



U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Statistics

Washington, DC 20531

MEMORANDUM

To: Robert G. Sivinski
Office of Statistical and Science Policy
Office of Management and Budget

Through: Doris J. James
Acting Director
Bureau of Justice Statistics

Kevin M. Scott
Deputy Director, Statistical Operations

FROM: Amy D. Lauger
Chief, Institutional Research and Special Projects Unit

Date: April 21, 2022

Re: BJS requests to consult with national associations and jail administrators for survey administration planning and development for the National Inmate Survey (NIS-4) Jails under BJS Generic Clearance Agreement (OMB# 1121-0339).

This submission seeks clearance to consult with national associations and jail administrators about the feasibility of and considerations for fielding the survey during or after the COVID pandemic, to recruit facilities for a field pre-test, and to receive input on a facility characteristics form. This request falls under a cooperative agreement BJS has with Westat to collect data for NIS-4 Jails, (award 2018-R3-BX-K039.)

Introduction

On September 4, 2003, the Prison Rape Elimination Act of 2003 (PREA or the Act) was signed by President George W. Bush (Public Law 108-79; see Attachment 1). The Act requires BJS to “carry out, for each calendar year, a comprehensive statistical review and analysis of the incidence and effects of prison rape.” The Act further instructs BJS to collect survey data: “...the Bureau shall...use surveys and other statistical studies of current and former inmates...”

To implement the Act, BJS developed the National Prison Rape Statistics Program (NPRS), which includes four separate data collection efforts: the Survey on Sexual Victimization (SSV),

the National Inmate Survey (NIS), the National Survey of Youth in Custody (NSYC), and the National Former Prisoner Survey (NFPS).

These collections are independent but complementary. Together, they provide a breadth of information about the prevalence and characteristics of sexual victimization in correctional facilities. The SSV series collects administrative data about incidents of sexual victimization reported to and investigated by adult and juvenile correctional authorities, as well as characteristics of substantiated incidents. The NIS collects information on sexual victimization self-reported by inmates held in adult correctional facilities, both jails and prisons. NSYC gathers self-reported sexual victimization data from juveniles in juvenile correctional facilities. The NFPS measures allegations of sexual assault experienced during the respondent's last incarceration, as reported by former inmates on active supervision.

The NIS has been conducted three times, in 2007 (NIS-1), in 2008–09 (NIS-2), and in 2011–12 (NIS-3). Each iteration of NIS was conducted in at least one facility in all 50 states and the District of Columbia. In each iteration of the survey, inmates completed the survey using an audio computer-assisted self-interview (ACASI), whereby they heard questions and instructions via headphones and responded to the survey items via a touch-screen interface. The 2007 NIS (NIS-1) completed 63,817 interviews, the 2008-09 NIS (NIS-2) completed 81,566 interviews, and the 2011-12 NIS (NIS-3) completed 92,449 interviews.

BJS published survey findings from NIS-3 in May 2013, including the following:

- An estimated 3.2% of jail inmates reported experiencing one or more incidents of sexual victimization by another inmate or facility staff in the past 12 months or since admission to the facility, if less than 12 months.
- Among jail inmates, 1.6% (or an estimated 11,900 inmates) reported an incident of sexual victimization involving another inmate, 1.8% (13,200) reported an incident involving facility staff, and 0.2% (2,400) reported both an incident by another inmate and staff.
- Juveniles ages 16 to 17 held in adult prisons and jails did not have significantly higher rates of sexual victimization than adult inmates. An estimated 1.8% of juveniles ages 16 to 17 held in prisons and jails reported being victimized by another inmate, compared to 2.0% of adults in prisons and 1.6% of adults in jails. An estimated 3.2% of juveniles ages 16 to 17 held in prisons and jails reported experiencing staff sexual misconduct. Though higher, these rates were not statistically different from the 2.4% of adults in prisons and 1.8% of adults in jails.
- Jail inmates with serious mental illness reported high rates of inmate-on-inmate sexual victimization – 3.6% versus 0.7% for inmates with no indication of mental illness.
- Among non-heterosexual inmates, 8.5% of jail inmates reported being sexually victimized by another inmate; 4.3% of jail inmates reported being victimized by staff.¹

For the fourth iteration of the National Inmate Survey, BJS made the decision to split the NIS administration into two different awards—one for administering the survey in prisons (NIS-4 Prisons), and the other for administering the survey in jails (NIS-4 Jails). In FY2018, BJS

¹ <https://bjs.ojp.gov/content/pub/pdf/svpjri1112.pdf>.

released a solicitation seeking a data collection agent to conduct the NIS-4 Jails. After an open competition, Westat, Inc. was selected to develop and administer the survey under a cooperative agreement with BJS (award number 2018-R3-BX-K039).

Request to Consult with National Associations and Jail Administrators

Work completed on the NIS-4 Jails to date includes the revision of the survey instruments, translation of the instruments into Spanish, and programming of the ACASI questionnaire, in addition to frame building and maintenance. The survey administration protocols are based significantly on those from prior rounds of the NIS, though BJS engaged a small number of jail stakeholders in 2020 on jail-specific wording in various project materials. BJS submitted a 60-day Federal Register Notice for this project in summer 2020, but progress was suspended due to the COVID pandemic. BJS is now reaching out to the field as, given the progress of the COVID-19 vaccine rollout and treatment development, BJS hopes that jails will be able to facilitate a survey pretest in 2022 in preparation for a full survey launch in early 2023

This submission seeks clearance to consult with national associations and jail administrators about the feasibility of and considerations for fielding the survey during or after the COVID pandemic, to recruit facilities for a field pre-test, and to receive input on a facility characteristics form. This request falls under a cooperative agreement BJS has with Westat to collect data for NIS-4 Jails, (award 2018-R3-BX-K039.)

