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**Appendix 1:**

**The Omnibus Crime Control and Safe Streets Act of 1968**

**34 USC Subtitle I, CHAPTER 101, SUBCHAPTER III: BUREAU OF JUSTICE STATISTICS**

**From Title 34—CRIME CONTROL AND LAW ENFORCEMENT**

Subtitle I—Comprehensive Acts

CHAPTER 101—JUSTICE SYSTEM IMPROVEMENT

**SUBCHAPTER III—BUREAU OF JUSTICE STATISTICS**

**§10131. Statement of purpose**

It is the purpose of this subchapter to provide for and encourage the collection and analysis of statistical information concerning crime, juvenile delinquency, and the operation of the criminal justice system and related aspects of the civil justice system and to support the development of information and statistical systems at the Federal, State, and local levels to improve the efforts of these levels of government to measure and understand the levels of crime, juvenile delinquency, and the operation of the criminal justice system and related aspects of the civil justice system. The Bureau shall utilize to the maximum extent feasible State governmental organizations and facilities responsible for the collection and analysis of criminal justice data and statistics. In carrying out the provisions of this subchapter, the Bureau shall give primary emphasis to the problems of State and local justice systems.

(Pub. L. 90–351, title I, §301, as added Pub. L. 96–157, §2, Dec. 27, 1979, 93 Stat. 1176; amended Pub. L. 98–473, title II, §605(a), Oct. 12, 1984, 98 Stat. 2079.)

**CODIFICATION**

Section was formerly classified to section 3731 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

**PRIOR PROVISIONS**

A prior section 301 of Pub. L. 90–351, title I, June 19, 1968, 82 Stat. 199; Pub. L. 91–644, title I, §4(1)–(4), Jan. 2, 1971, 84 Stat. 1882; Pub. L. 93–83, §2, Aug. 6, 1973, 87 Stat. 199; Pub. L. 94–503, title I, §§109, 128(b), Oct. 15, 1976, 90 Stat. 2411, 2424, related to purposes and categories of grants for law enforcement and criminal justice purposes, prior to the general amendment of this chapter by Pub. L. 96–157.

**AMENDMENTS**

1984—Pub. L. 98–473 struck out "(including white-collar crime and public corruption)" after "information concerning crime" and "(including crimes against the elderly, white-collar crime, and public corruption)" after "levels of crime".

**EFFECTIVE DATE OF 1984 AMENDMENT**

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

**§10132. Bureau of Justice Statistics**

**(a) Establishment**

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

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

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

**(c) Duties and functions of Bureau**

The Bureau is authorized to—

(1) make grants to, or enter into cooperative agreements or contracts with public agencies, institutions of higher education, private organizations, or private individuals for purposes related to this subchapter; grants shall be made subject to continuing compliance with standards for gathering justice statistics set forth in rules and regulations promulgated by the Director;

(2) collect and analyze information concerning criminal victimization, including crimes against the elderly, and civil disputes;

(3) collect and analyze data that will serve as a continuous and comparable national social indication of the prevalence, incidence, rates, extent, distribution, and attributes of crime, juvenile delinquency, civil disputes, and other statistical factors related to crime, civil disputes, and juvenile delinquency, in support of national, State, tribal, and local justice policy and decisionmaking;

(4) collect and analyze statistical information, concerning the operations of the criminal justice system at the Federal, State, tribal, and local levels;

(5) collect and analyze statistical information concerning the prevalence, incidence, rates, extent, distribution, and attributes of crime, and juvenile delinquency, at the Federal, State, tribal, and local levels;

(6) analyze the correlates of crime, civil disputes and juvenile delinquency, by the use of statistical information, about criminal and civil justice systems at the Federal, State, tribal, and local levels, and about the extent, distribution and attributes of crime, and juvenile delinquency, in the Nation and at the Federal, State, tribal, and local levels;

(7) compile, collate, analyze, publish, and disseminate uniform national statistics concerning all aspects of criminal justice and related aspects of civil justice, crime, including crimes against the elderly, juvenile delinquency, criminal offenders, juvenile delinquents, and civil disputes in the various States and in Indian country;

(8) recommend national standards for justice statistics and for insuring the reliability and validity of justice statistics supplied pursuant to this chapter;

(9) maintain liaison with the judicial branches of the Federal Government and State and tribal governments in matters relating to justice statistics, and cooperate with the judicial branch in assuring as much uniformity as feasible in statistical systems of the executive and judicial branches;

(10) provide information to the President, the Congress, the judiciary, State, tribal, and local governments, and the general public on justice statistics;

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

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

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

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

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

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

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

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

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

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

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

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

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

**(d) Justice statistical collection, analysis, and dissemination**

**(1) In general**

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

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

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

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

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

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

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

**(2) Consultation with Indian tribes**

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

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

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

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

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

**(g) Reports**

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

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

**REFERENCES IN TEXT**

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

**CODIFICATION**

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

**PRIOR PROVISIONS**

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

**AMENDMENTS**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### **EFFECTIVE DATE OF 2012 AMENDMENT**

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

### **EFFECTIVE DATE OF 1984 AMENDMENT**

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

### **CONSTRUCTION OF 2010 AMENDMENT**

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

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

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

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

## DATA COLLECTION

Pub. L. 115–391, [title VI, §610, Dec. 21, 2018](#), 132 Stat. 5245, provided that:

"(a) NATIONAL PRISONER STATISTICS PROGRAM.—Beginning not later than 1 year after the date of enactment of this Act [Dec. 21, 2018], and annually thereafter, pursuant to the authority under section 302 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3732) [now 34 U.S.C. 10132], the Director of the Bureau of Justice Statistics, with information that shall be provided by the Director of the Bureau of Prisons, shall include in the National Prisoner Statistics Program the following:

"(1) The number of prisoners (as such term is defined in section 3635 of title 18, United States Code, as added by section 101(a) of this Act) who are veterans of the Armed Forces of the United States.

"(2) The number of prisoners who have been placed in solitary confinement at any time during the previous year.

"(3) The number of female prisoners known by the Bureau of Prisons to be pregnant, as well as the outcomes of such pregnancies, including information on pregnancies that result in live birth, stillbirth, miscarriage, abortion, ectopic pregnancy, maternal death, neonatal death, and preterm birth.

"(4) The number of prisoners who volunteered to participate in a substance abuse treatment program, and the number of prisoners who have participated in such a program.

"(5) The number of prisoners provided medication-assisted treatment with medication approved by the Food and Drug Administration while in custody in order to treat substance use disorder.

"(6) The number of prisoners who were receiving medication-assisted treatment with medication approved by the Food and Drug Administration prior to the commencement of their term of imprisonment.

"(7) The number of prisoners who are the parent or guardian of a minor child.

"(8) The number of prisoners who are single, married, or otherwise in a committed relationship.

"(9) The number of prisoners who have not achieved a GED, high school diploma, or equivalent prior to entering prison.

"(10) The number of prisoners who, during the previous year, received their GED or other equivalent certificate while incarcerated.

"(11) The numbers of prisoners for whom English is a second language.

"(12) The number of incidents, during the previous year, in which restraints were used on a female prisoner during pregnancy, labor, or postpartum recovery, as well as information relating to the type of restraints used, and the circumstances under which each incident occurred.

"(13) The vacancy rate for medical and healthcare staff positions, and average length of such a vacancy.

"(14) The number of facilities that operated, at any time during the previous year, without at least 1 clinical nurse, certified paramedic, or licensed physician on site.

"(15) The number of facilities that during the previous year were accredited by the American Correctional Association.

"(16) The number and type of recidivism reduction partnerships described in section 3621(h)(5) of title 18, United States Code, as added by section 102(a) of this Act, entered into by each facility.

"(17) The number of facilities with remote learning capabilities.

"(18) The number of facilities that offer prisoners video conferencing.

"(19) Any changes in costs related to legal phone calls and visits following implementation of section 3632(d)(1) of title 18, United States Code, as added by section 101(a) of this Act.

"(20) The number of aliens in prison during the previous year.

"(21) For each Bureau of Prisons facility, the total number of violations that resulted in reductions in rewards, incentives, or time credits, the number of such violations for each category of violation, and the demographic breakdown of the prisoners who have received such reductions.

"(22) The number of assaults on Bureau of Prisons staff by prisoners and the number of criminal prosecutions of prisoners for assaulting Bureau of Prisons staff.

"(23) The capacity of each recidivism reduction program and productive activity to accommodate eligible inmates at each Bureau of Prisons facility.



"(24) The number of volunteers who were certified to volunteer in a Bureau of Prisons facility, broken down by level (level I and level II), and by each Bureau of Prisons facility.

"(25) The number of prisoners enrolled in recidivism reduction programs and productive activities at each Bureau of Prisons facility, broken down by risk level and by program, and the number of those enrolled prisoners who successfully completed each program.

"(26) The breakdown of prisoners classified at each risk level by demographic characteristics, including age, sex, race, and the length of the sentence imposed.

"(b) REPORT TO JUDICIARY COMMITTEES.—Beginning not later than 1 year after the date of enactment of this Act [Dec. 21, 2018], and annually thereafter for a period of 7 years, the Director of the Bureau of Justice Statistics shall submit a report containing the information described in paragraphs (1) through (26) of subsection (a) to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives."

