

SUPPORTING STATEMENT FOR ANNUAL SURVEYS OF PROBATION AND PAROLE

A. JUSTIFICATION

Overview

The Bureau of Justice Statistics (BJS) seeks approval to continue its Annual Surveys of Probation and Parole (ASPP) for the 2023-2025 data collection period. The current collection approved by the Office of Management and Budget (OMB) is due to expire September 30, 2023. The ASPP provides the only national level, regularly collected data on the community corrections populations, and, as such, these surveys provide critical data on this key stage of the criminal justice process. Data are collected as a census from the known universe of probation and parole supervising agencies, using central reporters wherever possible to minimize burden on the public. The Annual Surveys of Probation and Parole collect data through the Annual Survey of Parole (CJ-7) to 54 respondents, the Annual Survey of Probation (CJ-8) to 250 agencies supervising at least one person on felony probation, and the Annual Survey of Probation-Misdemeanor Supervision (CJ-8M) to about 600 agencies supervising people on misdemeanor probation only. The CJ-8M was formally the CJ-8a Probation Short Form. Specifically for 2023-2025, BJS seeks approval to continue the routine annual collection, and based on recent frame development research, starting in 2023, BJS will focus efforts to collect detailed data on felony supervising probation agencies. The CJ-8 Probation form has been revised to include collection of data by population type (felony or misdemeanor supervision) for agencies that supervise at least one adult on felony probation. The short-form (CJ-8A) that had previously been sent to agencies that indicated they did not collect detailed data will be used to collect core population data from agencies that supervise adults on misdemeanor probation with the CJ-8M (Misdemeanor Probation). The CJ-7 Parole form does not include any substantial changes from the prior approval.

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

Under Title 34 U.S.C. § 10131 (see **Attachment 1**), BJS is directed to collect and analyze statistical information concerning the operation of the criminal justice system at the federal, state and local levels. The surveys cover all 50 states, the federal system, and the District of Columbia. The Annual Surveys of Probation and Parole began in 1980 and are conducted annually. Probation data are available from 1977 through BJS's National Probation Reports. Parole data are available from 1975 through BJS's Uniform Parole Reports. Community corrections, including probation and parole, are a large part of the justice system with 1 in 69 adults in the United States, 3.7 million people, under community supervision in 2021.¹ The data gathered in

¹ E. Ann Carson, PhD and Rich Kluckow, DSW (2023) *Correctional Populations in the United States, 2021*, Bureau

the ASPP are not available from any other single data source. In addition to annual yearend counts and yearly movements on and off supervision, data collected from the ASPP describe characteristics of the community supervision population, including sex, race/Hispanic origin, most serious offense, and supervision status. Data collected also describe the outcomes of supervision, including the rate at which persons on probation and persons on parole completed their supervision and their recidivism rates (i.e., rates of incarceration in prison or jail either for a new offense or because of violation of the conditions of their supervision.)

The size of the population under community supervision and the volume of movements onto and off community supervision indicate the importance of the ASPP for understanding the U.S. correctional systems. Of the 5.4 million men and women under correctional supervision at yearend 2021 (includes persons in prison or jail, or on probation or parole), more than two-thirds (69 percent) or 3.7 million persons were supervised in the community on probation (2,963,000) or parole (803,000). During 2021, an estimated 3 million adults moved onto or off probation, and nearly 770,000 adults moved onto or off parole. Driven by a larger number of probation exits (1.55 million) than entries (1.42 million), the community supervision population declined 3.5 percent during 2021, from an estimated 3,882,000 to an estimated 3,745,000. During 2021, the estimated number of parole exits (410,000) exceeded the estimated number of parole entries (357,000).² During 2021, the parole population decreased 7.1%, the largest annual change since 1992.

The ASPP collections fit within a larger BJS portfolio (**Attachment 2**) of establishment surveys that, together, cover the entire correctional populations in the United States. BJS's National Prisoner Statistics (NPS) (OMB Control Number 1121-0102) series provides annual data on prison populations, while the Annual Survey of Jails (ASJ) (OMB Control Number 1121-0094) provides national data on the local jail population. The ASPP provides data on the community corrections population, thus completing BJS's coverage of correctional populations. These combined surveys are the source for the statistic that 1 in 28 male and 1 in 138 female adults in the United States were under some form of correctional supervision at yearend 2021.³

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

BJS Uses:

The ASPP collection fit into BJS's larger portfolio of administrative data collections on correctional populations in the United States. It is the only collection that tracks annual changes in the jail population at the national level. The ASPP data are the primary source of BJS's annual bulletin *Probation and Parole in the United States*. The data are also used to produce the annual bulletin *Correctional Populations in the United States*. Additionally, BJS continues to make

of Justice Statistics, Washington, DC, <https://www.bjs.ojp.gov/document/cpus21st.pdf>

² Kaeble D. (2023) Probation and Parole in the United States, 2021, Bureau of Justice Statistics, Washington, DC, <https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/ppus21.pdf>

³ E. Ann Carson, PhD and Rich Kluckow, DSW (2023) *Correctional Populations in the United States, 2021*, Bureau of Justice Statistics, Washington, DC, <https://www.bjs.ojp.gov/document/cpus21st.pdf>

improvements to the probation and parole web-based data tool to create a better user experience than the existing data tool.

Recent BJS publications using data from the ASPP include:

[*Correctional Populations in the United States, 2021—Statistical Tables*](#)

[*Probation and Parole in the United States, 2021*](#)

[*Enhancement of Bureau Justice Statistics' Annual Probation Survey Frame*](#)

BJS data analysis tools:

[Probation](#)

[Parole](#)

BJS actively engages the community corrections field to learn more about emerging topics and substantive issues and where data gaps exist, to seek opinions about community corrections issues from stakeholders, and to make the ASPP collections responsive to stakeholder needs. Feedback obtained from members of the field has been used to address measurement challenges, to make the presentation of data in reports more useful, and to make the data more accessible. BJS's participation in these discussions has also allowed it to develop relationships with key officials in the field of community corrections who can assist in data collection efforts.

BJS adapts the ASPP collection to meet the changing needs and interests of community corrections administrators, policymakers, and researchers. Updates to the 2023-2025 ASPP include changes to the probation forms to collect more detailed data from agencies who supervise adults on felony probation while minimizing burden and collecting core population data from agencies that only supervise adults with misdemeanor supervision.

Other Uses:

BJS releases the ASPP data and documentation at the National Archive of Criminal Justice Data (NACJD). The ASPP are the main data sources used by BJS researchers to address government and public inquiries on community corrections.

BJS has solicited feedback from researchers, practitioners, and policy makers about how they use the data during semi-annual association conferences, and meetings of key stakeholders convened by other federal agencies. At the biannual American Probation and Parole Association (APPA) conferences, BJS regularly convenes a workgroup of community corrections data providers, practitioners, and researchers to discuss new issues in the probation and parole fields. BJS has also participated in meetings of the APPA's Research Committee.

Through these interactions, stakeholders have repeatedly reinforced the point that the ASPP provides the community corrections field with important data on community corrections relative to institutional corrections (prisons and jails). Policy makers, researchers, and practitioners who regularly use the ASPP data include—

State governments – state community corrections agencies use ASPP to assess conditions within their own jurisdictions relative to others and to the nation overall. The data dashboard available to respondents of the surveys allows Departments of Correction to see what they have reported since 2010. Additionally, the annual ASPP publications aggregate data to the state and national level.

Some state-level officials rely on the historical ASPP data to track changes over time and anticipate trends in their state’s community corrections populations. The BJS data fill a gap in their information systems, as some states information systems do not retain historical population data. Therefore, tracking trends in their state’s community corrections populations is only possible through the annual ASPP data collected and reported on by BJS.

National Archive of Criminal Justice Data—Data from the Annual Survey of Probation and Parole is downloaded hundreds of times annually. For example, in the last three years, 2018 parole and probation data was downloaded by over 300 and 250 users respectively. BJS is working with NACJD to make a longitudinal data file available as well as yearly data.

Academia and Independent Researchers – below is a sample of publications using data from the Annual Surveys of Probation and Parole in the last three years.

Boyas, J.F., McCoy, L.M., Woodiwiss, J.L. *et al.* (2023). Applying the Stress Process Theory to Assess Correlates of Suicide Ideation-to-Action Among Persons on Parole in the United States. *Community Ment Health J* 59, 664–679. <https://doi.org/10.1007/s10597-022-01047-0>

Bradner, K., Schiraldi, V. N., Mejia, N., Lopoo, E. (2020). More Work to Do: Analysis of Probation and Parole in the United States, 2017-2018. *Justice Lab at Columbia University*, 1-25. <https://doi.org/10.7916/d8-hjyq-fg65>

Harding, D.J., Western, B., Sandelson, J.A. (2022). From Supervision to Opportunity: Reimagining Probation and Parole. *The ANNALS of the American Academy of Political and Social Science*, 701(1), 8-25. <https://doi.org/10.1177/00027162221115486>

Huebner, B. M., & Mc Guirk, M. (2020). Running Away. *Beyond Recidivism: New Approaches to Research on Prisoner Reentry and Reintegration*, 259.