COVID Considerations and Feasibility

BJS will consult with national associations and jail administrators about COVID protocols currently in place in facilities and discuss the feasibility of conducting the survey in facilities in 2023, either while the pandemic is still ongoing or after the pandemic has ended. BJS will provide respondents with a ten-minute assessment (**Attachment A**) on any considerations in place in facilities related to visitation or inmate movement and how they might impact the planned survey administration strategy.

Recruit Facilities for Pre-test

BJS will conduct outreach to up to ten jail facilities to serve as the four facilities in the pre-test. BJS will select facilities that vary by size, population, and location. The pre-test test will focus on hardware performance (touch-screen laptops), implementation protocols, data capture, administration times, and sampling algorithms for survey versions. The pre-test will also assess facility burden for generating and updating rosters, providing interview settings, escorting inmates, and supporting study protocols (e.g., maintaining privacy). **Attachment B** contains the recruitment materials that will be sent to facilities.

Facility Characteristics Form Feedback

The NIS will contain a facility questionnaire with questions concerning facility characteristics, staff, PREA procedures, and the impact of COVID on facility practices. BJS is seeking feedback on a proposed version of this form. To receive this feedback, BJS will provide facility staff with feedback form (**Attachment C**). The form will ask the respondent for their interpretation of what proposed questions are about and any terms or concepts that may be potentially confusing or misunderstood. Respondents are asked not to complete the survey itself but only to respond to

the probing questions in the feedback form. This feedback will help BJS understand how respondents interpret the questions and response options and measure general comprehension of the survey.

Burden-Hours

The burden-hour estimates for the respondents are provided in **Table 1**. The project team expects that consultation with national associations and jail administrators about fielding the survey during or after the COVID pandemic will take up to 30 minutes per respondent. Conducting outreach for the pre-test will take up to 60 minutes per facility. Reviewing the facility characteristics survey and completing the feedback form will require 60 minutes from each facility administrator and national association member. The burden time for all contacts under this request is 59 hours.

Table 1. Burden-Hour Estimates for Respondents

Task #	Task Description	Number of respondents	Estimated burden (in minutes)	Total burden (in hours)
1	COVID considerations and feasibility	30	30	15
2	Outreach to facilities for pre-test	10	60	10
3	Facility characteristic form feedback	8	90	12
Total burden				37

Institutional Review Board

Westat’s Institutional Review Board (IRB) determined the consultation protocol to be compliant with informed consent and data confidentiality standards. See **Attachment D**.

Contact Information

Questions regarding any aspect of this project can be directed to:
 Amy D. Lauger
 Chief, Institutional Research and Special Projects Unit
 Bureau of Justice Statistics
 U.S. Department of Justice
 810 7th Street, NW
 Washington, DC 20531
 Office Phone: (202) 307-0711
 E-mail: Amy.Lauger@usdoj.gov

Attachments

- Attachment A: COVID-related Restrictions Assessment and Emails
- Attachment B: Facility Pre-test Enrollment Materials
- Attachment C: Facility Questionnaire Expert Review Materials
- Attachment D: IRB Approval Letter

Attachment A: COVID-related Restrictions Assessment and Emails

- NIS-4 Jails – BJS Email
- NIS-4 Jails – COVID-related Restrictions Assessment – Facility Administrator
- NIS-4 Jails – COVID-related Restrictions Assessment – Stakeholder
- NIS-4 Jails – BJS Reminder Email

SUBJECT: National Inmate Survey (NIS-4 Jails) Facility COVID-19 Impact – Request for Your Input

I am writing to request your input on how the COVID-19 pandemic could affect the collection of the upcoming National Inmate Survey (NIS-4) in jails during or after the pandemic. Your input will help us understand how to collect the data effectively and minimize burden on the facilities visited, so I am eager to get your feedback via a brief form.

BJS is working with Westat to conduct the NIS-4 Jails. **Please complete and submit the attached form to NAME, a Westat employee, via email no later than <date>**. The expected time to complete this form is 10 minutes.

NAME can be reached at EMAIL or by phone at PHONE. Please let us know if you are unable to respond by this date and we will work to find a time that fits your schedule. If you think you will not be able to respond at all, please do let us know that, too.

Part of Prison Rape Elimination Act of 2003 (PREA), the NIS asks inmates about sexual assault in correctional facilities and related topics. PREA requires the Bureau of Justice Statistics (BJS), an agency within the U.S. Department of Justice, to publish national and facility-level estimates of sexual victimization in correctional facilities and common characteristics of these victimizations. The NIS is a key part of this requirement.

BJS originally planned to conduct an iteration of the NIS beginning in the fall of 2020. The agency delayed collection to protect the safety of the inmates, staff, and interviewers during the COVID-19 pandemic. BJS now plans to begin collection in early 2023.

