

**Department of Justice
National Institute of Justice
Office of Juvenile Justice and Delinquency Prevention
OMB Information Collection Request
Paperwork Reduction Act Submission
Juvenile Facility Census Program
OMB Control Number 1121-NEW1**

Part A. Justification

1. Overview

The National Institute of Justice (NIJ), in partnership with the Office of Juvenile Justice and Delinquency Prevention requests is requesting approval to conduct the 2025 and 2027 Census of Juveniles in Residential Placement, and the 2026 Juvenile Residential Facility Census under the clearance of the Juvenile Facility Census Program (JFCP). This request will combine two previously, separately cleared data collections: The Census of Juveniles in Residential Placement (CJRP, OMB# 1121-0218) and the Juvenile Residential Facility Census (JRFC, OMB# 1121-0219).

The CJRP, which is administered biennially, collects information from all secure and nonsecure residential placement facilities that house persons younger than age 21 who are held in a residential setting as a result of some contact with the juvenile justice system for an offense. This encompasses both status offenses and delinquency offenses, and includes youth who are either temporarily detained by the court or committed after adjudication for an offense. The CJRP collects information on the characteristics of the youth held for an offense, including offense and demographics, and information on their placements, including adjudication status and length of stay.

The JRFC, which is administered biennially in the years the CJRP is not administered, collects information about how juvenile facilities operate, the services they provide, and staff training from all secure and nonsecure residential placement facilities that house persons younger than 21 who are held for an offense.

The two data collections are being combined into a single clearance packet because they are closely related and designed to be complementary. They are drawn from the same frame, are administered to the same respondents with identical eligibility criteria, have the same reference day, and use the same mode of collection. The collection administrations are deliberately sequenced and scheduled for alternating years because of the complementary nature of the information and overlap in respondents. Additionally, each collections' imputation procedures rely upon information from the other collections, and for some longitudinal analyses, data from both collections are combined to produce published statistics.

2. Necessity of Information Collection

The U.S. Department of Justice (the Department) has long taken an interest in juveniles held in custody, the operation of the facilities in which they are located, and the services available to

them while in custody. In 1971, the Department began a census of juveniles in custody known as the Children in Custody (CIC) Census (more formally: The Census of Public and Private Juvenile Detention, Correctional, and Shelter Facilities). In 1974, upon authorization of the Juvenile Justice and Delinquency Prevention Act (the JJDP Act), OJJDP took over implementation of that census. In 1993, OJJDP began a broad, long-term examination and revision of its data collection efforts covering juveniles in custody. This effort included extensive consultation with experts interested in the data produced, discussions with respondents, and extensive testing of questions and methodologies. In 1997, OJJDP conducted the first CJRP replacing the population component of the former the CIC data collection. Concurrently, development of the JRFC commenced in 1996. The testing phase was completed in 1999 when the final report on the October 1998 field test was provided to OJJDP. The JRFC was subsequently fielded in 2000 and every other year since.

In fiscal year 2019, the Department transferred OJJDP's research, evaluation, and statistical functions and activities to the NIJ, including the management of the CJRP and JRFC. As such, NIJ is working in collaboration with OJJDP and its data collection agent, the U.S. Census Bureau, to elevate and advance this work for the juvenile justice community.

NIJ in cooperation with the Research Triangle Institute (RTI) and the U.S. Census Bureau (Census) conducted cognitive testing in 2020, 2023, and 2024 and pilot testing in 2021 to determine the feasibility of collecting the new data items and changes to existing data items. The content changes detailed below were based on the findings from all rounds of testing.

The two censuses covered by this request plan to move towards eliminating collection by paper form when possible. Throughout this submission, the word "form" refers to the digital version of the form accessed by respondents using our online collection instrument rather than a paper form. A pdf copy of the paper form is available on the collection site to respondents to print if desired. Below is a short description of the forms utilized for data collection.

Form CJ-14 – Census of Juveniles in Residential Placement Census: The CJRP surveys all juvenile facilities across the U.S. designed to hold youth under age 21 that are charged with or court-adjudicated for an offense. The census asks about characteristics of the facility, such as facility type, ownership, and security arrangements. It also requests a roster of young persons in the facility, on a reference date, and a roster of all young person released in the prior month including gender, date of birth, race, sexual orientation, placement authority, most serious offense, court adjudication status, and date of admission. The census is conducted biennially and alternates with the Juvenile Residential Facility Census (JRFC).