Hyatt, J. M., & Ostermann, M. (2023). Exploring Back-end Sentencing: A Study of Predictors of Parole Revocation through a Focal Concerns Theoretical Framework. *Law & Social Inquiry*, 1-31.

- Lopoo, E., Schiraldi, V., Ittner, T. (2023). How Little Supervision Can We Have? *Annual Review of Criminology*, 6, 23-42. Available at SSRN: <https://ssrn.com/abstract=4343632> or <http://dx.doi.org/10.1146/annurev-criminol-030521-102739>
- Phelps, M. S., Osman, I. H., Robertson, C. E., & Shlafer, R. J. (2022). Beyond “pains” and “gains”: untangling the health consequences of probation. *Health & Justice*, 10(1), 29.
- Sawyer, W., & Wagner, P. (2023). Mass Incarceration: The Whole Pie 2023. *Prison Policy Initiative*. <https://www.prisonpolicy.org/reports/pie2023.html>
- Wang, L. (2023). Punishment Beyond Prisons 2023: Incarceration and supervision by state. *Prison Policy Initiative*. <https://www.prisonpolicy.org/reports/correctionalcontrol2023.html>
- White, M. L., & Sabol, W. J. (2021). Legal Financial Obligations and Probation: Findings from the 1995 Survey of Adults on Probation. *Social Sciences*, 10(12), 450.
- Zimring, F.E. (2020). The Insidious Momentum of American Mass Incarceration. *Oxford Academic*. <https://doi.org/10.1093/oso/9780197513170.001.0001>

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.

BJS uses a multi-mode design in which respondents are directed to a web-based survey through mailed and emailed instructions. The web survey will be hosted by BJS’s data collection agent.⁴ Respondents will login through <https://bjs-aps.org> to access their survey. This website and survey access remain unchanged from the prior OMB approval. Paper forms and electronic PDF versions will continue to be available as an alternative mode of submission for respondents who request them. **Attachment 3** shows screenshots from the 2022 study questionnaires and the page formats that web respondents will encounter as they complete the 2023 surveys.

Respondent use of the web-based survey has grown steadily since the option was first offered in 2007. Among parole agencies, online submission increased from 56% in 2007 to 96% in 2021. Among responding probation agencies, participation using the web-based survey has increased from 19% in 2007 to 99% in 2021.

⁴ BJS’s cooperative agreement with RTI for the ASPP was the result of a competitive process (Annual Surveys of Probation and Parole, 2019-2024 Solicitation, 2020-85-CX-K010; see https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/aspp2024_sol.pdf).

BJS continues to work toward achieving 100 percent online data submission given the advantages of the web survey over the other modes, which include (1) reduced costs; (2) dynamic error checking capability and the ability to incorporate complex skip patterns reducing the potential for response errors; (3) the inclusion of pop-up instructions for selected questions; and (4) the use of drop-down boxes, which are not possible for paper questionnaires⁵. For 2019, BJS's data collection agent, the Research Triangle Institute (RTI) developed a portion of the ASPP website as a dashboard for respondents, allowing them to visualize and download their agency's reported data from 2010-2021 and access other information (such as BJS reports). It was live and available to respondents in January 2019 upon login to complete the 2018 ASPP. This data dashboard has continued to be updated with additional years of data. It is a valuable resource for respondents especially during staff turnover to be able to see prior submissions. **Attachment 4** shows screenshots from the dashboard.

During the 2021 collection, zero paper forms were submitted, but if RTI received mail-in submissions, they would be entered into the website and undergo the same checks as those submitted directly through the web form.

The final datasets and codebooks are archived to NACJD as separate annual files. BJS plans to offer a longitudinal file for each population for data back to 2000 for easier analysis in the next year. The datasets are aggregated to the state level and do not include agency level data or identifiers. Additionally, BJS is working to improve the online data analysis tool to allow for easier analysis of the probation and parole data separately and combined as total community corrections data.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item A.2 above.

After reviewing other BJS surveys, federal data collections, and relevant academic literature, BJS finds that the ASPP provides information that is not duplicated by other data collections. No other data collection yields national-level estimates of the total annual yearend counts and yearly movements on and off of probation and parole supervision or describes the characteristics of the full community supervision population across the nation.