### **INCLUSION OF HONOR VIOLENCE IN NATIONAL CRIME VICTIMIZATION SURVEY**

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

### **STUDY OF CRIMES AGAINST SENIORS**

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

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

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

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

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

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

and

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

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

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

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

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

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

### **INCLUSION OF SENIORS IN NATIONAL CRIME VICTIMIZATION SURVEY**

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

"(1) crimes targeting or disproportionately affecting seniors;

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

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

### **CRIME VICTIMS WITH DISABILITIES AWARENESS**

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

"SECTION 1. SHORT TITLE.

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

"SEC. 2. FINDINGS; PURPOSES.

"(a) FINDINGS.—Congress finds that—

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



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

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

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

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

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

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

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

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

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

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

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

#### "SEC. 3. DEFINITION OF DEVELOPMENTAL DISABILITY.

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

#### "SEC. 4. STUDY.

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

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

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

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

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

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

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

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

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

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

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

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

### **§10133. Authority for 100 per centum grants**

A grant authorized under this subchapter may be up to 100 per centum of the total cost of each project for which such grant is made. The Bureau shall require, whenever feasible as a condition of approval of a grant under this subchapter, that the recipient contribute money, facilities, or services to carry out the purposes for which the grant is sought.

(Pub. L. 90–351, title I, §303, as added Pub. L. 96–157, §2, Dec. 27, 1979, 93 Stat. 1178.)

## CODIFICATION

Section was formerly classified to section 3733 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

## PRIOR PROVISIONS

A prior section 303 of Pub. L. 90–351, [title I, June 19, 1968](#), 82 Stat. 201; Pub. L. 91–644, [title I, §4\(5\), \(6\), Jan. 2, 1971](#), 84 Stat. 1883; Pub. L. 93–83, [§2, Aug. 6, 1973](#), 87 Stat. 201; Pub. L. 93–415, [title V, §543, Sept. 7, 1974](#), 88 Stat. 1142; Pub. L. 94–503, [title I, §111, Oct. 15, 1976](#), 90 Stat. 2413; Pub. L. 96–181, [§15\(b\), Jan. 2, 1980](#), 93 Stat. 1316, set out requirements of State plans in order to qualify for grants for law enforcement and criminal justice purposes, prior to the general amendment of this chapter by Pub. L. 96–157.

### **§10134. Use of data**

Data collected by the Bureau 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 private person or public agency other than statistical or research purposes.

(Pub. L. 90–351, title I, §304, formerly §305, as added Pub. L. 96–157, [§2, Dec. 27, 1979](#), 93 Stat. 1179; renumbered §304, Pub. L. 98–473, [title II, §605\(d\), Oct. 12, 1984](#), 98 Stat. 2080; amended Pub. L. 109–162, [title XI, §1115\(b\), Jan. 5, 2006](#), 119 Stat. 3104.)

## CODIFICATION

Section was formerly classified to section 3735 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

## PRIOR PROVISIONS

A prior section 304 of Pub. L. 90–351, as added by Pub. L. 96–157, was classified to section 3734 of Title 42, The Public Health and Welfare, prior to repeal by Pub. L. 98–473, [title II, §605\(c\), Oct. 12, 1984](#), 98 Stat. 2080.

## AMENDMENTS

**2006**—Pub. L. 109–162 substituted "private person or public agency" for "particular individual".

**Appendix 2:**

**National Prisoner Statistics Program, NPS-8/8A  
Sample Data collection request letter**



U.S. Department of Justice  
Office of Justice Programs  
Bureau of Justice Statistics

Washington, D.C. 20531

January 1, 2019

«NAME», «TITLE»  
«FACILITY»  
«ADDRESS1»  
«ADDRESS2»  
«CITY», «STATE» «ZIP»

Dear «SALUTATION»:

Once again it is time to collect information about persons under sentence of death in your jurisdiction. Enclosed you will find NPS-8 and NPS-8A materials for calendar year 2018. The U.S. Census Bureau collects these data for the Bureau of Justice Statistics (BJS) under the authority of Title 34 U.S.C. § 10231. All information will be managed in accordance with the BJS Data Protection Guidelines (available at [http://www.bjs.gov/content/pub/pdf/BJS\\_Data\\_Protection\\_Guidelines.pdf](http://www.bjs.gov/content/pub/pdf/BJS_Data_Protection_Guidelines.pdf)), which summarize the many federal statutes, regulations, and other authorities that govern BJS data and data collected and maintained under BJS's authority. The information that you provide makes it possible for us to produce an annual report on capital punishment, which is among the most requested BJS publications.

While your participation is voluntary, your assistance is extremely important. Because of your careful work and that of other data providers, our annual report is viewed as a reliable and accurate source of information on the death penalty in the United States. Results from the 2017 data collection will be released in 2019. You can access previous capital punishment reports on the BJS website at <http://www.bjs.gov/index.cfm?ty=pbse&sid=1>.

During the contact information verification conversation with Jessica Klein, our collection agents at the Census Bureau, you expressed interest in submitting your data using the online web application. You can access materials for web submission at <https://respond.census.gov/nps8>. Please retain this information as web login and password information have been sent in a separate letter. We ask that you submit data by **February 12, 2019**. If you have questions or need assistance, you may contact Jessica Klein by email at [govs.nps8@census.gov](mailto:govs.nps8@census.gov) or by phone at (800) 253-2078.

We estimate that your reporting burden will average 30 minutes per response, including the time needed to review instructions, search existing data sources, gather and maintain the data needed, and complete and review the collection of information. The approval of this data collection expires 12/31/2019. Send comments regarding this burden or any other aspect of this collection of information, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, Washington, DC 20531 and to the Office of Management and Budget, OMB No. 1121-0030, Washington, DC 20503.

Thank you for your time and efforts in this data collection and for your support of BJS's statistical programs. If you need assistance with any matters related to the NPS-8 collection, feel free to contact the NPS-8 program manager, Tracy Snell, at [Tracy.L.Snell@ojp.usdoj.gov](mailto:Tracy.L.Snell@ojp.usdoj.gov) or (202) 616-3288.

Sincerely,

E. Ann Carson, *Acting Chief*  
Corrections Statistics Program

Tracy L. Snell, *Statistician*  
NPS-8 Program Manager

**Appendix 3:**

**National Prisoner Statistics Program, NPS-8  
Sample data collection form**

FORM **NPS-8**  
(10-11-2018)

U.S. DEPARTMENT OF JUSTICE  
BUREAU OF JUSTICE STATISTICS  
and ACTING AS COLLECTING AGENT  
U.S. DEPARTMENT OF COMMERCE  
Economics and Statistics Administration  
U.S. CENSUS BUREAU

**REPORT OF INMATE UNDER SENTENCE OF DEATH  
NATIONAL PRISONER STATISTICS**

**CENSUS USE ONLY**

a. Report year

b.

Card \_\_\_ of \_\_\_ Cards

**RETURN TO**

**U.S. Census Bureau  
ATTN: Economic Reimbursable Surveys Division  
4600 Silver Hill Rd, 6H142B, Washington, DC 20233**