If you have any questions, feel free to contact me at (202) 307-0711 or Amy.Lauger@usdoj.gov. Jessica Taylor, the Project Director from Westat, is also available to address questions and comments at (240) 314-5852 or JessicaTaylor@Westat.com.

Sincerely,

Amy Lauger
PREA Program Manager
Bureau of Justice Statistics

FORM APPROVED

OMB No.: XXXX-xxxx

EXPIRATION DATE: XX/XX/20xx

COVID-Related Restrictions Assessment for the National Inmate Survey (NIS-4 Jails)

03-03-22

Introduction to the National Inmate Survey (NIS)

Part of Prison Rape Elimination Act of 2003 (PREA), the National Inmate Survey asks inmates about sexual assault in correctional facilities and related topics. PREA requires the Bureau of Justice Statistics (BJS), an agency within the U.S. Department of Justice, to publish national and facility-level estimates of sexual victimization in correctional facilities and common characteristics of these victimizations. The NIS is a key part of this requirement.

To collect the NIS data, a research team typically visits a selected facility for up to several days. Data are collected directly from inmates in a private setting using audio computer-assisted self-interview (ACASI) technology, which uses a laptop computer to allow inmates to see the questions on the screen, hear the questions being read through headphones, and answer the questions in complete privacy by touching the computer screen in the appropriate place. During the previous NIS collections, we found this methodology to be effective in producing high quality data while protecting the confidentiality of the responses from inmates. Each interview lasts an average of 35 minutes.

BJS originally planned to conduct an iteration of the NIS beginning in the fall of 2020. The agency delayed collection to protect the safety of the inmates, staff, and interviewers during the COVID-19 pandemic. BJS now plans to begin collection in early 2023.

Our current request

We are asking for your input to see how the COVID-19 pandemic could affect the collection of the NIS in jail facilities, beginning in early 2023.

Your participation in this survey is voluntary. The expected time to complete this form is 10 minutes.

Please email your completed form to <EMAIL ADDRESS> by xx/xx/xxxx.

If you have questions, please email NAME at EMAIL or contact Westat at xxx-xxx-xxxx.

1. Is your facility currently allowing in-person visitation from...

	Yes	No
a. Researchers or research teams?		
b. Friends/family of inmates?		
c. Other individuals? If yes, please specify _____		

2. Does your facility have any of the following pandemic-related precautions currently in place? Please check yes or no for a research team and for other visitors.

	Research team			Other visitors		
	Yes	No	N/A	Yes	No	N/A
a. Visitors must show proof of being fully vaccinated against COVID-19						
b. Visitors must show proof of being up-to-date with all COVID-19 booster vaccinations						
c. Visitors are required to wear masks at all times						
d. Visitors are required to maintain social distancing at all times						
e. Visitors are subject to a COVID-19 screening questionnaire (e.g. recent exposure, symptoms or recent travel)						
f. Visitors are subject to a temperature check						
g. Visitors must provide proof of a negative COVID test within 24 hours of the visit						
h. Inmates must be vaccinated to receive visitors						
i. Inmates must be masked to receive visitors						

3. What other COVID-19 precautions related to inmate visitation does your facility have in place?

4. From which of the following governing organizations does your facility obtain its COVID response guidance?

	Yes	No
a. The county/municipality Public Health Department		
b. The state Public Health Department		
c. The Centers for Disease Control and Prevention (CDC)		
d. Other, If yes, please specify <hr/>		

5. Has your facility hosted a researcher or team of researchers to conduct in-person research or survey activities since March 2020?

- Yes
 No

6. How does your facility's current inmate population compare to pre-pandemic levels (prior to March 2020)? Please provide your best estimate.

- Significantly more inmates now
 About the same number of inmates
 Significantly less inmates now

7. How does your facility's current staffing level compare to pre-pandemic levels (prior to March 2020)? Please provide your best estimate.

- Significantly more staff members now
 About the same number of staff members
 Significantly less staff members now

8. Do you have any additional information that would help us determine the factors that may challenge a research team visiting jails beginning in early 2023?

Please email your response to <EMAIL ADDRESS>

Thank you for your participation!

FORM APPROVED

OMB No.: XXXX-xxxx

EXPIRATION DATE: XX/XX/20xx

The National Inmate Survey (NIS-4 Jails) COVID-Related Restrictions Assessment

03-02-22

Introduction to the National Inmate Survey (NIS)

Part of Prison Rape Elimination Act of 2003 (PREA), the National Inmate Survey asks inmates about sexual assault in correctional facilities and related topics. PREA requires the Bureau of Justice Statistics (BJS), an agency within the U.S. Department of Justice, to publish national and facility-level estimates of sexual victimization in correctional facilities and common characteristics of these victimizations. The NIS is a key part of this requirement.

To collect the NIS data, a research team typically visits a selected facility for up to several days. Data are collected directly from inmates in a private setting using audio computer-assisted self-interview (ACASI) technology, which uses a laptop computer to allow inmates to see the questions on the screen, hear the questions being read through headphones, and answer the questions in complete privacy by touching the computer screen in the appropriate place. During the previous NIS collections, we found this methodology to be effective in producing high quality data while protecting the confidentiality of the responses from inmates. Each interview lasts an average of 35 minutes.

