

Supporting Statement for Paperwork Reduction Act Submissions
Request for a new data collection with an Office of Management and Budget (OMB) control
number for the Law Enforcement Public Contact (LEPC) Data Collection

OMB Control #

Part A. Justification

1. Necessity of Information:

In 2017, the Federal Bureau of Investigation (FBI) Uniform Crime Reporting (UCR) Program proposed the creation of a data collection designed to collect the number of contacts between law enforcement and the public. The LEPC Data Collection will serve to provide context to the National Use-of-Force Data Collection and the Law Enforcement Officers Killed and Assaulted (LEOKA) Data Collection.

The ability to provide context to the data collections will allow a more thorough understanding of the data in the National Use-of-Force Data Collection and LEOKA. Primarily, the LEPC will provide a basic denominator by which uses of force and LEOKA incidents can be calculated to determine the regularity in which these events occur compared to how often law enforcement officers are interacting with the public in a number of situations.

2. Needs and Uses:

The goal of this data collection on LEPCs is to produce annual figures across three categories of LEPC. These categories are:

- Citizen Calls for Service
- Unit/Officer-initiated contact
- Court/bailiff activities

This collection will include annualized numbers for each of these three categories that will be provided by participating agencies on an annual basis. The LEPC data being collected will only consist of these three agency counts corresponding to the categories above. Agencies will also have the option to indicate whether each count submitted is based on actual records or an estimated total. All data provided by the agency will be used by the FBI UCR Program for furthering the understanding of crime and law enforcement data collected by the FBI UCR Program.

The practical utility of this data is two-fold; Firstly, LEPC data provides additional context to the National Use-of- Force Data Collection by providing a simple count of how often law enforcement agencies are interacting with the public in the above three categories. This allows for calculations to determine percentages and rates of how often use of force is occurring compared to how often law enforcement officers are interacting with the public on an annual basis.

Secondly, the FBI UCR Program sees the LEPC Data Collection supporting additional UCR collections once it is established in the National Use-of-Force Data Collection Portal. Particularly, the LEOKA collection will benefit greatly from the additional context provided by the LEPC Data Collection. At this time, while the FBI UCR Program intends to only release LEPC data alongside publications of the National Use-of-Force Data Collection, there are plans to use LEPC for other UCR collections in the future.

3. Use of Technology:

The LEPC Data Collection is a feature within the existing National Use-of-Force Data Collection application, which is housed within the Law Enforcement Enterprise Portal (LEEP). The Criminal Justice Information Services (CJIS) Advisory Policy Board (APB) recommended the use of *Table 1* for agencies to report annual police contacts with the public. The web application resembles *Figure 1*.

Table 1 – Police Calls for Service

Category	Call/Request Call/Individuals on the Docket Count
Citizen calls for service	<input type="checkbox"/> Actual <input type="checkbox"/> Estimated <input type="checkbox"/> Not Available <input type="checkbox"/> Not Applicable
Unit/officer-initiated contacts	<input type="checkbox"/> Actual <input type="checkbox"/> Estimated <input type="checkbox"/> Not Available <input type="checkbox"/> Not Applicable
Court/bailiff activities	<input type="checkbox"/> Actual <input type="checkbox"/> Estimated <input type="checkbox"/> Not Available <input type="checkbox"/> Not Applicable

Figure 1

For each of the three categories of contact, agencies reported only one number, either actual or estimated, or indicated the information was not available or not applicable. In addition to the information in Figure 1, an additional question will be available for agencies to select if their agency does not participate in *Court/Bailiff Activities*. Selecting this option would eliminate *Court/Bailiff Activities* as a required field. In order to capture this information, the FBI UCR Program’s National Use-of-Force Development Team created a separate web form within LEEP’s National Use-of-Force Data Collection Portal.