Other data collections focus on populations outside community corrections and, along with ASPP, provide a more complete picture of the entire correctional system. These collections include—

- The BJS National Prisoner Statistics Program (NPS; OMB control number 1121-0102) collects data on the number of persons who violate their conditions of probation or parole as part of the measure of prison admissions. ASPP expands on this information to measure the number of persons on probation and the number of persons on parole

⁵ Dillman, D.A., Smyth, J., & Christian, L.M. (2014). *Mail and Internet surveys: the tailored design methods*. Fourth edition. New York: John Wiley.

returned to prison or jail, including the reason for incarceration (i.e., for a new offense or a violation of the conditions of their supervision). The NPS also provides the number of adults in prison released to conditional supervision, including either to probation or parole, while the ASPP provides the total number of people placed under community supervision, including those sentenced directly from a court to community supervision not captured by NPS. The data collected from the NPS series and the ASPP collections can be used together to better understand recidivism and the types of previously incarcerated individuals that are released to the community.

- The BJS Survey of Prison Inmates (SPI), formerly known as the Survey of Prisoners in State and Federal Correctional Facilities (OMB Control Number 1121-0152), and the BJS Survey of Inmates in Local Jails (SILJ) (OMB Control Number 1121-0098) collect data from large nationally representative samples of persons in prison and jail, respectively, through personal interviews conducted during incarceration. The type of information is not readily available from the administrative records that are the source of information for the ASPP. The inmate survey data complement the ASPP by gathering information about those who returned to incarceration following a period of time on probation and parole, as well as those close to release. The information gathered by SPI and SILJ also helps to better understand the potential risks that persons pose upon release into the community, and their need for community supervision.
- The BJS Annual Survey of Jails (ASJ; OMB control number 1121-0094) provides data on conviction status of local jail inmates including persons who violate their conditions of probation or parole, along with inmates who are held for a new offense. However, the number of persons who violate their conditions of probation or parole who are held in jail is not measured separately through ASJ. The ASPP provides data on counts of the total number of persons on probation, the total number of persons on parole incarcerated, and those being held in local jails.
- The National Survey of Drug Use and Health (NSDUH; OMB Control Number 0930-0110), sponsored by the Substance Abuse and Mental Health Services Administration (SAMHSA), is an annual household survey which conducts interviews with randomly selected individuals in the non-institutionalized population age 12 or older. The survey provides national and state level estimates of alcohol, tobacco, illicit drug, non-medical prescription drug use, and other health-related issues, including mental health. Various behavioral and physical characteristics are also collected to provide context to the estimates. NSDUH collects data on whether persons were on probation or parole in the 12 months prior to the interview and can provide a weighted national-level estimate. In contrast, BJS's ASPP provides actual counts of the population under supervision on a single day based on administrative records. The ASPP collects data on detailed probation and parole population movements and outcomes. For example, the ASPP, but not NSDUH, collects data on revocation of supervision, return to prison or jail, and completion of community supervision. NSDUH also does not collect criminal justice characteristics including offense type, maximum sentence, and supervision status.

- The Census of Adult Probation Supervising Agencies (CAPSA; OMB Control Number 1121-0347), conducted in 2014, was used to develop a complete listing of adult felony probation supervising agencies in the United States and to provide national and jurisdiction-level statistics that describe adult probation and the variation across jurisdictions. CAPSA focused only on felony probation agencies in 2014 and is not an annual collection.

In contrast to CAPSA, the Annual Probation Survey collects information on the size and flow of persons under community supervision, the characteristics of the population, and tracks key outcomes of persons on probation annually. The Annual Probation Survey does not collect information about the other agency characteristics collected by CAPSA. The Annual Probation Survey is designed to collect aggregate counts and relies on central reporters (some of which are not supervising agencies). CAPSA enabled BJS to systematically assess the coverage of the population for the Annual Probation Survey and enabled BJS to identify agencies to add to the frame in the coming years.

- The BJS National Corrections Reporting Program (NCRP; OMB Control Number 1121-0065) collects person-level administrative data annually on prison admissions and releases, yearend prison custody populations, and on parole entries and discharges in participating jurisdictions. The NCRP data do not provide a count of persons on parole at yearend and currently only obtain data from a subset of states (35 states in 2018).
- The BJS Federal Judicial Statistics Program (FJSP) collects data on all stages of the federal criminal justice system including individual-level data on persons under supervision from the Office of Probation and Pretrial Services, Administrative Office of the United States Courts (AOUSC). With consent from AOUSC, federal probation and parole data collected by the FJSP are aggregated and provide the federal data for ASPP.