BJS originally planned to conduct an iteration of the NIS beginning in the fall of 2020. The agency delayed collection to protect the safety of the inmates, staff, and interviewers during the COVID-19 pandemic. BJS now plans to begin collection in early 2023.

Our current request

We are asking for your input to see how the COVID-19 pandemic could affect the collection of the NIS in jail facilities, beginning in early 2023. Please answer with respect to what you've learned in your role about jails affiliated with your association.

Your participation in this survey is voluntary. The expected time to complete this form is 10 minutes.

Please email your completed form to <EMAIL ADDRESS> by xx/xx/xxxx.

If you have questions, please email NAME at EMAIL or contact Westat at xxx-xxx-xxxx.

1. Which association do you represent?

- a. American Jail Association (AJA)
 - b. National Association of Counties (NACo)
 - c. National Sheriffs' Association (NSA)
 - d. Other (please specify):
2. Are you familiar with jail facilities currently allowing in-person inmate visitation?
- a. Yes
 - b. No
3. What sort of COVID-related restrictions/requirements do these jail facilities currently have in place regarding in-person inmate visitation?
- _____
- _____
4. Are you aware of any jail facilities that have hosted a researcher or team of researchers to collect data in-person in the past six months?
- a. Yes
 - b. No
5. What sort of COVID-related restrictions/requirements do these jail facilities currently have in place regarding in-person research?
- _____
- _____
6. Thinking about the changes in practices and policies in jail facilities due to the pandemic, what parts of hosting a team of researchers to conduct an in-person survey might be challenging to facilities?
- _____
- _____
- _____
7. As far as you can tell, what COVID-related practices and policies in jails might change between now and 2023?
8. Do you have any additional information that would help us determine the factors that may challenge a research team visiting jails beginning in early 2023?
- _____
- _____

Please email your response to <EMAIL ADDRESS>

Thank you for your participation!

SUBJECT: National Inmate Survey (NIS4 Jails) Facility Visitation amidst COVID-19 – Reminder Request

A few weeks ago, we asked for your input on how the COVID-19 pandemic could affect the collection of the upcoming National Inmate Survey (NIS-4) in jails during or after the COVID-19 pandemic. This email is a reminder that your input will help improve the survey operation and minimize impact and burden on the facilities visited, and we would greatly appreciate your review by <date>.

Please let us know if you are unable to respond by this date and we will work to find a time that fits your schedule. If you think you will not be able to respond at all, please do let us know that, too.

I am re-attaching the brief feedback form for your convenience.

BJS is working with Westat to conduct the NIS-4 Jails. Please complete and submit the attached form to NAME, a Westat employee, via email no later than <date>. NAME can be reached at EMAIL or by phone at PHONE.

If you have any questions, feel free to contact me at (202) 307-0711 or Amy.Lauger@usdoj.gov. Jessica Taylor, the Project Director from Westat, is also available to address questions and comments at (240) 301-5852 or JessicaTaylor@Westat.com.

Sincerely,

Amy Lauger
PREA Program Manager
Bureau of Justice Statistics

Attachment B: Facility Pre-test Enrollment Materials

- NIS-4 Jails – BJS Introduction Letter – Pre-test Study
- Facility Information Overview
- Facility Roles and Responsibilities

SUBJECT: National Inmate Survey Pre-Test – Request for Assistance

Dear <Contact Name>:

I am writing to ask for your assistance with the fourth National Inmate Survey in Jails (NIS-4J). Since the last NIS, we have received helpful recommendations from jail administrators, advocates, and other interested stakeholders. These recommendations were invaluable as we enhanced the survey to address important issues identified in past collections. We are now planning to pre-test the NIS-4J instrument with inmates in several jails, and we are hoping to conduct a pre-test in your jail facility. The pre-test would last approximately half a day as we interview ten inmates in your facility.

BJS has entered into a cooperative agreement with Westat, a private research company, to conduct the data collection and analysis activities for the NIS-4J. BJS is committed to conducting this pre-test safely and has received Westat's assurance that they will adhere to safety protocols designed to minimize the risk of the transmission of COVID-19. Westat will work closely with facility personnel to adhere to all safety requirements.

Should you agree to participate, a Westat representative (Susan Cross) will contact you in <month>. She will provide details about our plans for the pre-test and answer any questions you may have. If you would like for Ms. Cross to work with a liaison from your office, please let us know whom she should contact. We understand the potential burden of even conducting a small pre-test in your jail, but we will work diligently to minimize its impact on facility operations. Ms. Cross can be reached by email (SusanCross@Westat.com) or by phone (800) 937-8281 x2664.

The Bureau of Justice Statistics (BJS) is mandated by the Prison Rape Elimination Act (PREA; P.L. 108-79) to carry out a comprehensive statistical analysis and report on the prevalence and nature of sexual victimization within jail facilities. Findings from the most recent data collection were published by BJS in *Sexual Victimization in Prisons and Jails Reported by Inmates, 2011-12*, and are available online at <https://bjs.ojp.gov/content/pub/pdf/svpjri1112.pdf>.

If you have any questions, feel free to contact me at (202) 307-0711, Amy.Lauger@usdoj.gov. Jessica Taylor, the Project Director from Westat, is also available to address questions and comments at (240) 301-5852, JessicaTaylor@Westat.com.