All users access the portal through the LEEP. The portal uses the LEEP authentication and the related user account within the use-of-force application to provide role-based access to information and functionality within the software. The FBI has established a National Use-of-Force Data Collection help desk that provides a full range of support including user enrollment, workflow navigation, and troubleshooting technical or access issues.

4. Efforts to Identify Duplication:

The FBI UCR Program has identified the potential to create duplicative reporting of similar information by law enforcement agencies to the Department of Justice (DOJ). The Bureau of Justice Statistics currently maintains the Police-Public Contact Survey which focuses on contacts between law enforcement and the public and is similar to the structure of the LEPC data collection. However, the Police-Public Contact Survey primarily receives its data from reports made by citizens and data provided by the National Crime Victimization Survey (NCVS). The NCVS collects information from a representative sample of individuals on the frequency, characteristics, and consequences of criminal victimization in the United States. This includes perceptions of police behavior and response during police-public contacts.

In contrast to the Police-Public Contact Survey, the LEPC is designed to collect the annual counts of law enforcement-public contacts directly from law enforcement agencies participating with the FBI UCR Program. This allows the LEPC to benefit directly from the unique collection universe of Law Enforcement Agencies (LEAs) established by the FBI UCR Program and collect

these data directly from participating agency computer aided dispatch and record management systems (RMS). The benefits of having access to the FBI UCR Programs LEA universe allow for a more comprehensive evaluation of total coverage compared to the Police-Public Contact Survey, which focuses on a representative sample of respondents and developing population estimates.

Due to these differences, there is little to no risk of duplicative reporting between these two collections. These two collections are designed to collect data from separate respondent populations and from separate viewpoints of the population. The FBI UCR Program is working closely with the DOJ to ensure there is no duplicative recordkeeping by law enforcement. An important aspect of the LEPC Data Collection is it will be closely tied to the National Use-of-Force Data Collection, thus many of the strategies to minimize duplicative reporting employed for the National Use-of-Force Data Collection will be available to support the LEPC. The FBI UCR Program and the DOJ use information and experiences gathered during interactions with LEPC pilot agencies as part of a study to explore the burden and impact of the duplicative reporting at the federal level on law enforcement agencies. The FBI UCR Program will develop a communications strategy in order to manage any release of information on the subject of law enforcement public contact. This strategy specifically addresses the differences between the two agencies' collections of public contact data in order to facilitate the proper interpretation of the data.

5. Methods to Minimize Burden on Small Agencies:

Small government entities may be impacted by the LEPC Data Collection. In mitigation, the FBI UCR Program will only be offering participation in the LEPC Data Collection to those agencies that are already participating in the National Use-of-Force Data Collection. As the LEPC collection tool is built within the National Use-of-Force Data Collection Portal, all participating agencies already will have access to the web portal for reporting their annual figures.

6. Consequences of Less Frequent Collection:

The LEPC is designed to provide context to the National Use-of-Force Data Collection, which provides data based on each given collection year. The National Use-of-Force Data Collection is tied to OMB publication thresholds that restrict the amount and type of detail which can be published based on the total coverage percentage of law enforcement officers participating in the collection for any given year. As the LEPC Data Collection provides additional understanding to use-of-force data, not collecting this information will lead to a continued lack of contextual knowledge of use-of-force incidents. This lack of context will become more pronounced once the National Use-of-Force Data Collection achieves further levels of thresholds and begins releasing additional details around the annual use-of-force data.

The frequency of submission is in keeping with other data collections associated with the FBI UCR Program and will ensure the data provided can provide the level of understanding needed on this important topic. Collecting LEPC data less frequently would delay providing additional

context for the annual publications of the National Use-of-Force Data Collection and lead to a reduction in utility of both collections.

7. Special Circumstances Influencing Collection:

There are no special circumstances associated with this collection. The FBI UCR Program is requesting all participating agencies annually submit a single report of LEPC counts to the electronic application. The electronic application is housed on the National Use-of-Force Portal and available to all agencies currently participating in the National Use-of-Force Data Collection.