**Important - Please read instructions on reverse before completing this form.**

<b>1. State</b>		<b>Inmate's Dept. of Corrections ID.</b>		<b>11. Date of arrest for capital offense</b>		Month	Year
<b>2. Inmate name</b>				<b>12. Date of conviction for capital offense</b>		Month	Year
Last		First		<b>13. Date of sentence for capital offense</b>		Month	Year
Middle Initial							
<b>3. Sex - Mark (X) appropriate box.</b>							
1 <input type="checkbox"/> Male    2 <input type="checkbox"/> Female							
<b>4a. Ethnicity - Mark (X) appropriate box.</b>							
1 <input type="checkbox"/> Hispanic or Latino    2 <input type="checkbox"/> Non-Hispanic or Non-Latino    3 <input type="checkbox"/> Not known							
<b>4b. Race - Mark one or more.</b>							
1 <input type="checkbox"/> White    5 <input type="checkbox"/> Native Hawaiian or other Pacific Islander							
2 <input type="checkbox"/> Black or African American    6 <input type="checkbox"/> Additional racial category in your information system - <i>Specify</i> <input type="checkbox"/>							
3 <input type="checkbox"/> American Indian or Alaska Native							
4 <input type="checkbox"/> Asian							
<b>5. Date of birth</b>		Month	Year				
<b>6. Capital offense(s) for which imprisoned</b>							
<b>Number of death sentences imposed</b> → _____							
1 <input type="checkbox"/> Murder    3 <input type="checkbox"/> Kidnap							
2 <input type="checkbox"/> Rape    4 <input type="checkbox"/> Other - <i>Specify</i> _____							
<b>CENSUS USE ONLY</b>							
<b>7. Marital status at time of first imprisonment for capital offense</b>							
1 <input type="checkbox"/> Married - <i>Include common law marriage</i>							
2 <input type="checkbox"/> Divorced or separated							
3 <input type="checkbox"/> Widowed							
4 <input type="checkbox"/> Never married							
5 <input type="checkbox"/> Not known							
<b>8. Highest year of education completed at time of first imprisonment for capital offense</b>							
1 <input type="checkbox"/> 7th grade or less    7 <input type="checkbox"/> 1st year of college							
2 <input type="checkbox"/> 8th grade    8 <input type="checkbox"/> 2nd year of college							
3 <input type="checkbox"/> 9th grade    9 <input type="checkbox"/> 3rd year of college							
4 <input type="checkbox"/> 10th grade    10 <input type="checkbox"/> 4th year of college							
5 <input type="checkbox"/> 11th grade    11 <input type="checkbox"/> More than 4 years of college							
6 <input type="checkbox"/> 12th grade - (Include GED)    12 <input type="checkbox"/> Not Known							
<b>9. Legal status at time of capital offense</b>							
<i>Mark (X) appropriate box.</i>							
NOT UNDER SENTENCE							
1 <input type="checkbox"/> No charges pending							
2 <input type="checkbox"/> Charges pending							
UNDER SENTENCE							
3 <input type="checkbox"/> On probation							
4 <input type="checkbox"/> On parole							
5 <input type="checkbox"/> On escape							
6 <input type="checkbox"/> Imprisoned							
7 <input type="checkbox"/> Other - <i>Specify legal status</i> _____							
8 <input type="checkbox"/> UNKNOWN							
<b>10a. Prior felony conviction(s) - Mark (X) appropriate box.</b>							
1 <input type="checkbox"/> Yes							
2 <input type="checkbox"/> No							
3 <input type="checkbox"/> Unknown } <i>Skip to item 11</i>							
<b>10b. Were any of these convictions for criminal homicide?</b>							
<b>Yes, prior conviction for</b> <input checked="" type="checkbox"/>							
1 <input type="checkbox"/> Murder    4 <input type="checkbox"/> Attempted murder							
2 <input type="checkbox"/> Involuntary manslaughter    5 <input type="checkbox"/> Other - <i>Specify</i> <input type="checkbox"/>							
8 <input type="checkbox"/> Manslaughter							
9 <input type="checkbox"/> Voluntary manslaughter    6 <input type="checkbox"/> No							
3 <input type="checkbox"/> Vehicular manslaughter    7 <input type="checkbox"/> Unknown							
<b>11. Date of arrest for capital offense</b>							
Month    Year							
<b>12. Date of conviction for capital offense</b>							
Month    Year							
<b>13. Date of sentence for capital offense</b>							
Month    Year							
<b>14a. Inmate status on December 31, 2018.</b>							
<i>Mark (X) appropriate box.</i>							
1 <input type="checkbox"/> Under sentence of death - <i>Continue with item 14b</i>							
2 <input type="checkbox"/> Sentence of death removed - <i>Skip to items 14c and 14d</i>							
<b>14b. Was this inmate on escape or at a mental hospital on December 31, 2018?</b>							
1 <input type="checkbox"/> Yes, on escape - <i>Enter month and year of escape</i> . . . . .							
2 <input type="checkbox"/> Yes, at a mental hospital - <i>Enter month and year of transfer to mental hospital</i> . . . . .							
3 <input type="checkbox"/> No							
<b>NO FURTHER INFORMATION REQUIRED FOR THIS INMATE</b>							
<b>14c. Reason for inmate's removal from under sentence of death - Mark (X) appropriate box.</b>							
1 <input type="checkbox"/> Executed - <i>Enter date and skip to item 15</i> . . . . .							
2 <input type="checkbox"/> Deceased by other causes - <i>Enter date and skip to item 16</i> . . . . .							
3 <input type="checkbox"/> Capital sentence declared unconstitutional by State or U.S. Supreme Court . . . . .							
4 <input type="checkbox"/> Sentence commuted . . . . .							
5 <input type="checkbox"/> Conviction affirmed, sentence overturned by appellate or higher court . . . . .							
6 <input type="checkbox"/> Conviction and sentence over turned by appellate or higher court . . . . .							
7 <input type="checkbox"/> Other - <i>Specify</i> <input type="checkbox"/>							
8 <input type="checkbox"/> Information not available at this office							
<b>14d. Current status of inmate removed from sentence of death - Mark (X) the one box showing the inmate's status as of the day you fill out this report, i.e., TODAY.</b>							
1 <input type="checkbox"/> Under new sentence of _____							
2 <input type="checkbox"/> Awaiting retrial to determine guilt							
3 <input type="checkbox"/> Awaiting resentencing only (guilt affirmed)							
4 <input type="checkbox"/> Found not guilty in retrial							
5 <input type="checkbox"/> All charges on capital offense dropped							
6 <input type="checkbox"/> Other - <i>Specify</i> <input type="checkbox"/>							
7 <input type="checkbox"/> No action has been taken since removal from sentence of death							
8 <input type="checkbox"/> Information not available at this office							
<b>15. Method of execution - Mark (X) one box showing how the inmate was executed.</b>							
1 <input type="checkbox"/> Lethal injection							
2 <input type="checkbox"/> Electrocution							
3 <input type="checkbox"/> Lethal gas							
4 <input type="checkbox"/> Hanging							
5 <input type="checkbox"/> Firing squad							
6 <input type="checkbox"/> Other - <i>Specify</i> _____							
<b>16. Cause of death other than execution</b>							
<i>Mark (X) the appropriate box.</i>							
1 <input type="checkbox"/> Natural causes							
2 <input type="checkbox"/> Suicide							
3 <input type="checkbox"/> Murdered by another inmate							
4 <input type="checkbox"/> Other - <i>Specify</i> _____							

## INSTRUCTIONS

**Please complete one card for each person who: (1) entered your State's correctional system under sentence of death at any time during the report year, or (2) had received a sentence of death in a previous year but was not previously reported. Attempt to answer all items.**

**Item b. Card of Cards.** Complete this item to insure proper accounting of all persons under sentence of death in your correctional system who have not been previously reported.

**Item 4a. Ethnicity.** Hispanic or Latino persons are those of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

### Item 4b. Race

**(1) White.** A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

**(2) Black or African American.** A person having origins in any of the black racial groups of Africa.

**(3) American Indian or Alaska Native.** A person having origins in any of the original peoples of North America and South America (including Central America), and who maintains tribal affiliation or community attachment.

**(4) Asian.** A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

**(5) Native Hawaiian or Pacific Islander.** A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

**(6) Additional categories in your system.** Any designation not covered by the above categories. Please specify in the space provided.

**Item 5. Date of Birth.** Enter two digits for month (e.g., January=01) and four digits for year.

**Item 6. Capital offense for which imprisoned.** Mark **only** those offenses for which a capital sentence was levied in this jurisdiction. Enter the number of death sentences the inmate received in the space provided.

**Item 7. Marital status at time of first imprisonment for capital offense.** "Time of first imprisonment" refers to the inmate's original time of arrival **at prison** after his first sentencing to death. Separated does **not** include separation because of imprisonment.

**Item 8. Highest year of education completed at time of first imprisonment for capital offense.** Time frame as in Item 7 above. Include high school equivalency (GED) as "12th grade."

**Item 9. Legal status at time of capital offense.** If the person was known to be free in all states with no criminal charges pending at the time of the offense(s) in Item 6, mark "Not under sentence no charges pending."

**Item 10a. Prior felony conviction(s).** If the person was known to have been convicted of any felony **before being convicted** of the offense(s) in Item 6, mark "Yes" and answer Item 10b.

**Item 10b. Prior conviction for criminal homicide.** If any prior felony conviction referenced in Item 10a was for criminal homicide, mark "Yes" and mark the type(s) of criminal homicide. If convicted of a type not listed, mark "other" and specify the type.

**Item 12. Date of conviction for capital offense.** Generally a person receives only one conviction for a single or multiple capital offenses. In this case, enter the month and year the inmate was found guilty of the capital offense(s) in Item 6. If a person was convicted of more than one capital offense and received more than one death sentence, not all on the same date, record the **earliest date** that the person was found guilty. If a person's previous conviction for the offense(s) shown in Item 6 was overturned, but the person was subsequently retried and found guilty, enter the **most recent** month and year of conviction. **Do not** enter the date an appeal was rejected or the person was admitted to prison.

**Item 13. Date of sentence for capital offense.** Enter the date the person was formally sentenced to death by the court. The date must be the same as or later than the conviction date in Item 12.

**Item 14a. Inmate status on December 31, \_\_\_\_.** Indicate whether or not the inmate was under sentence of death at the end of the report year.

**Item 14b.** Indicate if the inmate was on escape or at a mental hospital. Enter the month and year of escape or transfer to mental hospital.

**Item 14c. Reason for removal from sentence of death.** Complete this item **only** if the sentence of death was removed during the report year or earlier. Mark the box which most accurately describes the means by which the death sentence was removed.

**14d. Current status of Inmate removed from sentence of death.** Mark the one box which best describes the inmate's legal status as of **THE DATE THIS REPORT IS COMPLETED**. If "Under new sentence", enter length of new sentence.