Sincerely,

Amy D. Lauger
PREA Program Manager
Bureau of Justice Statistics



NATIONAL INMATE SURVEY (NIS-4J) Jail Facility Information Overview

Implementation Process

Preparing for Data Collection

- BJS and Westat will host an introductory webinar to introduce the survey to jail administrators from sampled facilities.
- Westat will contact the facility administrator to learn who will serve as the coordinator for the facility.
- Westat will provide the facility coordinator with materials about the National Inmate Survey and begin planning for data collection at the facility.
- Through emails and phone calls, Westat will review protocols and logistics with the facility coordinator.
- Westat and the coordinator will schedule the data collection visit.
- If minor inmates (ages 16 or 17) are held in the facility, Westat will request that the facility provide consent *in loco parentis* (ILP) for minor inmates.

Data Collection Begins

- Westat will begin visiting facilities to conduct interviews.
- Four weeks before the visit, the coordinator will provide an electronic test roster of arraigned inmates including the inmate's identification number, name, gender, date of birth, race/ethnicity, admission date, and housing assignment.
- The coordinator will provide a full roster the Wednesday before the visit and an updated roster the first day of the visit.
- The coordinator will locate space in the facility where Westat interviewers can meet individually with inmates to conduct the surveys. The coordinator will arrange for facility staff to escort inmates to and from the interview area(s).
- The coordinator will complete a web-based Facility Questionnaire by the last day of the visit.



NATIONAL INMATE SURVEY (NIS-4J) Jail Facility Roles and Responsibilities

Facility administrator

1. **Designate a facility coordinator:** The facility administrator will designate a staff person who will work with Westat to prepare for the survey team visit and to complete the facility survey.

Facility coordinator

1. **Describe facility characteristics:** The coordinator will provide information about the facility (e.g., number of living units, number of inmates, whether the administrator runs any facilities in other locations such as annexes or satellite locations) through a series of emails and brief telephone interviews. This information will be used to plan for the visit.
2. **Plan visit logistics:** In preparation for the survey visit, the coordinator will identify private rooms where each researcher will conduct the interviews and arrange the daily schedule so inmates can be available. These plans will be prepared in advance and then confirmed when the team supervisor meets with the coordinator on the first day of the visit.
3. **Arrange for counseling services:** The coordinator will ensure that counseling is available for inmates.
4. **Schedule the facility visit:** The coordinator and Westat staff will schedule the visit based on the facility schedule, expected number of inmates, and availability of researchers. For larger facilities, the research team will include up to eight Westat staff.
5. **Provide inmate roster:** Four weeks prior to the visit date, the coordinator will provide Westat with a test roster of arraigned inmates in the facility. The roster will contain each inmate's identification number, name, gender, date of birth, race/ethnicity, admission date, and housing assignment.
6. **Provide roster updates:** The Wednesday before the visit, the coordinator will provide Westat a full roster. The coordinator will provide Westat an updated roster on the first day of the visit, adding newly arraigned inmates.
7. **Complete a facility questionnaire:** By the last day of the visit, the coordinator will complete a web-based Facility Questionnaire that collects information about the facility.

8. **Provide support during data collection visit:** The coordinator will be the point of contact while the interviews are taking place. This includes scheduling the interviews for the selected inmates and arranging for staff to escort inmates to and from the interview rooms.
9. **If minor inmates are held in the facility:**
 - a) **Consent for minor inmates to participate:** The facility will grant permission to interview minor inmates *in loco parentis*.
 - b) **Define mandatory reporting procedures:** NIS-4J researchers are considered subject to state and local mandatory reporting requirements. When minor inmates make verbal allegations of abuse or harm to a researcher, a report will be made. General procedures will be specified by the agency liaison. However, the facility coordinator will be asked to define the specific procedures for the facility (e.g., name and contact information for the agency designated to receive the report).

Attachment C: Facility Questionnaire Expert Review Materials

- NIS-4 Jails – BJS Introduction Email
- NIS-4 Jails – BJS Facility Questionnaire Feedback Form
- NIS-4 Jails – BJS Reminder Email
- NIS-4 Jails – BJS Thank you Email

SUBJECT: National Inmate Survey Jails Facility Questionnaire – Request for Your Input

I am writing to request your help in reviewing the Facility Questionnaire that will be used in the upcoming National Inmate Survey (NIS-4) in jails.

NIS-4 is part of the Bureau of Justice Statistics' National Prison Rape Statistics Program, which gathers data on the incidence and prevalence of sexual assault in correctional facilities. Collection of these data is mandated under the Prison Rape Elimination Act of 2003 and the fourth data collection is scheduled to be conducted in selected jail facilities nationwide in 2023.

Please do not answer the survey questions in the attachment, rather, we would like you to review it and provide us with your feedback on whether the questions would make sense in your jail facility. We welcome any suggestions you have to improve the items by typing your comments directly into the grey boxes throughout the questionnaire.

BJS is working with Westat to conduct the NIS-4 Jails Facility Questionnaire. Please complete and submit the attached review form to <NAME>, a Westat employee, via email no later than <date>. <NAME> can be reached at <EMAIL ADDRESS> or by phone <xxx-xxx-xxxx>. Please let us know if you are unable to respond by this date and we will work to find a time that fits your schedule. If you think you will not be able to respond at all, please do let us know that, too.