ASPP represents a long-standing effort to provide national and state-level data on the probation and parole populations and is the only ongoing annual collection on the community corrections populations. It is the result of efforts to present comparable data across years and jurisdictions. These qualities allow data users, in particular individual states, to rely on the ASPP data as a source of trend and comparative data on the community corrections populations.

While other collections provide complementary data, the ASPP is the only federal survey that provides aggregate data on the probation and parole stock population, movements, outcomes, and characteristics of the community corrections population at both the national and state levels.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

Survey forms (CJ-7, CJ-8, and CJ-8M **Attachments 5 to 7**) are sent to centralized statewide data reporters (e.g., a department of corrections that oversees all community corrections supervision throughout the state) whenever possible to minimize the number of respondents asked to

participate. In most cases, the centralized data reporters are already collecting much of the requested data from agencies in their state for their own data needs. All parole data in the United States, and probation data from over 30 states report from a centralized respondent.

BJS has changed the critical items survey (previously CJ-8A) to the newer CJ-8M. Previously, this form was used when agencies were not able to provide the detailed data requested on the CJ-8. The completion of BJS's frame expansion research creates an opportunity to collect minimal population data from smaller agencies. The CJ-8M form will be used for probation agencies that only supervise those adults under supervision for misdemeanor offenses. These agencies are usually operating with few officers and supervise a much smaller population than state level agencies or state departments of correction. The changes to these forms allows the overall burden of the surveys to remain the same, while collecting population data from an additional 500 agencies.

CJ-8M will minimize burden while still collecting basic population information that most respondents have available. This approach has shown to be the best approach to maximizing response and data quality from smaller agencies who may not have the capabilities to provide responses with the level of detail requested from the longer form.

Additionally, BJS continues to use web-based data collection instruments to ease reporting and reduce the need for follow-up due to errors in reporting and incorrect skips caught by programmatic edit checks.

6. Describe the consequence to federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

The ASPP is an annual collection, which first began in 1980. Collection less frequently would result in a break in series and would reduce the ability to track changes in the community supervision populations on an annual basis. One of the main purposes of these surveys is to provide comparative data across states and years on community corrections. For example, the 2021 ASPP data showed that an estimated 1 in 69 adult U.S. residents were under community supervision at the end of 2021, the lowest rate since 1987. Between 2011 and 2019, the U.S. parole population remained relatively stable, then decreased 8.6% from yearend 2019 to yearend 2021. Less frequent data collection would diminish the ability to determine which states had a significant impact on changes in the community corrections population and BJS's ability to provide accurate measures of the growth and change in these populations over time.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- **requiring respondents to report information to the agency more often than quarterly;**

- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **requiring respondents to submit more than an original and two copies of any document;**
- **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **requiring the use of statistical data classification that has not been reviewed and approved by OMB;**
- **that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

There are no special circumstances.

8. If applicable, provide a copy and identify the date and page number of publication in the *Federal Register* of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years -- even if the collection-of-information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

The research under this clearance is consistent with the guidelines in 5 CFR 1320.8(d). The 60-day notice (see **Attachment 8**) was published in the Federal Register on May 1, 2023 (Vol. 88 No.83, page 26598). The comment period ended on June 30, 2023. No comments were received. The 30-day notice (see **Attachment 9**) for public commentary was published in the Federal Register on July 26, 2023, (Vol 88, No. 142, page 48264-5).

BJS consulted with states' departments of corrections staff, administrators from both state and local probation and parole agencies, local probation and parole officers, and researchers and criminal justice experts to improve survey measurement, data collection, reporting, procedures, data analysis, and presentation. The following individuals provided valuable advice and comments on the content and design of these data collection instruments over the past 3 years:

Nathan Lowe, Program Director
American Probation and Parole Association
C/o The Council of State Governments

Danielle S. Rudes, Ph.D.
Associate Professor, Criminology, Law and Society
Deputy Director, Center for Advancing Correctional Excellence (ACE!)
George Mason University

