



U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Statistics

Washington, D.C. 20531

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DATE: January 3, 2024

SUBJECT: BJS request to update the frame of adult correctional facilities for the Census of State and Federal Adult Correctional Facilities under the OMB generic clearance agreement (OMB Control #1121-0339)

Introduction

The Bureau of Justice Statistics (BJS) is planning the next iteration of the Census of State and Federal Adult Correctional Facilities (CCF; OMB Control Number 1121-0147, expired 5/31/2022). The original collection—the Census of State Adult Correctional Facilities—was first fielded in 1974 by the Office of Justice Assistance, Research and Statistics of the Law Enforcement Assistance Administration. BJS repeated the state prison census collection in 1979 and 1984. In 1990, facilities under the Federal Bureau of Prisons (BOP) were added to the

census, and it was renamed the Census of State and Federal Adult Correctional Facilities and was conducted in 1990, 1995, 2000, 2005, 2012 (limited variables), and 2019.

The CCF is part of the larger BJS portfolio of establishment surveys that informs the nation on the characteristics of adult correctional facilities and persons sentenced to state and federal prisons. The CCF collects data at the facility level. Data obtained are intended to describe the characteristics of confinement and community-based correctional facilities that are (1) operated by state and federal authorities or (2) operated by local authorities or private entities under contract to state or federal authorities. The data also allow BJS to describe the physical conditions in which this population is being held. The data collected informs BJS on issues such as capacity and crowding, conditions of confinement, workload, facility function—including provision of medical and mental health care—safety and security, and inmate reentry. Having an accurate frame of state and federal adult correctional facilities prior to administering the 2024 CCF is vital to its success. This will reduce burden for respondents and minimize delays in data submission that would result from BJS requesting data from an inaccurate list of facilities.

Under this clearance request, BJS and its data collection agent, Research Triangle Institute (RTI) International, propose to conduct outreach to update a prepopulated list of identified adult confinement and community-based correctional facilities. BJS has conducted work internally to compile a roster of facilities that are likely in scope for the 2024 CCF by examining rosters of confinement and community-based correctional facilities that resulted from the 2019 CCF data collection and in-progress searches of DOC and private operator websites. Facilities include those that are state operated, as well as those operated by private companies contracted to primarily house inmates for state and federal governments. Specifically, the project team seeks to update the following:

- Facility name and address
- Operating status
- Whether the facility is holding inmates for their state
- Primary function of the facility
- Operator (State correctional authority, BOP, or private contractor)
- CCF respondent

Additionally, the project team will request the name of any facility that does not appear on the prepopulated list and detailed information similar to above. This information will help BJS determine final eligibility for each facility and identify the appropriate respondent for the main CCF data collection. This frame update collection is imperative to developing a complete and accurate frame for the 2024 CCF.

Summary of Current Request

BJS requests clearance under its generic clearance agreement (OMB Control Number 1121-0339) to contact 50 state Departments of Corrections (DOCs) to develop the most up-to-date and accurate list of adult confinement and community-based correctional facilities. BJS will conduct outreach to 50 DOC agency heads as well as the 50 DOC respondents to our National Prisoners Statistics program (NPS-1B). BJS assumes that the NPS-1B respondent will provide the information requested to update their state's list of prison facilities. BJS does not need to reach out to the BOP to identify its adult confinement and community-based correctional facilities that

are in scope for the CCF. BJS will rely on its contacts at the BOP to provide a list of correctional facilities closer to the time of the national implementation of the CCF.

Survey Design and Collection Procedures

RTI will conduct a state-level frame update data collection from late February through mid-June of 2024. Upon OMB approval, BJS will send the CCF-Frame update survey invitation letter (**Attachment A**) to the state DOC agency heads, cc'ing the respondent for BJS's annual National Prisoners Statistics program (NPS-1B; OMB control number 1121-0102). The invitation letter will be sent by email along with additional attachments to include a prepopulated list of identified adult confinement and community-based correctional facilities (**Attachment B**), a document outlining facility eligibility criteria (**Attachment C**), an example facility information form that provides an overview of the questions to be asked for each facility (**Attachment D**), and a list of data elements that will be requested in the main CCF data collection (**Attachment E**). The letter will request that BJS or RTI be contacted if the request should be directed to another person within the DOC.