If you have any questions, feel free to contact me at (202) 307-0711 or Amy.Lauger@usdoj.gov. Jessica Taylor, the Project Director from Westat, is also available to address questions and comments at (240) 314-5852 or JessicaTaylor@Westat.com.

Sincerely,

Amy Lauger
PREA Program Manager
Bureau of Justice Statistics

National Inmate Survey 4 in Jails Facility Questionnaire Feedback Form

Updated: 03-18-2022

REVIEWER INSTRUCTIONS:

- Please review this questionnaire. **Do not answer the survey questions.**
- Provide comments and feedback in the grey text boxes for the 8 selected questions, and provide any additional feedback on page 9.
- Return the completed form to Monica Basena at MonicaBasena@westat.com by {DATE}

The National Inmate Survey (NIS) is a study designed to measure the prevalence of and circumstances contributing to sexual victimization in U.S. jails and prisons. This study is mandated by Congress under the Prison Rape Elimination Act (PREA) of 2003. This Facility Questionnaire collects information regarding facility characteristics associated with sexual victimization in jails.

Person Completing this Questionnaire:	
Name:	
Title:	
Email:	
Telephone:	
Facility Name:	
Facility Address:	
Facility City, State ZIP	

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 is estimated to average 1 hour 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 aspect of this collection of information including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, NW, Washington, DC 20531; and to the Office of Management and Budget, OMB No. XXXX-xxxx, Washington, DC 20503

1. What are the functions of [FACILITY NAME]? Please mark Yes or No for each function.

	Yes	No
1a. General adult population confinement		
1b. Persons returned to custody (e.g., probation, parole, and bail bond violators)		
1c. Work release/prerelease		
1d. Reception/diagnosis/classification		
1e. Confinement of juveniles		
1f. Medical treatment/hospitalization confinement		
1g. Mental health/psychiatric care		
1h. Alcohol treatment confinement		
1i. Drug treatment confinement		
1j. Boot camp		
1k. Protective custody		
1l. Other (specify) _____		

Question 1 Feedback

Is this list of functions clear and reasonable for jail facilities? If so, write “OK” below. Otherwise, please provide suggestions for improving the wording and include the item number.

2. What is the rated operational bed capacity of [FACILITY NAME]? By rated operational bed capacity, we mean the number of beds or inmates assigned by a rating official.

RATED OPERATIONAL BED CAPACITY: _____

Question 2 Feedback

Is there anything confusing about the way this question is worded?

Does this definition agree with your understanding of “operational bed capacity?”

3. How many inmates are currently CONFINED in this facility?

INCLUDE—

- ✓ *Inmates on transfer to treatment facilities but who remain under your jurisdiction.*
- ✓ *Inmates held for other jurisdictions.*

EXCLUDE—

- X *Inmates on AWOL escape or long-term transfer to other jurisdictions.*

NUMBER OF CONFINED INMATES: _____

4. Of all inmates currently CONFINED in this facility, how many have each of the following conviction statuses?

- *For inmates with more than one charge/offense, report the status associated with the most serious charge/offense.*
- *For convicted inmates, include probation and parole violators with no new sentence.*
- *If none, enter a zero.*
- *If exact numeric answers are not available, please provide estimates.*

	Number of Inmates
4a. Convicted	
4b. Unconvicted, but arraigned	
4c. Unconvicted and not arraigned	
4d. Unknown conviction status	
4e. TOTAL (Sum of items 4a to 4d should equal item 3)	

Question 4 Feedback

Are the response options clear and reasonable for jail facilities? If so, write “OK” below. Otherwise, please provide feedback on the question wording or the way the response categories are worded. Include the item number in your comments.

5. Of the total number of inmates confined at [FACILITY NAME], approximately how many fit into each of the following categories?
- *If none, enter a zero.*
 - *If exact numeric answers are not available, please provide estimates.*

	Number of Inmates
5a. Have been identified as currently having a serious and persistent mental illness? Please include inmates whether or not they are currently receiving medication for their mental illness.	
5b. Have been identified as having a cognitive impairment or intellectual disability?	
5c. Are currently assigned to disciplinary restrictive housing such as administrative segregation or disciplinary segregation?	
5d. Are currently affiliated with a gang or Security Threat Group?	
5e. Speak a language other than English as their primary language?	
5f. Self-identify as LGBTQ?	

Question 5 Feedback

Is there anything confusing about any of the response categories? Please also comment on whether “serious and persistent mental illness” in item 5a needs a definition.

6. If an inmate self-identifies as LGBTQ, is that self-identification taken into account when making housing assignments at this facility?

- 1 Yes
2 No

7. Do inmates at [FACILITY NAME] have access to a language line that provides on-demand language interpretation or translation services?

- 1 Yes
2 No

8. During the past 12 months, that is since this date last year, was this facility operating under a court-ordered corrective action plan or consent decree?

- 1 Yes
- 2 No

Question 8 Feedback

Please comment on which wording you prefer for question 8: “*court-ordered corrective action plan or consent decree*” or “*federal or state court order or consent decree.*” (Or indicate if other wording would make more sense.)

For questions 9-17, please think about paid staff at [FACILITY NAME] who are not contractors.