Bobbi Carter
Report Specialist
Indiana Office of Court Services

Christina Allan
Justice Program Administrator
Kentucky Probation and Parole

David Frampton
Research Analyst
Kansas Department of Corrections

Dean Jenkins
Chief Probation Officer
Cleveland Municipal Court

Cliff Butter
Research Consultant
Utah Department of Corrections

Michael Dolny
Research Manager
Arizona Department of Corrections

In addition, BJS consulted with nine data providers and content experts from APPA and RTI in the development of revised CJ-8 and CJ-8M forms. Guidance was provided on the content of the items and the best response options for capturing reliable answers across agencies. These agencies indicated that changes could be made given modifications to their data management systems. For this reason, BJS will send an introduction to the revised form in October, two months prior to the data collection, to allow time for questions and preparations by respondents

(Attachment 10). BJS and RTI also plan on hosting a webinar prior to the beginning of 2023 data collection to walk through the revised CJ-8 form and answer any questions. This webinar will be recorded and available for rewatch on the data collection website during data collection.

For the CJ-8M form, respondents will have reduced burden as they are being asked only essential population totals. The CJ-8M form asks for population totals from January 1 of the reference year, number of entries during the year, number of exits during the year, and the population total on December 31. Additionally, the form asks if the agency is supervising persons on felony probation or anticipates supervision of people with a felony offense in the next year. This will help BJS verify the form and ensure agencies are receiving the correct form.

9. Explain any decision to provide any payments or gifts to respondents, other than remuneration of contractors or grantees.

No government funds will be used as payment or for gifts to respondents. Participation is voluntary.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

BJS, its employees, and its data collection agents will only use the information gathered in this data collection for statistical or research purposes pursuant to 34 U.S.C. §§ 10231 and 10134, which states the information gathered in this data collection shall be used only for statistical or research purposes and shall be gathered in a manner that precludes their use for law enforcement or any purpose relating to a particular individual other than statistical or research purposes. The data collected through the ASPP represent institutional characteristics of publicly administered or funded facilities and are, therefore, in the public domain. No individually identifiable information is collected. All information obtained consists of aggregated counts of the population under supervision by an agency, which severely limits the potential for the information to be used to identify an individual. BJS does not archive or otherwise release the names, telephone numbers, or email addresses of the persons responsible for completing the questionnaires.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

There are no questions of a sensitive nature included in the ASPP.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. General, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

Activity	Number of Respondents	Freq	Total Annual Responses	Time to Gather Data	Time Per Survey (Mins)	Time for Follow-up (Mins)	Total Time (Mins)	Total Annual Burden (Hrs)	Hourly Rate*	Monetized Value of Respondent Time
CJ-7	54	1	54	0	95	15	5,940	99 hours (5,994 min / 60 mins)	\$38.50	\$3,812
CJ-8	250	1	250	30	120	15	41,250	687 hours (41,250 min / 60 mins)	\$38.50	\$26,450
CJ-8M	608	1	608	15	10	5	18,240	304 hours (18,240 min / 60 mins)	\$38.50	\$1,064
Unduplicated Totals	912							1,090		\$31,326

**Hourly rate estimated from salary.com for Senior Researcher*

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

- **The cost estimate should be split into two components: (a) a total capital and start up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of service component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**
- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
- **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

There are no anticipated costs to respondents beyond the employee time expended in gathering advance information or completing the instrument. Respondents are not being asked to purchase anything or maintain any services as part of this data collection. Furthermore, purchase of outside accounting or information collection services, if performed by the respondent, is part of usual and customary business practices, not specifically required for providing information to BJS.

14. Provide estimates of the annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 into a single table.

The cost to the Federal Government for the collection and dissemination of ASPP data is estimated to be an average annual \$688,000 per year. These costs included an average annual \$571,000 paid through a cooperative agreement with a contractor and an estimated \$117,000 in

BJS personnel costs. The data collection agent via cooperative agreement maintains and updates the respondent contact information database, conducts the survey through web-based collection, conducts follow-up, collects the data, and prepares a dataset for BJS use. BJS staff analyze the data, prepare statistical tables, and write reports based on these data. See **table 2** for a detailed breakdown of costs to the Federal government.