The data will be collected via a web-based data collection instrument (**Attachment F**). If needed, RTI will also give respondents alternate modes of submission, including a spreadsheet template they can use to export relevant information from their information systems, or information can be confirmed and updated by phone.

Approximately 3 weeks after sending the invitation email, RTI will send a reminder email to nonrespondents (**Attachment G**). RTI will send a second reminder to nonrespondents by email (**Attachment H**) one day after the initial due date and follow up by telephone (**Attachment I**) will commence one week later, if necessary. A third e-mail reminder (**Attachment J**) will be sent to nonrespondents approximately 4 weeks after the second reminder.

Data quality follow-up by email and telephone, if necessary, will also be conducted if a POC submits a questionnaire with missing or ambiguous information. All follow-up activities will be completed and data collection will close out in early June 2024. A final frame of facilities eligible for the 2024 CCF will be delivered to BJS in July 2024.

Burden Hours for the Survey

RTI will contact each of the 50 Departments of Corrections. The number of facilities per state ranges from between approximately 6 and 151 facilities (consisting of between 0 and 38 community-based facilities and between 2 and 113 confinement facilities). On average, each state will be asked to report on approximately 30 facilities and any additional facilities in use that are not listed. There are an average of 10 community-based facilities per state and 20 confinement facilities per state.

BJS anticipates that respondents will take approximately 3 minutes per community-based facility (30 minutes per state) and 1 minute per confinement facility (20 minutes per state), for an average total of 50 minutes to gather the necessary information and enter the data. Follow up for clarification and to obtain missing information is estimated at 10 minutes per respondent. Table 1 provides the overall burden estimate and the burden estimate for each component of the collection.

Table 1. Burden Estimate

Category of Respondent	Number of Respondents	Participation time to update frame information including any necessary follow-up	Burden
(State, Local or Tribal Governments) updating community-based facilities	50	30 minutes	25 hours
(State, Local or Tribal Governments) updating confinement facilities	50	20 minutes	17 hours
(State, Local or Tribal Governments) follow-up to obtain missing information	50	10 minutes	8 hours
Total			50 hours

Cost to the Federal Government

The estimated cost to the Federal government is \$102,113 for the RTI portion of the work and an estimated \$4,709 for 60 hours of the GS-14 project manager’s work for a total of \$106,822.

Data Security and Confidentiality

BJS is authorized to conduct this data collection under 34 U.S.C. § 10132. BJS may only use the information it collects for statistical or research purposes, consistent with 34 U.S.C. § 10134.

BJS is required to protect information identifiable to a private person from unauthorized disclosure and may not publicly release data in a way that could reasonably identify a specific private person [34 U.S.C. § 10231 and 28 CFR Part 22]. Any person who violates these provisions may be punished by a fine up to \$10,000, in addition to any other penalties imposed by law. Further, per the Cybersecurity Enhancement Act of 2015, federal information systems are protected from malicious activities through cybersecurity screening of transmitted data.

The BJS Data Protection Guidelines provide more detailed information on how BJS and its data collection agents will use and protect data collected under BJS’s authority.

Protection of Human Subjects

This collection elicits factual information about the facilities in which inmates are housed. The only personally identifiable information to be collected will be the names and contact information of the agency personnel answering the questions. RTI’s Institutional Review Board (IRB) reviewed the project per 28 CFR 46 and determined that all aspects of the project do not meet the definition of human subjects research (**Attachment K**). Nevertheless, all information obtained during the survey will be maintained on secure servers at BJS and RTI and will not be shared with third parties.

Contact Information

Questions regarding any aspect of this project can be directed to:

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Attachments

Attachment A. Frame Update Invitation Letter
Attachment B. List of Facilities
Attachment C. Facility Eligibility Criteria
Attachment D. Facility Information Form
Attachment E. CCF Survey Content
Attachment F. Frame Update Web-Based Mockups
Attachment G. First Reminder Email
Attachment H. Second Reminder Email
Attachment I. Nonresponse Telephone Call Script
Attachment J. Third and Final Reminder Email
Attachment K. RTI IRB determination