9. Regardless of the source of the funding used to cover the positions, how many Full-Time Equivalency (FTE) positions for [county/city] jail employees does [FACILITY NAME] currently have? Please include both uniformed and non-uniformed staff.

NUMBER OF FTEs: _____

10. Of the [Q9 FILL] FTE [county/city positions] allocated to [FACILITY NAME], how many are **currently** vacant? Please do not include positions that are temporarily vacant because the staff person is on medical leave, military leave, maternity leave, etc.

NUMBER VACANT FTE POSITIONS: _____

11. Is a hiring freeze currently in place at [FACILITY NAME]?

- 1 Yes
- 2 No

12. Please provide the number of male and female staff, both full-time and part-time, at [FACILITY NAME] who are in each job classification below. If a staff person works in more than one job class, please include them in the job class where they work the largest portion of their time.

- If none, enter a zero.
- If exact numeric answers are not available, please provide estimates.

	Male	Female
12a. Administration <i>INCLUDE jail administrators, assistants, and other personnel who work in an administrative capacity.</i>		
12b. Jail operations <i>INCLUDE correctional officers, guards, and other staff.</i>		
12c. Education <i>INCLUDE academic and vocational staff.</i>		
12d. Technical and professional services <i>INCLUDE counselors, psychiatrists, psychologists, social workers, dentists, medical staff, and other professional staff.</i> <i>INCLUDE dispatchers with no inmate supervision duties.</i>		
12e. Clerical, maintenance, and food services		
12f. Other functions , specify: _____		
12g. TOTAL (Sum of items 12a to 12f)		

Question 12 Feedback

If the above wording is clear and reasonable for jail facilities, write "OK" below. Otherwise, please provide suggestions for the wording of any of the job classification descriptions. Include the item number in your comments.

13. During the past 12 months, that is since this date last year, how many staff were new to their current position at [FACILITY NAME]? That is, how many staff were either new hires to the facility or who moved into positions they had not worked in before?

NUMBER OF STAFF IN NEW POSITIONS: _____

14. During the past 12 months, that is since this date last year, how many **jail operations staff** were separated from employment at [FACILITY NAME]?

✓ *INCLUDE quits, layoffs, discharges, retirements, deaths, transfers, and other separations*

NUMBER OF JAIL OPERATIONS STAFF WHO SEPARATED: _____

Question 14 Feedback

If the above wording is clear and reasonable for jail facilities, write “OK” below. Otherwise, please provide any suggestions for improving the wording of question 14.

15. How many **jail operations staff** who are currently employed at [FACILITY NAME] have:

- *If none, enter a zero.*
- *If exact numeric answers are not available, please provide estimates.*

	Number
15a. Less than 1 year of service	
15b. 1 – 2 years of service	
15c. 3 – 4 years of service	
15d. 5 – 9 years of service	
15e. 10 or more years of service	
15f. Total number of jail operations staff (sum of items 15a to 15e)	

Question 15 Feedback

What is your understanding of this question about years of service? Is it asking for just the number of years of service AT THIS FACILITY, or is it asking to include years of service PRIOR TO working at this facility?

16. What is the total number of PREA-related training hours that entry-level Correctional Officers are required to complete prior to starting the position?

NUMBER OF HOURS: _____

17. When does a new Correctional Officer who begins employment at [FACILITY NAME] have to complete all required PREA-related trainings?

- 1 Prior to starting the position
- 2 Within first 24 hours of starting position
- 3 After first 24 hours but within first week (7 days) of starting position
- 4 After first week but within first month (30 days) of starting position
- 5 After first month but within first six months (180 days) of starting position
- 6 After first six months but with first year (365 days) of starting position
- 7 Some other timeframe; please explain: _____

18. Which of the following methods are used at [FACILITY NAME] to educate inmates about the fact that sexual activity is not allowed at the facility? Please mark Yes or No for each method.

Procedure	Yes	No
18a. Facility staff		
18b. Posters/signs		
18c. Brochures/flyers/pamphlets		
18d. Handbook that describes facility rules and policies		
18e. Video		
18f. Peer Educator		
18g. New Inmate Orientation		
18h. Some other way; please describe:		

19. Does [FACILITY NAME] have a Sexual Assault Nurse Examiner (SANE) onsite?

- 1 Yes
- 2 No → If an inmate needs to see a SANE, what steps are taken to arrange the visit?

Question 19 Feedback
<p>If the follow-up wording (“If an inmate needs to see a SANE, what steps are taken to arrange the visit”) is clear and reasonable for jail facilities, write “OK” below. Otherwise, please provide any suggestions for improving the wording of this follow-up question.</p>

Questions 20 to 21 are about misconduct at [FACILITY NAME].

20. During the past 12 months, that is since this date last year, about how many violations of facility rules were reported and resulted in a guilty finding? Please include less serious violations such as use of abusive language or failure to attend class, as well as more significant violations such as possession of contraband and physical assaults.

NUMBER OF GUILTY FINDINGS: _____

21. During what part of the day do most **violations that result in a guilty finding** occur in this facility?

- 1 After midnight but before 6:00 AM
- 2 Between 6:00 AM and noon
- 3 After noon but before 6:00 PM
- 4 Between 6:00 PM and midnight

PREA-related Allegations and Investigations

22. During the past 12 months, that is since this date last year, how many allegations of sexual abuse or sexual harassment were made by inmates at [FACILITY NAME]? Please only include allegations that were made against other inmates or staff at [FACILITY NAME].