**Appendix 4:**

**National Prisoner Statistics Program, NPS-8A  
Sample data collection form**



## UPDATE REPORT OF INMATES UNDER SENTENCE OF DEATH NATIONAL PRISONER STATISTICS

U.S. DEPARTMENT OF JUSTICE  
BUREAU OF JUSTICE STATISTICS  
and ACTING AS COLLECTING AGENT  
U.S. DEPARTMENT OF COMMERCE  
Economics and Statistics Administration  
U.S. CENSUS BUREAU

### Part A – IDENTIFICATION OF INMATE

Year reported \_\_\_\_\_  
 Census assigned I.D. number \_\_\_\_\_

1. State
2. Name
3. Sex
- 4a. Ethnicity
- 4b. Race
5. Birth date
6. Capital offense
7. Marital status at time of first imprisonment for capital offense
8. Highest year of education completed at time of first imprisonment for capital offense
9. Legal status at time of capital offense
- 10a. Prior felony convictions
- 10b. Were any of these convictions for criminal homicide?
11. Date of arrest for capital offense
12. Date of conviction for capital offense
13. Date of sentence for capital offense

### Part B – STATUS OF INMATE

**14a. Was this inmate still under sentence of death on December 31, 2018?**

- 1  Yes – *Continue with item 14b*  
 2  No, sentence of death removed – *SKIP to items 14c and 14d*

**14b. Was this inmate on escape or at a mental hospital on December 31, 2018?**

- |   |       |      |
|---|-------|------|
|   | Month | Year |
| 1 <input type="checkbox"/> Yes, on escape – <i>Enter month and year of escape</i>                                 |       |      |
| 2 <input type="checkbox"/> Yes, at a mental hospital – <i>Enter month and year of transfer to mental hospital</i> |       |      |
| 3 <input type="checkbox"/> No   |       |      |

NO FURTHER INFORMATION IS REQUIRED FOR THIS INMATE

**14c. (1) In what month and year was this inmate removed from under sentence of death?**

Month	Year

**(2) What was the reason this inmate was removed from under sentence of death?**

- 1  Executed – *SKIP to item 15*
- 2  Deceased by other causes – *SKIP to item 16*
- 3  Capital sentence declared unconstitutional by State or U.S. Supreme Court
- 4  Sentence commuted
- 5  Conviction affirmed, sentence overturned by appellate or higher court
- 6  Conviction and sentence overturned by appellate or higher court
- 7  Other – *Specify* \_\_\_\_\_
- 8  Information not available at this office

**14d. As of TODAY, what is the status of this inmate?**

- 1  Under new sentence of \_\_\_\_\_
- 2  Awaiting retrial to determine guilt
- 3  Awaiting resentencing only (guilt affirmed)
- 4  Found not guilty in retrial
- 5  All charges on capital offense dropped
- 6  Other – *Specify* \_\_\_\_\_
- 7  No action has been taken since removal from sentence of death
- 8  Information not available at this office

**15. Method of execution – Mark (X) one box showing how the inmate was executed.**

- 1  Lethal injection
- 2  Electrocution
- 3  Lethal gas
- 4  Hanging
- 5  Firing squad
- 6  Other – *Specify* \_\_\_\_\_

**16. Cause of death other than execution – Mark (X) the appropriate box.**

- 1  Natural causes
- 2  Suicide
- 3  Murdered by another inmate
- 4  Other – *Specify* \_\_\_\_\_

Comments \_\_\_\_\_

**Appendix 5:**

**National Prisoner Statistics Program, NPS-8/8A  
Sample Login information letter**



**U.S. Department of Justice**

Office of Justice Programs

*Bureau of Justice Statistics*

---

Washington, D.C. 20531

January 1, 2019

Name, Title  
Street1  
Street2  
City, State, Zip

Dear Mr./Mrs Last Name,

Thank you for your continued participation in the National Prisoner Statistics (NPS-8) data collection. As mentioned in the introductory letter sent under separate cover, if you choose to submit your data online you may do so using the username and password information below. Username and password are case sensitive. The web address for online submission can be found in the survey introduction letter. Please retain both letters in order to efficiently access the online web application when you are ready to submit your data.

USERNAME: XX001  
PASSWORD: XXXXXXXXXX

We ask that you please submit your data by **February 12, 2019**. If you need any assistance, please contact Jessica Klein, our data collection agent at the U.S. Census Bureau, by phone at (800) 253-2078 or by email at [govs.nps8@census.gov](mailto:govs.nps8@census.gov).

Sincerely,

E. Ann Carson, *Acting Chief*  
Corrections Statistics Program

Tracy L. Snell, *Statistician*  
NPS-8 Program Manager


**Appendix 6:**

**National Prisoner Statistics Program, NPS-8/8A  
Sample Data collection flyer**

**2018 National Prisoner Statistics (NPS-8)**  
Effective December 31, 2018

OMB No.: 1121-0030 OMB Expiration Date: 12/31/2019

Bureau of Justice Statistics



**REPORT OF INMATES  
UNDER SENTENCE OF DEATH**

National Prisoner Statistics

**Welcome**

Thank you for taking time to respond to the NPS-8 Report of Inmates Under Sentence of Death data collection. You should have received a User ID and Password in the U.S. mail. Use this information to login. Please remember that both are case sensitive. If you need assistance, please contact Jessica Klein at (800) 253-2078 or via email at [govs.nps8@census.gov](mailto:govs.nps8@census.gov).

User ID:

Password:

**Please note: sessions will expire (requiring you to log back in) after 15 minutes of inactivity. No data will be lost.**

**\*\* WARNING \*\***  
You have accessed a UNITED STATES GOVERNMENT computer. Use of this computer without authorization or for purposes for which authorization has not been extended is a violation of Federal law and can be punished with fines or imprisonment (PUBLIC LAW 99-474). System usage may be monitored, recorded, and subject to audit. Any information you enter into this system may be used by the Census Bureau for statistical purposes, including but not limited to improving the efficiency of our data collection programs. For information regarding the use of this system, and how your privacy is protected, visit our online privacy webpage at <http://www.census.gov/privacy/>. Use of this system indicates consent to the collection, monitoring, recording, and use of information provided inside this system.

[Burden Statement](#)   [Accessibility](#)   [Privacy Policy](#)   [Security](#)

*Acting as Collection Agent*  
**United States**  
**Census**  
Bureau  
*Measuring America*

**Completed forms can be submitted via:**

- Web submission at: <https://respond.census.gov/nps8>
- User ID and password can be found in your login letter
- **For more information, contact:**  
Jessica Klein, U.S. Census Bureau  
1-800-253-2078  
[govs.nps8@census.gov](mailto:govs.nps8@census.gov)

**Appendix 7:**

**National Prisoner Statistics Program, NPS-8B  
Sample data collection form**



<b>RETURN TO</b>	<b>ERD Criminal Justice Branch</b>	<b>FORM NPS-8B</b> <small>(10-11-2018)</small>	<b>STATUS OF DEATH PENALTY STATUTES NO STATUTE IN FORCE, 2017 National Prisoner Statistics 2018</b>	U.S. DEPARTMENT OF JUSTICE BUREAU OF JUSTICE STATISTICS and ACTING AS COLLECTING AGENT U.S. DEPARTMENT OF COMMERCE Economics and Statistics Administration U.S. CENSUS BUREAU
	<b>NPS-8 U.S. CENSUS BUREAU</b> 4600 Silver Hill Rd 6H142B Washington, DC 20233-6800			

*(Please correct any error in name, mailing address, and ZIP Code)*

**DATA SUPPLIED BY**

Name				Title		
TELEPHONE	Area code	Number	Extension	FAX NUMBER	Area code	Number
E-MAIL ADDRESS						Date completed

**GENERAL INFORMATION**

- If you need assistance in completing the questionnaire, please call **Jessica Klein**, U.S. Census Bureau, toll-free at **1 800 253 2078**.
- Please mail your completed questionnaire to the **U.S. Census Bureau** in the enclosed envelope before **February 12, 2019**, or FAX **both sides** to **1-888-891-2099**.

**Who receives this form?**

This form is sent to jurisdictions that had no capital statute in effect on December 31, 2017.

**What information is collected?**

Items on the reverse side of this form relate to death penalty statutes in your jurisdiction during the period **January 1, 2018, through December 31, 2018**.

**Burden statement**

Under the Paperwork Reduction Act, we cannot ask you to respond to a collection of information unless it displays a currently valid OMB control number. Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspects of this collection of information, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, Washington, DC 20531; and to the Office of Management and Budget, OMB No. 1121-0030, Washington, DC 20503.

**1. National Prisoner Statistics (NPS) records show that at the end of 2017 your State had NO CAPITAL PUNISHMENT STATUTE. At any time in 2018 was such a law established?**

- 01  No *Go to Question 4*  
02  Yes

Effective date

Citation

Please provide a copy of the law.

**2. During 2018, was that law explicitly struck by the U.S. or State Supreme Court?**

- 01  No *Go to Question 5*  
 Yes

Wholly struck

- 02  By U.S. Supreme Court  
03  By State Supreme Court

Partially struck

- 04  By U.S. Supreme Court  
05  By State Supreme Court

Effective date

Citation

Please provide a copy of the law.