Table 2. Estimated costs for the Annual Surveys of Probation and Parole, 2023-2025				
BJS costs		2023	2024	2025
	Staff salaries			
	GS-13 Statistician (30%)	\$38,100	\$39,624	\$41,209
	GS-15 Supervisory Statistician/ Chief Editor (5%)	\$9,100	\$9,464	\$9,843
	GS-13 Editor (5%)	\$6,400	\$6,656	\$6,922
	Other Editorial Staff (3%)	\$3,300	\$3,432	\$3,569
	GS-14, Information Technology Specialist (5%)	\$7,500	\$7,800	\$8,112
	Front-Office Staff (GS-15 & Directors)	\$6,000	\$6,240	\$6,490
	Subtotal salaries	\$70,400	\$73,216	\$76,145
	Fringe benefits (33% of salaries)	\$23,443	\$24,381	\$25,356
	Subtotal: Salary & fringe	\$93,843	\$97,597	\$101,501
	Other administrative costs of salary & fringe (20%)	\$18,769	\$19,519	\$20,300
	Subtotal: BJS costs	\$112,612	\$117,116	\$121,801
Data collection agent cost				
	Data collection agent costs (salaries, fringe benefits, web survey, email and telephone follow-up, programming, and overhead)	\$558,000	\$570,000	\$584,000

<https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2023/DCB.pdf>

15. Explain the reasons for any program changes or adjustments.

Revisions include an updated frame of probation agencies including additional misdemeanor only supervising agencies, as well changes to the probation survey forms (CJ-8 and CJ-8M) to collect information separately for felony and misdemeanor probation. These changes will allow BJS to provide accurate detailed statistics of people under probation supervision in the United States. The parole survey (CJ-7) does not include any substantive changes from the prior clearance. The burden of the combined surveys has remained relatively unchanged due to the number of agencies only being asked to complete the CJ-8M. The burden for the agencies supervising misdemeanor probation has been reduced from 95 minutes to 25 minutes (including 15 minutes to gather the data) while the additional data collected from agencies supervising felony probation has been increased from 95 minutes to 150 minutes (including 30 minutes to gather the data).

Given the widespread uses and needs of the ASPP data, BJS recognizes the need to ensure the data are accurate and valid estimates of parole and probation across states and for the nation. In recent years, BJS has investigated the quality of the Annual Probation Survey frame to better understand how well estimates produced from the survey fully capture the national and state probation populations.

Maintaining a frame for the probation survey is more challenging than for the parole survey because the organizational structures of probation supervision vary widely across the United States. Information about the parole population is centralized, and so BJS collects information from 54 parole data providers: 51 state reporters (one state has two reporters), a DC reporter, and two federal reporters. In contrast, probation supervision is centralized in some states, whereas in other states probation is administered by several independent agencies at the county, district, municipal, or other local level. There can also be variation within a state, with supervision being administered by a centralized state authority and by one or more local authorities.

Between 2012 and 2022, BJS engaged in a series of steps to identify gaps in the probation frame. Starting in 2012, BJS began developing a roster of all federal, state, and local adult probation agencies supervising at least one adult on felony probation. In 2014, BJS administered a census of this roster, the Census of Adult Probation Supervising Agencies (CAPSA; OMB Control Number 1121-0347). For 2015 and 2016 data collection, BJS provided reporting entities with a list of the agencies from CAPSA and built questions into the Annual Probation Survey asking reporters to identify the different agencies covered in the statistics they reported to BJS. Through this effort BJS discovered potential under-coverage of about 430 entities that supervised adults on felony probation across 23 states.

After CAPSA, BJS also conducted outreach and search efforts that led to a list of 3,560 potentially eligible entities that were supervising persons on probation for misdemeanors. In late 2017 through 2019, BJS worked through a cooperative agreement with RTI to gain OMB clearance and define the full extent of the under-coverage by collecting information from all potentially eligible entities on a) whether they supervise persons on probation, and if so) the number of persons on probation supervised for felonies and misdemeanors. In 2021, BJS

released a report that describes the processes and findings from enhancing the survey frame used to conduct the Annual Probation Survey to improve the survey estimates⁶.

This effort refined the list of reporters eligible for the probation survey, resulting in 86 entities supervising at least one person convicted of a felony and 268 entities supervising persons convicted of a misdemeanor. For 2019 BJS added 66 entities to the frame that reported supervising at least one person convicted of a felony. For 2020, BJS continued to confirm all remaining agencies thought to be supervising persons on probation discovered over the course of the frame development research, including 20 entities that supervise persons convicted of a felony and 268 entities that supervise person convicted of a misdemeanor. From 2020-2022, the CJ-8 and CJ-8A collection confirmed the new agencies are supervising persons on probation and asked whether they supervise people on probation for a felony or misdemeanor.

Using all the data provided from central reporters and the expanded frame, BJS has modified the forms to best report on what is available from agencies while still providing a full enumeration of people of probation supervision in the United States. Agencies supervising people on probation for more serious crimes, often felonies, have more detailed information on their population than those smaller agencies supervising people with less serious misdemeanor offenses. In the revised CJ-8, BJS is asking agencies who supervise people on felony probation to report detailed data for felony and misdemeanor probation separately. These changes will resolve some of the large missingness of characteristics data that the probation survey has struggled with in the past. Agencies who do not have the ability on characteristics data will not be asked to provide it by utilizing the CJ-8M more broadly.