8. Public Comments and Consultations:

On February 22, 2021, a 60-day *Federal Register* Notice was published on the *Federal Register* for public comment. There were no comments received.

9. Payment of Gift to Claimants:

Not applicable.

10. Assurance of Confidentiality:

As participating agencies will be asked to only provide simple counts of LEPC on an annual basis, there is little risk to the privacy of the individuals, officers, or agencies involved in a single public contact. The LEPC Data Collection will not be collecting data on an individual incident or any data that would qualify as personally identifiable information. The LEPC Data Collection is designed to supplement the National Use-of-Force Data Collection, which involved a full privacy impact assessment before authorization was granted.

Access to any raw data within the National Use-of-Force Data Collection is restricted to contributing LEAs and FBI personnel supporting the LEPC Data Collection.

11. Justification for Sensitive Questions:

Not applicable.

12. Estimate of Hour Burden:

Burden estimates are based on results from the FBI UCR Program LEPC Data Collection pilot results. According to the results of the pilot, 21 of the 26 agencies that submitted data for the pilot stated it required less than 30 minutes to obtain and submit their data to the electronic application. The FBI UCR Program is allowing for all agencies participating in the National Use-of-Force Data Collection to also provide LEPC data. As it is the goal for the FBI UCR Program to increase participation in the National Use-of-Force Data Collection to all LEAs, the estimation of burden hours will reflect the required burden for all agencies participating in the

FBI UCR Program. The FBI UCR Program currently has 18,671 LEAs enrolled as participating. The FBI UCR Program estimates the burden hours for the LEPC Data Collection at 9,335.5 hours (18,671 X .5 hours).

13. Estimate of Cost Burden:

There are no direct costs to law enforcement to participate in the FBI UCR Program other than their time to respond to the data collection and for any additional follow-up between the agency and the FBI UCR Program. Respondents may incur capital or start-up costs associated with this data collection, although it is difficult to obtain the costs to agency RMS since the vendor costs vary from agency-to-agency. Many costs are built into the vendors Service Level Agreement contracts. Depending on the vendor contracts, changes may be included within the original contract with no additional costs. An estimate has been projected that agencies pay an \$18,000 maintenance fee every year for system maintenance costs. However, these agencies are required to maintain their systems for their own purposes regardless of whether they report crime data to the FBI UCR Program.

14. Cost to Federal Government:

The following is a cost module provided by the FBI CJIS Division, Resources Management Section, Fee Programs Unit, for the entire FBI UCR Program. These are projections based upon prior collection activity, as well as activities anticipated over the next three years for both the National Incident-Based Reporting System (NIBRS) and the Summary Reporting System (SRS). The FBI UCR Program discontinued the collection of new data through the SRS on January 1, 2021. However, the numbers included below still contain annualized costs from 2020 for both NIBRS and SRS. The cost module does not separate the costs between the two methods of collecting UCR data.

Activity	FY2020 Annualized Cost	FY2020 Annualized FTE
Conduct Assessment / Perform Analysis	\$ 91,640.91	0.45
Conduct Liaison, Education, and Promotion	\$ 460,753.01	3.56
Conduct UCR Audits	\$ 473,855.85	3.74
Define and Oversee Compliance within IT infrastructure	\$ 40,363.87	0.30
Deliver Curriculum - External Customer	\$ 167,469.21	1.17
Deliver Curriculum - External Customers	\$ 226,131.47	0.91
Develop and Manage Policy	\$ 357,738.77	2.86
Develop Curriculum - External Customer	\$ 167,469.21	1.17
Develop Curriculum - External Customers	\$ 233,860.67	1.13
Manage Projects	\$ 136,428.30	0.76
Perform Administrative and Human Resource tasks	\$ 812,853.40	6.57
Perform APB tasks	\$ 206,528.50	1.53
Perform and Oversee Information Technology (IT) Service Management	\$ 94,125.20	0.66