**3. In the opinion of the Attorney General, what was the impact on persons sentenced under your State's statute?**

- 01  All were effectively removed from under sentence of death as of the decision date; that is, legally these persons could not be executed under that sentence.
- 02  None were effectively removed from under sentence of death as of the decision date; that is, legally these persons could still possibly be executed under that sentence.
- 03  Some were effectively removed from under sentence of death as of the decision date while others were not; that is, legally some could still possibly be executed under that sentence while others could not.

**4. As of December 31, 2018, does your State CONSTITUTION specifically prohibit capital penalties?**

- 01  No  
02  Yes

Date

Citation

**5. As of December 31, 2018, your State -**

- 01  Had no capital punishment statute **STOP HERE** and return form.  
02  Had a capital punishment statute

**6. For what offenses can the death penalty be imposed in your State?**

**7. Does your State provide for automatic appeal upon imposition of the death penalty, irrespective of the defendant's wishes?**

- 01  No  
02  Yes

**8. What methods of execution are authorized in your capital punishment statute?**

Mark (X) all that apply.

- 01  Lethal injection  
02  Electrocution  
03  Lethal gas  
04  Hanging  
05  Firing squad  
06  Other *Specify* ↴

**Appendix 8:**

**National Prisoner Statistics Program, NPS-8C  
Sample data collection form**

<b>RETURN TO</b>	<b>ERD – Criminal Justice Branch NPS-8 U.S. CENSUS BUREAU 4600 Silver Hill Rd – 6H142B Washington, DC 20233-6800</b>	FORM <b>NPS-8C</b> (10-9-2018)	<b>STATUS OF DEATH PENALTY STATUTES STATUTE IN FORCE, 2017 National Prisoner Statistics 2018</b>	U.S. DEPARTMENT OF JUSTICE BUREAU OF JUSTICE STATISTICS and ACTING AS COLLECTING AGENT U.S. DEPARTMENT OF COMMERCE Economics and Statistics Administration U.S. CENSUS BUREAU

(Please correct any error in name, mailing address, and ZIP Code)

DATA SUPPLIED BY						
Name				Title		
TELEPHONE	Area code	Number	Extension	FAX NUMBER	Area code	Number
E-MAIL ADDRESS					Date completed	

**GENERAL INFORMATION**

- If you need assistance in completing the questionnaire, please call **Jessica Klein**, U.S. Census Bureau, toll-free at **1-800-253-2078**.
- Please mail your completed questionnaire to the **U.S. Census Bureau** in the enclosed envelope before **February 12, 2019**, or **FAX** (both sides) to **1-888-891-2099**.

**Who receives this form?**  
This form is sent to jurisdictions that had a capital statute in effect on December 31, 2017.

**What information is collected?**  
Items on the reverse side of this form relate to death penalty statutes in effect in your jurisdiction during the period **January 1, 2018, through December 31, 2018**.

**Burden statement**  
Under the Paperwork Reduction Act, we cannot ask you to respond to a collection of information unless it displays a currently valid OMB control number. Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspects of this collection of information, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, Washington, DC 20531; and to the Office of Management and Budget, OMB No. 1121-0030, Washington, DC 20503.

**1. National Prisoner Statistics (NPS) records show that at the end of 2017 your State had a capital punishment statute. During 2018, was that law explicitly struck in whole or in part by the U.S. or the State Supreme Court?**

- 01  No – Go to Question 3
- Yes
  - Wholly struck
    - 02  By U.S. Supreme Court
    - 03  By State Supreme Court
  - Partially struck
    - 04  By U.S. Supreme Court
    - 05  By State Supreme Court

Effective date

Citation

Please provide a copy of the Law(s) cited in the box above.

**2. In the opinion of the Attorney General, what was the impact on persons sentenced under your State's statute?**

- 01  All were effectively removed from under sentence of death as of the decision date; that is, legally these persons could not be executed under that sentence.
- 02  None were effectively removed from under sentence of death as of the decision date; that is, legally these persons could still possibly be executed under that sentence.
- 03  Some were effectively removed from under sentence of death as of the decision date while others were not; that is, legally some could still possibly be executed under that sentence while others could not.

**3. During 2018, the capital punishment statute was:**

- 01  Not changed
- 02  Revised or modified
- 03  Replaced (entirely new statute)

Effective date

Citation

Please provide a copy of the revised sections. If revised more than once, please specify.

**4. As of December 31, 2018, your State –**

- 01  Had no capital punishment statute – STOP HERE and return form.
- 02  Had a capital punishment statute

**5. For what offense(s) can the death penalty be imposed in your State?**

**6. Does your State provide for automatic appeal upon imposition of the death penalty, irrespective of defendant's wishes?**

- 01  No
- 02  Yes

**7. What methods of execution are authorized in your capital punishment statute?**

Mark (X) all that apply.

- 01  Lethal injection
- 02  Electrocutation
- 03  Lethal gas
- 04  Hanging
- 05  Firing squad
- 06  Other – Specify ↴

**NOTES**

**Appendix 9:**

**National Prisoner Statistics Program, NPS-8B/8C  
Sample Data collection request letter**



**U.S. Department of Justice**  
Office of Justice Programs  
*Bureau of Justice Statistics*

Washington, D.C. 20531

January 1, 2019

Name, Title  
Street1  
Street2  
City, State, Zip

Dear Mr./Mr. Last Name,

Once again it is time to collect information regarding the status of state and federal death penalty statutes. The information that you and others provide makes it possible for the Bureau of Justice Statistics (BJS) to produce an annual report on capital punishment. In addition to providing statistics on persons under sentence of death and executions, the report tracks changes in death penalty laws over time.

The enclosed questionnaire refers to death penalty laws enacted in your jurisdiction during the period **January 1, 2018 through December 31, 2018**.

You can submit your completed NPS-8 **BC** form via web at <https://respond.census.gov/nps8ag>. Your username and password is below:

Username: **XX001**

Password: **XXXXXXXXXXXXXX**

We would like to receive your submission no later than **February 18, 2019**. If you have any questions or need any assistance, please contact Jessica Klein by email at [govs.nps8@census.gov](mailto:govs.nps8@census.gov) or by phone at (800) 253-2078.

The Census Bureau collects these data for BJS, under the authority of Title 34 U.S.C. § 10231. All information will be managed in accordance with the BJS Data Protection Guidelines (available on the BJS website at [http://www.bjs.gov/content/pub/pdf/BJS\\_Data\\_Protection\\_Guidelines.pdf](http://www.bjs.gov/content/pub/pdf/BJS_Data_Protection_Guidelines.pdf)), which summarize the many federal statutes, regulations, and other authorities that govern BJS data and data collected and maintained under BJS's authority. Your participation is voluntary; however, your cooperation is extremely important in helping us assemble an accurate picture of capital punishment in the United States. Results from the 2017 data collection will be released in early 2019. You can access previous capital punishment reports on the BJS website at <http://www.bjs.gov/index.cfm?ty=pbse&sid=1>.

Thank you for your continued participation in this data collection. If you need assistance with the NPS-8 collection, feel free to contact the NPS-8 program manager, Tracy Snell, at [Tracy.L.Snell@ojp.usdoj.gov](mailto:Tracy.L.Snell@ojp.usdoj.gov) or (202) 616-3288.

Sincerely,

E. Ann Carson, *Acting Chief*  
Corrections Statistics Program

Tracy L. Snell, *Statistician*  
NPS-8 Program Manager




**Appendix 10:**

**National Prisoner Statistics Program, NPS-8B/8C  
Sample Data collection flyer**

**2019 National Prisoner Statistics (NPS-8)  
Effective December 31, 2019**

OMB No.: 1121-0030 OMB Expiration Date: 12/31/2019

Bureau of Justice Statistics



**NATIONAL PRISONER STATISTICS 8-  
STATUS OF DEATH PENALTY STATUTES**

National Prisoner Statistics 8

Login


**Welcome**

Thank you for taking time to respond to the NPS-8 Status of Death Penalty Statutes data collection. You should have received a Username and Password in the U.S. mail. Use this information to login. Please remember that both are case sensitive. If you need assistance, please contact Jessica Klein at (800) 253-2078 or via email at [govs.nps8@census.gov](mailto:govs.nps8@census.gov).

- Login by entering the appropriate information and press the "Login" button
- Username and Password are case sensitive

Username:

Password:



**Please note: sessions will expire (requiring you to log back in) after 15 minutes of inactivity. No data will be lost.**

**\*\* WARNING \*\***

You have accessed a UNITED STATES GOVERNMENT computer. Use of this computer without authorization or for purposes for which authorization has not been extended is a violation of Federal law and can be punished with fines or imprisonment (PUBLIC LAW 99-474). System usage may be monitored, recorded, and subject to audit. Any information you enter into this system may be used by the Census Bureau for statistical purposes, including but not limited to improving the efficiency of our data collection programs. For information regarding the use of this system, and how your privacy is protected, visit our online privacy webpage at <http://www.census.gov/privacy/>. Use of this system indicates consent to the collection, monitoring, recording, and use of information provided inside this system.