NUMBER OF ALLEGATIONS: _____

23. [IF Q22 > 0] During the past 12 months, that is since this date last year, were allegations of sexual abuse or sexual harassment at [FACILITY NAME] investigated by staff at the facility, referred to an organization outside the facility to investigate, or both?

- 1 Staff at the facility investigated
- 2 Referred to an organization outside the facility
- 3 Both

24. Does [FACILITY NAME] have a policy that an inmate who makes an allegation of sexual abuse or sexual harassment must be notified of the outcome of the investigation?

- 1 Yes
- 2 No

Impact of COVID on Facility Practices

21. During the past 12 months, that is since this date last year, how did COVID affect each of these practices?

Practice	Increased a lot	Increased a little	No change	Decreased a little	Decreased a lot
25a. Number of inmates released early					
25b. Amount of time Correctional Officers spend in the housing units					
25c. Amount of inmate movement within the facility					
25d. Inmate participation in recreational activities					
25e. Inmate participation in employment opportunities					
25f. Number of visitors inside the facility					
25g. Number of volunteers inside the facility					

Question 25 Feedback
If the above wording is clear and reasonable for jail facilities, write “OK” below. Otherwise, please provide any suggestions for improving the wording of question 25.

Additional Feedback
Please use this space to provide additional comments or suggestions that could help improve this questionnaire.

Additional Feedback

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Thank you for providing this important information about [FACILITY NAME].

DRAFT

SUBJECT: National Inmate Survey Jails Facility Questionnaire – Reminder Request

A few weeks ago, we asked for your help in reviewing items from the Facility Questionnaire that will be used in the upcoming National Inmate Survey (NIS-4) in jails. This email is a reminder that your input will help improve the data collected by this survey, and we would greatly appreciate your review by <date>.

Please let us know if you are unable to respond by this date and we will work to find a time that fits your schedule. If you think you will not be able to respond at all, please do let us know that, too.

I am re-attaching the questionnaire for your convenience. Please do not answer the survey questions; we are just seeking your comments and feedback (in the grey boxes throughout the questionnaire) on whether you think the questions would make sense in your jail facility.

BJJ is working with Westat to conduct the NIS-4 Jails Facility Questionnaire. Please complete and submit the attached review form to <NAME>, a Westat employee, via email no later than <date>. <NAME> can be reached at <EMAIL ADDRESS> or by phone (xxx) xxx-xxxx.

If you have any questions, feel free to contact me at (202) 307-0711 or Amy.Lauger@usdoj.gov. Jessica Taylor, the Project Director from Westat, is also available to address questions and comments at (240) 301-5852 or JessicaTaylor@Westat.com.

Sincerely,

Amy Lauger
PREA Program Manager
Bureau of Justice Statistics

SUBJECT: National Inmate Survey Jails Facility Questionnaire – Thank you for your feedback!

Dear <Contact Name>:

I am writing to thank you for supporting the National Inmate Survey (NIS). We are grateful for your assistance with reviewing the Facility Questionnaire and providing your feedback. Your input has helped us finalize the survey and to begin our preparations for the upcoming fourth data collection of the NIS.

To assist the U.S. Department of Justice, Bureau of Justice Statistics (BJS) in carrying out the Prison Rape Elimination Act of 2003 (PREA, Public Law 108-79) mandate, Westat will survey inmates in jail facilities nationwide about the prevalence, characteristics, circumstances, correlates, and outcomes of sexual victimization while in facility custody. Data collection is planned for early 2023.

Within the following year, you should receive notice from BJS of the release of the study report. We recognize the contribution that you have made to the study and hope that you find the report useful.

If you have any questions about NIS or PREA, please contact me at <phone> or by email at Amy.Lauger@usdoj.gov.

Sincerely,

Amy D. Lauger
PREA Program Manager
Bureau of Justice Statistics



An Employee-Owned
Research Corporation

Memo

Date: March 30, 2022

To: Jessica Taylor, Project Director

From: Sharon Zack, Westat IRB Administrator *Sharon Zack*

Subject: **Amendment Approval of NIS-4 Jails, Project Number 6654
(Amendment ID: 3673)
FWA 00005551**

As IRB Administrator of the Westat Institutional Review Board (IRB), I reviewed the materials submitted for the following: **NIS-4 Jails, Project Number 6654**. The Westat IRB reviews all studies involving research on human subjects. This project was last reviewed in January 2022.

This request is to approve a brief survey of jail administrators and national association members. The purpose of the survey is to assess the feasibility of and considerations for fielding the survey during or after the COVID pandemic.

The regulations (45 CFR 46) permit expedited review of minor changes in previously approved activities. I am therefore approving the modifications under expedited authority.

- Your continuing review was due before April 10, 2022. It was approved on 3/14/22. Your next continuing review is due before April 10, 2023.
 - IRB approval is required before any new or modified research activities are conducted or when there is a problem involving risks to human subjects.
 - Upon learning of an incident, you must contact the IRB Office within 24 hours via telephone (301-610-8828) or email (IRB@westat.com).
- cc: Institutional Review Board
Janet Ciarico