Most agencies who have been unable to report detailed data on people on probation such as sex, race, most serious offense, or status of supervision are smaller agencies who do not supervise felony probation. By modifying the CJ-8 and CJ-8M to reflect the difference in levels of probation and the ability to report, BJS will be able to describe the characteristics of people more accurately who are under probation supervision in the United States.

16. For collections of information whose results will be published, outline plans for tabulations, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

Table 3. Project schedule			
Task	2023	2024	2025

⁶ Kennedy, Smith, and Mack. (2021) *Enhancement of the Bureau of Justice Statistics' Annual Probation Survey Frame*. <https://bjs.ojp.gov/library/publications/enhancement-bureau-justice-statistics-annual-probation-survey-frame>

	Start	End	Start	End	Start	End
Collection Introduction	Oct-23	Dec-23	Nov-24	Dec-24	Nov-25	Dec-25
Data collection	Jan-24	May-24	Jan-25	May-25	Jan-26	May-26
Notification of impending due dates, nonresponse follow-up, thank you letters	Jan-24	May-24	Jan-25	May-25	Jan-26	May-26
Data editing, verification, final callbacks	Jan-24	May-24	Jan-25	May-25	Jan-26	May-26
Analysis	May-24	Jun-24	May-25	Jun-25	May-26	Jun-26
Report writing (<i>Annual Probation and Parole in the United States report</i>)	Jul-24	Sep-24	Jul-25	Sep-25	Jul-26	Sep-26
Press release and annual reports released	Oct-24	Dec-24	Oct-25	Dec-25	Oct-26	Dec-26

For details on the project schedule, see Supporting Statement B.

Information Dissemination from the Annual Probation and Parole Surveys

Dissemination products include press releases, annual bulletins, and the availability of the data online. In addition, BJS makes multiple products available through the BJS website to disseminate key statistics.

Specifically, BJS plans to release the annual Probation and Parole in the US report and final data file to the public within a year after the data are collected (see **table 4** for key statistics released annually). Annual bulletins in the BJS [Probation and Parole Population Series](#) report the most recent national and state level findings related to the size of the community corrections populations, changes in the populations, and factors related to those changes.⁷ BJS also publishes data from the ASPP series in its [Correctional Populations in the United States Series](#).⁸ In addition to providing summary data on the total correctional population, the Correctional Populations series allows BJS to focus more attention on how data from the ASPP change in relation to other components of the correctional population, as well as the size of the community corrections population relative to institutional corrections.

⁷ Kaeble, D., *op. cit.*

⁸ Carson, E. and Kluckow, R. (2023) *Correctional Populations in the United States, 2021*, Bureau of Justice Statistics, Washington, DC, <https://bjs.ojp.gov/document/cpus21st.pdf>

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

We are requesting no exemption.

18. Explain each exception to the certification statement.

This collection of information does not include any exceptions to the certificate statement.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS.

This collection contains statistical data.

Attachments:

Attachment 1: Title 34 U.S.C. § 10131

Attachment 2: BJS portfolio of correctional populations

Attachment 3: Screenshots from study questionnaire

Attachment 4: Screenshot from the ASPP website dashboard

Attachment 5: CJ-7 Parole Survey

Attachment 6: CJ-8 Probation Survey

Attachment 7: CJ-8M Probation Survey (misdemeanor supervision only form)

Attachment 8: 60-day Federal Registry Notice

Attachment 9: 30-day Federal Registry Notice

Attachment 10: Introducing New CJ-8 Questionnaire Form Email

Attachment 11: Pre-notification letter and email

Attachment 12: Web designation form

Attachment 13: Survey invitation letter and email

Attachment 14: Submission thank you email

Attachment 15: First reminder letter and email

Attachment 16: Second reminder email

Attachment 17: Reminder Postcard

Attachment 18: Third reminder email and USPS Reminder

Attachment 19: Non-response phone scripts and conversational topics

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OMB Expiration Date: 09/30/2023

Attachment 20: Closeout email: no data

Attachment 21: Closeout email: partial data

Attachment 22: Closeout email: data clarification not received

Attachment 23: First and second data retrieval emails

Attachment 24: Follow-up email regarding data revisions