[Burden Statement](#)    [Accessibility](#)    [Privacy Policy](#)    [Security](#)

**Completed forms can be submitted via:**

- Web submission at: <https://respond.census.gov/nps8ag>
- User ID and password can be found in your mailout letter
- **For more information, contact:**  
Jessica Klein, U.S. Census Bureau  
1-800-253-2078  
[govs.nps8@census.gov](mailto:govs.nps8@census.gov)

**Appendix 11:**  
**National Prisoner Statistics Program, NPS-8/8A**  
**Sample BJS email data release notification letter**

Title First name Last name

Job title

Office

Division

Building

Address1

Address2

City, State Zip code

Dear <Title>< Last name>:

Thank you for your participation in the Bureau of Justice Statistics' survey on capital punishment. The enclosed draft tables have been compiled from information provided by your office regarding persons under sentence of death **during calendar year 2017**. These data will be used in electronic tables that will become available on the BJS website in July (<http://bjs.ojp.usdoj.gov/index.cfm?ty=tp&tid=18>).

If you have questions, please call me at (202)616-3288.

Please do not distribute these tables. The data are preliminary and subject to change.

As always, we appreciate your assistance in maintaining the accuracy and timeliness of the Capital Punishment series.

Sincerely,

Tracy L. Snell

Statistician

Corrections Statistics

Attachments

**Appendix 12:**  
**National Prisoner Statistics Program, NPS-8B/8C**  
**Sample BJS email data release notification letter**

{Date}

Title First name Middle Initial Last Name

Job title, Job title #2

Office

Building address

Street address

City, State Zip code

Dear <Title>< Last Name>:

Thank you for your participation in the Bureau of Justice Statistics' survey on capital punishment. The enclosed tables were assembled from information provided by your office regarding the status of capital statutes in your State **during calendar year 2017**. We will include these tables in *Capital Punishment, 2017 – Statistical Brief*. We expect the information to be released to the public in July (<http://bjs.ojp.usdoj.gov/index.cfm?ty=tp&tid=18>).

If you have questions, please feel free to call me at (202)616-3288.

Please do not distribute these tables. The data are preliminary and subject to change.

As always, we appreciate your assistance in maintaining the accuracy and quality of these data.

Sincerely,

Tracy L. Snell

Statistician

Corrections Statistics

Attachments

## **Appendix 13:**

### **National Prisoner Statistics Program, NPS-8/8A Screenshots of 2018 secure web data collection tool**



### NPS-8 Forms

Inmate	D.O.C. ID	Birth Date	Form Status	Edit Form	Download PDF	Delete
XXXXXXXXXXXXXX	XXXX	XXXXX	Completed			
XXXXXXXXXXXXXX	XXXX	XXXXX	In Progress			
XXXXXXXXXXXXXX	XXXX	XXXXX	Completed			

Showing entries 1 to 3 of 3

[Fill out a new NPS-8 form](#)

### NPS-8A Forms

Inmate	D.O.C. ID	Birth Date	Report Year	Form Status	Edit Prior Data	Update Inmate Status	No Update to inmate Status	Download PDF
XXXXXXXXXXXXXX	Z-648	12 / 1871	1998	Not Started			<input type="checkbox"/>	
XXXXXXXXXXXXXX	Z-427	XXXX	1987	Not Started			<input type="checkbox"/>	
XXXXXXXXXXXXXX	Z-597	XXXX	1995	Not Started			<input type="checkbox"/>	
XXXXXXXXXXXXXX	Z-742	XXXX	2004	Not Started			<input type="checkbox"/>	
XXXXXXXXXXXXXX	Z-556	XXXX	1994	Not Started			<input type="checkbox"/>	
XXXXXXXXXXXXXX	Z-611	XXXX	1997	Not Started			<input type="checkbox"/>	
XXXXXXXXXXXXXX	Z-686	XXXX	2002	Not Started			<input type="checkbox"/>	
XXXXXXXXXXXXXX	Z-695	05 / 1869	2003	Not Started			<input type="checkbox"/>	
XXXXXXXXXXXXXX	Z-706	XXXX	2004	Not Started			<input type="checkbox"/>	
XXXXXXXXXXXXXX	Z-726	XXXX	2006	Not Started			<input type="checkbox"/>	

Showing entries 1 to 10 of 183 [Next Page](#)

### Search

Name:

DOC ID:

### Finalize Survey Submission

[Finalize NPS submission](#)

The letters PDF or the icon indicate a document is in the [Portable Document Format \(PDF\)](#). To view the file you will need

NPS-8A, Existing Inmate: Edit Prior Year Data

Dashboard		Information ↓		Logout	
<b>NPS 8A PRIOR YEAR DATA</b>					
<p>This section allows you to update data that was submitted last year for a given inmate.                      After making any necessary changes to the prior year data, please return to the Dashboard (by clicking on the Dashboard link above) and complete a new 8A form for this inmate (by clicking on the icon in the Update Inmate Status column).</p>					
#	Question	Prior Data	Updated Data	Edit Prior Data	
	Year reported	2004			
	Census assigned I.D. number	7789			
1.	State and Dept. of Corrections ID	XXXXXX			
2.	Name	XXXXXXXXXX			
3.	Sex	Male			
4a.	Ethnicity	Non-Hispanic or Non-Latino			
4b.	Race	White			
5.	Birth Date	XXXXXX			
6.	Number of death sentences and capital offense(s)	/			
7.	Marital status at time of first imprisonment for capital offense	Never married			
8.	Highest year of education completed at time of first imprisonment for capital offense	12th grade			
9.	Legal status at time of capital offense	No charges pending			
10a.	Prior felony convictions	No			
10b.	Were any of these convictions for criminal homicide?	Voluntary manslaughter			
11.	Date of arrest for capital offense	05 / 2001			
12.	Date of conviction for capital offense	12 / 2003			
13.	Date of sentence for capital offense	01 / 2004			
<a href="#">Burden Statement</a>		<a href="#">Accessibility</a>		<a href="#">Privacy Policy</a>	
				<a href="#">Security</a>	

NPS-8A, Existing Inmate: Current Year Status 14a, 14b, 14c

Dashboard		Information ↓		PDF Options ↓		Logout	
<b>14a. Inmate status on December 31, 2018</b>							
<p> <input type="radio"/> Under sentence of death  <input type="radio"/> Sentence of death removed                     </p>							
<a href="#">Previous</a>				<a href="#">Next</a>			
<a href="#">Burden Statement</a>		<a href="#">Accessibility</a>		<a href="#">Privacy Policy</a>		<a href="#">Security</a>	

**14b. Was this inmate on escape or at a mental hospital on December 31, 2018?**

Yes, on escape — Enter month and year of escape...      Month ▾ Year

Yes, at a mental hospital — Enter month and year of transfer to mental hospital...      Month ▾ Year

No

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**14c. Reason for inmate's removal from under sentence of death**

Executed      Month ▾ Year

Deceased by other causes      Month ▾ Year

Capital sentence declared unconstitutional by State or U.S. Supreme Court...      Month ▾ Year

Sentence commuted...      Month ▾ Year

Conviction affirmed, sentence overturned by appellate or higher court...      Month ▾ Year

Conviction and sentence overturned by appellate or higher court...      Month ▾ Year

Other — Specify           Month ▾ Year

Information not available at this office

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<a href="#">Dashboard</a>	<a href="#">Information</a> ↓	<a href="#">PDF Options</a> ↓	<a href="#">Logout</a>
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**14c. Reason for inmate's removal from under sentence of death**

- Executed Month  Year
- Deceased by other causes Month  Year
- Capital sentence declared unconstitutional by State or U.S. Supreme Court... Month  Year
- Sentence commuted... Month  Year
- Conviction affirmed, sentence overturned by appellate or higher court... Month  Year
- Conviction and sentence overturned by appellate or higher court... Month  Year
- Other — Specify  Month  Year
- Information not available at this office

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**14d. Current status of inmate removed from sentence of death — Select the one box showing the inmate's status as of the day you fill out this report, i.e., TODAY.**

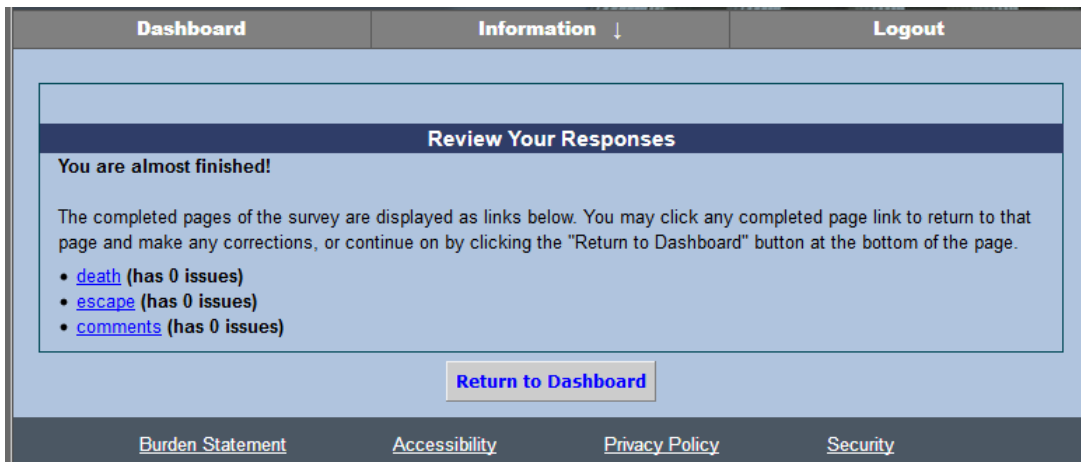
- Under new sentence of:
- Awaiting retrial to determine guilt
- Awaiting resentencing only (guilt affirmed)
- Found not guilty in retrial
- All charges on capital offense dropped
- Other — Specify
- No action has been taken since removal from sentence of death
- Information not available at this office