Activity	FY2020 Annualized Cost	FY2020 Annualized FTE
Activities		
Perform Budget, Strategic Planning, and Program Control	\$ 273,102.44	1.77
Perform Duties as the Agile Product Owner	\$ 424,564.99	3.31
Perform IT Finance Functions	\$ 35,267.21	0.17
Perform Organization IT Management and Strategic Planning	\$ 30,617.56	0.18
Perform Other Agile Duties	\$ 258,005.53	1.72
Perform Research and Analysis	\$ 248,981.39	1.44
Perform the Client Management Function	\$ 103,171.04	0.65
Produce Publications	\$ 101,532.52	0.70
Provide and Administer Databases and Database Services	\$ 163,856.22	1.01
Provide and Administer Middleware Services	\$ 120,329.50	0.94
Provide and Maintain Servers	\$ 54,086.46	0.41
Provide and Maintain UNIX Operating Systems	\$ 27,370.28	0.23
Provide Application Development Services	\$ 687,257.21	4.79
Provide Application Support and Operations Services	\$ 111,365.30	0.84
Provide Editing Services/Support Services/Support	\$ 201,792.18	1.20
Provide Supervisory Review/Oversight	\$ 35,091.60	0.18
Provide Writing Services/Support	\$ 179,656.15	1.07
Select and Oversee Vendors via the IT Vendor Management Process	\$ 35,267.21	0.17
Support and Manage IT Programs, Product Initiatives	\$ 344,140.46	2.45

15. Reasons for Change in Burden:

Not applicable.

16. Plans for Publication:

As the LEPC Data Collection is primarily designed to support the National Use-of-Force Data Collection, the FBI UCR Program intends to publish the annual LEPC data alongside the annual publication of the National Use-of-Force Data Collection. This publication strategy will largely be dependent by the level of coverage obtained by the National Use-of-Force Data Collection and the coverage threshold requirements established by OMB. The details of the OMB thresholds for the National Use-of-Force Data Collection are provided below:

For the first year of collection,

- A. *If the coverage rate is 80 percent or greater and the item nonresponse is 30 percent or less, no conditions apply to the dissemination of the results.*

- B. *If the coverage rate is between 60 percent and 80 percent or the item nonresponse is greater than 30 percent, the FBI will not release counts or totals, but may release ratios or percentages.*
- C. *If the coverage rate is between 40 percent and 60 percent, the FBI may release only the response percentages for the key variables across the entire population and for subpopulations which represent 20 percent or more of the total population.*
- D. *If the coverage rate is less than 40 percent, the FBI will not disseminate results.*

In subsequent years, if any combination of conditions C and D are met for three consecutive years, or if condition D is met for two consecutive years, then the FBI will discontinue the collection and explore alternate approaches for collecting the information, for example, by working cooperatively with the Bureau of Justice Statistics to expand their current efforts to collect information on deaths in custody, to include law enforcement.

Due to the requirements that limit the amount of detail that can be published for use-of-force data at the 40 percent coverage threshold, it would provide limited statistical utility to provide LEPC data alongside simple participation data. Therefore, LEPC data will be published alongside annual use-of-force publications for collections where the National Use-of-Force Data Collection achieves 60 percent coverage and meets the necessary threshold to provide additional details of the use-of-force data. By providing LEPC data for 60 percent publications, the FBI UCR Program enables proper understanding of the ratios and percentages of use-of-force data which will be released at the 60 percent coverage threshold. Collecting LEPC data less frequently would hinder the ability of the FBI UCR Program to provide appropriate context to the annual release of use-of-force data.

17. Expiration Date Approval:

The FBI does not want to display the expiration date for OMB approval of the information collection due to the mode of data collection. The National Use-of-Force Data Collection will be collected via Web form available on the restricted-access LEEP. To keep an expiration date current would require programming changes on the Web form.

18. Exceptions to the Certification Statement:

Not applicable.