other conditional releases – Specify <input style="width: 100%;" type="text"/>	<input type="text"/>	<input type="text"/>

c. Deaths

d. AWOLs

e. Escapes from confinement

f. Transfers to other jurisdictions (Include inmates sent to other jurisdictions to continue sentences already in force.)

g. Releases to appeal or bond

h. Other releases – Specify

i. TOTAL
(Sum of items 8a to 8h)

9. How many inmates with a total maximum sentence of more than one year were —

	Male	Female
a. Under your jurisdiction on January 1, 2020	<input type="text"/>	<input type="text"/>
b. Admitted during 2020 (Transcribe from item 7i)	<input type="text"/>	<input type="text"/>
c. Released during 2020 (Transcribe item 8i)	<input type="text"/>	<input type="text"/>
d. Under your jurisdiction on December 31, 2020 (Add items 9a and 9b, subtract item 9c, should equal item 2a.)	<input type="text"/>	<input type="text"/>

SECTION III – PRISON SYSTEM CAPACITY

10. On December 31, 2020, what was the capacity of your prison system? (Exclude capacity of private facilities.)

	Male	Female
a. Rated capacity (The number of beds or inmates assigned by rating officials to institutions within your jurisdiction.)	<input type="text"/>	<input type="text"/>
b. Operational capacity (The number of inmates that can be accommodated based on staff, existing programs, and services in institutions within your jurisdiction.)	<input type="text"/>	<input type="text"/>
c. Design capacity (The number of inmates that planners or architects intended for all institutions within your jurisdiction.)	<input type="text"/>	<input type="text"/>

SECTION IV – SPECIAL CUSTODY POPULATIONS

11. On December 31, 2020, how many inmates in your custody, plus those held in private prisons, were under age 18?

	Male	Female
<input style="width: 100%;" type="text"/>	<input type="text"/>	<input type="text"/>

12a. On December 31, 2020, how many inmates in your custody, plus those held in private prisons, were —

	Non-U.S. Citizens	Unknown Citizenship
U.S. Citizens	<input type="text"/>	<input type="text"/>
<input style="width: 100%;" type="text"/>	<input type="text"/>	<input type="text"/>

12b. On December 31, 2020, how many inmates in your custody who were citizens of the United States, plus those held in private prisons who were citizens of the United States —

	Male	Female
a. Had a sentence of more than 1 year	<input type="text"/>	<input type="text"/>
b. Had a sentence of 1 year or less	<input type="text"/>	<input type="text"/>
c. Were unsentenced	<input type="text"/>	<input type="text"/>
d. TOTAL	<input type="text"/>	<input type="text"/>