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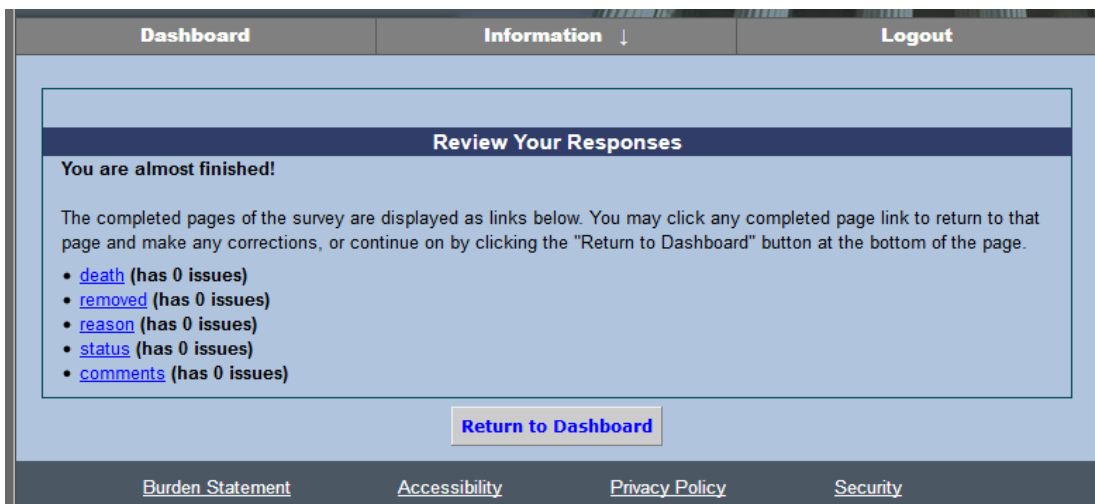
<a href="#">Burden Statement</a>	<a href="#">Accessibility</a>	<a href="#">Privacy Policy</a>	<a href="#">Security</a>
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<a href="#">Dashboard</a>	<a href="#">Information</a> ↓	<a href="#">PDF Options</a> ↓	<a href="#">Logout</a>
<p><b>15. Method of execution — Select the one box showing how the inmate was executed.</b></p> <p><input type="radio"/> Lethal injection</p> <p><input type="radio"/> Electrocutation</p> <p><input type="radio"/> Lethal gas</p> <p><input type="radio"/> Hanging</p> <p><input type="radio"/> Firing squad</p> <p><input type="radio"/> Other — Specify <input type="text"/></p>			
<p><a href="#">Previous</a> <a href="#">Next</a></p>			
<a href="#">Burden Statement</a>	<a href="#">Accessibility</a>	<a href="#">Privacy Policy</a>	<a href="#">Security</a>
<a href="#">Dashboard</a>	<a href="#">Information</a> ↓	<a href="#">PDF Options</a> ↓	<a href="#">Logout</a>
<p><b>16. Cause of death other than execution</b></p> <p><input type="radio"/> Natural causes</p> <p><input type="radio"/> Suicide</p> <p><input type="radio"/> Murdered by another inmate</p> <p><input type="radio"/> Other — Specify <input type="text"/></p>			
<p><a href="#">Previous</a> <a href="#">Next</a></p>			
<a href="#">Burden Statement</a>	<a href="#">Accessibility</a>	<a href="#">Privacy Policy</a>	<a href="#">Security</a>

NPS-8A, Existing Inmate: Review Your Responses (screen for inmates under sentence of death on reference date)



NPS-8A, Existing Inmate: Review Your Responses (screen for inmates removed from under sentence of death on reference date)



<a href="#">Dashboard</a>	<a href="#">Information</a> ↓	<a href="#">Logout</a>
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**1. State:** Inmate's Dept. of Corrections ID

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**2. Inmate Name - (Last First MI)**

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**3. Sex**

Male

Female

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**4a. Ethnicity**

Hispanic or Latino  
 Non-Hispanic or Non-Latino  
 Not known

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**4b. Race — Select all that apply.**

White  
 Black or African American  
 American Indian or Alaska Native  
 Asian  
 Native Hawaiian or other Pacific Islander  
 Additional categories in your information system — Specify

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**5. Date of birth**

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**6. Capital offense(s) for which imprisoned**

Number of death sentences imposed:

Murder  
 Kidnap  
 Rape  
 Other — Specify

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**7. Marital status at time of first imprisonment for capital offense**

Married — Include common law marriage  
 Divorced or separated  
 Widowed  
 Never married  
 Not known

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**8. Highest year of education completed at time of first imprisonment for capital offense**

7th grade or less       1st year of college  
 8th grade                 2nd year of college  
 9th grade                   3rd year of college  
 10th grade                 4th year of college  
 11th grade                 More than 4 years of college  
 12th grade — (Include GED)    Not Known

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<b>9. Legal status at time of capital offense</b>		
NOT UNDER SENTENCE		
<input type="radio"/> No charges pending		
<input type="radio"/> Charges pending		
UNDER SENTENCE		
<input type="radio"/> On probation		
<input type="radio"/> On parole		
<input type="radio"/> On escape		
<input type="radio"/> Imprisoned		
<input type="radio"/> Other — Specify legal status <input type="text"/>		
<input type="radio"/> UNKNOWN		
<a href="#">Previous</a> <a href="#">Next</a>		
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<a href="#">Security</a>		

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<b>10a. Prior felony conviction(s)</b>		
<input type="radio"/> Yes		
<input type="radio"/> No		
<input type="radio"/> Unknown		
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**10b. Were any of these convictions for criminal homicide?**

Yes, for:

- Murder
- Involuntary manslaughter
- Manslaughter
- Voluntary manslaughter
- Vehicular manslaughter
- Attempted murder
- Other — Specify

No

Unknown

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**11. Date of arrest for capital offense**

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**12. Date of conviction for capital offense**

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**13. Date of sentence for capital offense**

Month  Year

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**14a. Inmate status on December 31, 2018**

Under sentence of death  
 Sentence of death removed

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**14b. Was this inmate on escape or at a mental hospital on December 31, 2018?**

Yes, on escape — Enter month and year of escape...
  Month  Year

Yes, at a mental hospital — Enter month and year of transfer to mental hospital...
  Month  Year

No

<a href="#">Burden Statement</a>	<a href="#">Accessibility</a>	<a href="#">Privacy Policy</a>	<a href="#">Security</a>
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**14c. Reason for inmate's removal from under sentence of death**

- Executed Month  Year
- Deceased by other causes Month  Year
- Capital sentence declared unconstitutional by State or U.S. Supreme Court... Month  Year
- Sentence commuted... Month  Year
- Conviction affirmed, sentence overturned by appellate or higher court... Month  Year
- Conviction and sentence overturned by appellate or higher court... Month  Year
- Other — Specify  Month  Year
- Information not available at this office

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**14d. Current status of inmate removed from sentence of death — Select the one box showing the inmate's status as of the day you fill out this report, i.e., TODAY.**

- Under new sentence of:
- Awaiting retrial to determine guilt
- Awaiting resentencing only (guilt affirmed)
- Found not guilty in retrial
- All charges on capital offense dropped
- Other — Specify
- No action has been taken since removal from sentence of death
- Information not available at this office

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**15. Method of execution — Select the one box showing how the inmate was executed.**

- Lethal injection
- Electrocutation
- Lethal gas
- Hanging
- Firing squad
- Other — Specify

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**16. Cause of death other than execution**

- Natural causes
- Suicide
- Murdered by another inmate
- Other — Specify

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## NPS-8: New Inmate, Review Your Responses

### Review Your Responses

**You are almost finished!**

The completed pages of the survey are displayed as links below. You may click any completed page link to return to that page and make any corrections, or continue on by clicking the "Return to Dashboard" button at the bottom of the page.

- [id](#) (has 0 issues)
- [name](#) (has 0 issues)
- [sex](#) (has 0 issues)
- [ethnicity](#) (has 0 issues)
- [race](#) (has 1 issue)
- [birth](#) (has 0 issues)
- [offense](#) (has 0 issues)
- [maritalstatus](#) (has 0 issues)
- [highestyear](#) (has 0 issues)
- [legalstatus](#) (has 0 issues)
- [felony](#) (has 0 issues)
- [homicide](#) (has 0 issues)
- [arrest](#) (has 1 issue)
- [conviction](#) (has 1 issue)
- [sentence](#) (has 1 issue)
- [status](#) (has 0 issues)
- [escape](#) (has 1 issue)

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## **Appendix 14:**

### **National Prisoner Statistics Program, NPS-8B/8C Screenshots of 2018 secure web data collection tool**



**1. National Prisoner Statistics (NPS) records show that at the end of 2017 your State had NO CAPITAL PUNISHMENT STATUTE. At any time in 2018 was such a law established?**

- No
- Yes

**1. National Prisoner Statistics (NPS) records show that at the end of 2017 your State had NO CAPITAL PUNISHMENT STATUTE. At any time in 2018 was such a law established?**

- No
- Yes

Effective Date:

Month  Day  Year

Citation: (100 maximum number of characters)

Note: If you wish to use a section symbol (§) in your citation, you may do so by holding down the Alt key, typing 0167 on your keyboard number pad, and releasing the Alt key.

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**2. During 2018, was the law explicitly struck by the U.S. or State Supreme Court?**

- No
- Yes, wholly struck by U.S. Supreme Court
- Yes, wholly struck by State Supreme Court
- Yes, partially struck by U.S. Supreme Court
- Yes, partially struck by State Supreme Court

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**2. During 2018, was the law explicitly struck by the U.S. or State Supreme Court?**

- No
- Yes, wholly struck by U.S. Supreme Court
- Yes, wholly struck by State Supreme Court
- Yes, partially struck by U.S. Supreme Court
- Yes, partially struck by State Supreme Court

Effective Date:


Month  Day  Year

Citation: (100 maximum number of characters)

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Information	PDF Options	Logout
<p><b>3. In the opinion of the Attorney General, what was the impact on persons sentenced under your State's statute?</b></p> <ul style="list-style-type: none"><li><input type="radio"/> All were effectively removed from under sentence of death as of the decision date; that is, legally these persons could not be executed under that sentence.</li><li><input type="radio"/> None were effectively removed from under sentence of death as of the decision date; that is, legally these persons could still possibly be executed under that sentence.</li><li><input type="radio"/> Some were effectively removed from under sentence of death as of the decision date while others were not; that is, legally some could still possibly be executed under that sentence while others could not.</li></ul>		
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<p><b>4. As of December 31, 2018 does your State CONSTITUTION specifically prohibit capital penalties?</b></p> <ul style="list-style-type: none"><li><input type="radio"/> No</li><li><input type="radio"/> Yes</li></ul>		
<p><a href="#">Previous</a> <a href="#">Save and Next</a></p>		
<p>The letters PDF or the  icon indicate a document is in the <a href="#">Portable Document Format (PDF)</a>. To view the file you will need the <a href="#">Adobe® Reader</a>, which is available for <a href="#">free</a> from the Adobe web site.</p>		
<a href="#">Burden Statement</a>	<a href="#">Accessibility</a>	<a href="#">Privacy Policy</a>
<a href="#">Security</a>		

**4. As of December 31, 2018 does your State CONSTITUTION specifically prohibit capital penalties?**

- No
- Yes

Date:

Month  Day  Year

Citation: (100 maximum number of characters)


Note: If you wish to use a section symbol (§) in your citation, you may do so by holding down the Alt key, typing 0167 on your keyboard number pad, and releasing the Alt key.

**5. As of December 31, 2018, your State -**

- Had no capital punishment statute
- Had a capital punishment statute

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**6. For what offenses can the death penalty be imposed in your State?**

(200 maximum number of characters)

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<p><b>7. Does your State provide for automatic appeal upon imposition of the death penalty, irrespective of the defendant's wishes?</b></p> <p> <input type="radio"/> No  <input type="radio"/> Yes </p>		
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Information	PDF Options	Logout
<p><b>8. What methods of execution are authorized in your capital punishment statute?</b></p> <p>Select all that apply.</p> <p> <input type="checkbox"/> Lethal injection  <input type="checkbox"/> Electrocution  <input type="checkbox"/> Lethal gas  <input type="checkbox"/> Hanging  <input type="checkbox"/> Firing squad  <input type="checkbox"/> Other — Specify (200 maximum number of characters) </p> <div style="border: 1px solid gray; height: 40px; width: 150px; margin-top: 5px;"></div>		
<p><a href="#">Previous</a>   <a href="#">Save and Next</a></p>		
<a href="#">Burden Statement</a>	<a href="#">Accessibility</a>	<a href="#">Privacy Policy</a> <a href="#">Security</a>

Information	PDF Options	Logout
<p><b>Review Your Responses</b></p>		
<p><b>You are almost finished!</b></p> <p>Please note that pages that currently have issues or unexpected responses are identified with the number of issues in parentheses, e.g. '(has 1 issue)'.</p> <p>The completed pages of the survey are displayed as links below. You may click any completed page link to return to that page and make any corrections, or continue on by clicking the "Submit Data" button at the bottom of the page.</p> <ul style="list-style-type: none"> <li>• <a href="#">Contact Info</a></li> <li>• <a href="#">Question 1 (has 1 issue)</a></li> <li>• <a href="#">Question 2</a></li> <li>• <a href="#">Question 3</a></li> <li>• <a href="#">Question 4 (has 1 issue)</a></li> <li>• <a href="#">Question 5</a></li> <li>• <a href="#">Question 6</a></li> <li>• <a href="#">Question 7</a></li> <li>• <a href="#">Question 8</a></li> </ul>		
<p><a href="#">Submit Data</a></p>		
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**1. National Prisoner Statistics (NPS) records show that at the end of 2017 your State had a capital punishment statute. During 2018, was that law explicitly struck in whole or in part by the U.S. or State Supreme Court?**

- No
- Yes, wholly struck by U.S. Supreme Court
- Yes, wholly struck by State Supreme Court
- Yes, partially struck by U.S. Supreme Court
- Yes, partially struck by State Supreme Court

**1. National Prisoner Statistics (NPS) records show that at the end of 2017 your State had a capital punishment statute. During 2018, was that law explicitly struck in whole or in part by the U.S. or State Supreme Court?**

- No
- Yes, wholly struck by U.S. Supreme Court
- Yes, wholly struck by State Supreme Court
- Yes, partially struck by U.S. Supreme Court
- Yes, partially struck by State Supreme Court

Effective Date:

Month  Day  Year

Citation: (100 maximum number of characters)

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**2. In the opinion of the Attorney General, what was the impact on persons sentenced under your State's statute?**

- All were effectively removed from under sentence of death as of the decision date; that is, legally these persons could not be executed under that sentence.
- None were effectively removed from under sentence of death as of the decision date; that is, legally these persons could still possibly be executed under that sentence.
- Some were effectively removed from under sentence of death as of the decision date while others were not; that is, legally some could still possibly be executed under that sentence while others could not.

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**3. During 2018, the capital punishment statute was:**

- Not changed
- Revised or modified
- Replaced (entirely new statute)

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**3. During 2018, the capital punishment statute was:**

- Not changed
- Revised or modified
- Replaced (entirely new statute)

Effective Date:

Month  Day  Year

Citation: (100 maximum number of characters)

Note: If you wish to use a section symbol (§) in your citation, you may do so by holding down the Alt key, typing 0167 on your keyboard number pad, and releasing the Alt key.

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If revised more than once, please specify.

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**4. As of December 31, 2018, your State -**

- Had no capital punishment statute
- Had a capital punishment statute

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Information	PDF Options	Logout
<p><b>5. For what offense(s) can the death penalty be imposed in your State?</b> (200 maximum number of characters)</p> <input type="text"/>		
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Information	PDF Options	Logout
<p><b>6. Does your State provide for automatic appeal upon imposition of the death penalty, irrespective of the defendant's wishes?</b></p> <p><input type="radio"/> No <input type="radio"/> Yes</p>		
<p><a href="#">Previous</a> <a href="#">Save and Next</a></p>		
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Information	PDF Options	Logout
<p><b>7. What methods of execution are authorized in your capital punishment statute?</b> Select all that apply.</p> <p><input type="checkbox"/> Lethal injection <input type="checkbox"/> Electrocutation <input type="checkbox"/> Lethal gas <input type="checkbox"/> Hanging <input type="checkbox"/> Firing squad <input type="checkbox"/> Other — Specify (200 maximum number of characters)</p> <input type="text"/>		
<p><a href="#">Previous</a> <a href="#">Save and Next</a></p>		
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<p>Please provide any additional information below.</p> <div style="border: 1px solid black; height: 60px; width: 100%;"></div>			
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Information	PDF Options	Logout	
<b>Review Your Responses</b>			
<p><b>You are almost finished!</b></p> <p>Please note that pages that currently have issues or unexpected responses are identified with the number of issues in parentheses, e.g. '(has 1 issue)'.</p> <p>The completed pages of the survey are displayed as links below. You may click any completed page link to return to that page and make any corrections, or continue on by clicking the "Submit Data" button at the bottom of the page.</p> <ul style="list-style-type: none"><li>• <a href="#">Contact Info</a></li><li>• <a href="#">Question 1 (has 1 issue)</a></li><li>• <a href="#">Question 2</a></li><li>• <a href="#">Question 3</a></li><li>• <a href="#">Question 4</a></li><li>• <a href="#">Question 5</a></li><li>• <a href="#">Question 6</a></li><li>• <a href="#">Question 7</a></li><li>• <a href="#">Notes</a></li></ul>			
<a href="#">Submit Data</a>			
<a href="#">Burden Statement</a>	<a href="#">Accessibility</a>	<a href="#">Privacy Policy</a>	<a href="#">Security</a>