Form CJ-15 – Juvenile Residential Facility Census: Like the CJRP, the JRFC surveys all juvenile facilities across the U.S. designed to hold youth under age 21 that are charged with or court-adjudicated for an offense. The census asks about facility characteristics such as size, structure, type, ownership, and security arrangements. It also requests information about mental health, educational, substance use, and medical services available to residents. The census is conducted biennially and alternates with the Census of Juveniles in Residential Placement (CJRP).

Copies of the JFCP forms are available in Attachment A.

NIJ is authorized to conduct this data collection under the Omnibus Crime Control and Safe Streets Act of 1968. Copies of the relevant sections of the NIJ authorizing language are included in Attachment B of this OMB package.

OJJDP is authorized to conduct this data collection under the JJDP Act of 1974, as amended. The JJDP Act was reauthorized in December 2018 through the Juvenile Justice Reform Act of 2018 (Public Law No. 115-385). For purposes of this PRA request, the relevant part of the reauthorization language reads as follows:

(b) Statistical Analyses. The Administrator shall

- (1) plan and identify the purposes and goals of all agreements carried out with funds provided under this subsection; and*
- (2) undertake statistical work in juvenile justice matters, for the purpose of providing for the collection, analysis, and dissemination of statistical data and information relating to juvenile delinquency and serious crimes committed by juveniles, to the juvenile justice system, to juvenile violence, and to other purposes consistent with the purposes of this subchapter and subchapter I.*

34 U.S.C. 11161

The JJDP Act also includes a requirement that OJJDP's Administrator submit to Congress and the President an annual report on juveniles in custody. The specific language that describes this report is as follows:

(1) A detailed summary and analysis of the most recent data available regarding the number of juveniles taken into custody, the rate at which juveniles are taken into custody, and the trends demonstrated by the data required by subparagraphs (A), (B), and (C). Such summary and analysis shall set out the information required by subparagraphs (A), (B), (C), and (D) separately for juvenile nonoffenders, juvenile status offenders, and other juvenile offenders. Such summary and analysis shall separately address with respect to each category of juveniles specified in the preceding sentence—

- (A) the types of offenses with which the juveniles are charged;*
- (B) the race, gender, and ethnicity, as such term is defined by the Bureau of the Census, of the juveniles;*
- (C) the ages of the juveniles;*
- (D) the types of facilities used to hold the juveniles (including juveniles treated as adults for purposes of prosecution) in custody, including secure detention facilities, secure correctional facilities, jails, and lockups;*
- (E) the number of juveniles who died while in custody and the circumstances under which they died;*
- (F) the educational status of juveniles, including information relating to learning and other disabilities, failing performance, grade retention, and dropping out of school;*

- (G) a summary of data from 1 month of the applicable fiscal year of the use of restraints and isolation upon juveniles held in the custody of secure detention and correctional facilities operated by a State or unit of local government;*
- (H) the number of status offense cases petitioned to court, number of status offenders held in secure detention, the findings used to justify the use of secure detention, and the average period of time a status offender was held in secure detention;*
- (I) the number of juveniles released from custody and the type of living arrangement to which they are released;*
- (J) the number of juveniles whose offense originated on school grounds, during school-sponsored off-campus activities, or due to a referral by a school official, as collected and reported by the Department of Education or similar State educational agency; and*
- (K) the number of juveniles in the custody of secure detention and correctional facilities operated by a State or unit of local or tribal government who report being pregnant.*

34 U.S.C. 11117

Copies of the relevant sections of the JJDP Act reauthorization are included in Attachment C of this PRA package.

a. Redesign Study of OJJDP Juveniles in Corrections Data Collections

In 2022, RTI International (RTI) issued a report that assessed and recommended areas for improvement in the data collection instruments and methodologies currently used in the CJRP and JRFC based on a study conducted in collaboration with NIJ and OJJDP to improve the data collections (OMB Control Number 1121-0360). Issued under a cooperative agreement, managed by NIJ, the study engaged with external experts, NIJ, and OJJDP to assess the utility and relevance of the items and evaluate gaps in the current CJRP and JRFC instruments to determine if they adequately captured recent changes in facility operations and service delivery; current federal legislative requirements (including the 2018 reauthorization of the JJDP Act); and other contemporary juvenile justice issues. RTI then conduct a pilot study to assess and recommend changes to the two instruments. The executive summary of this report is available in Attachment D and the full report is publicly available through the following link:

<https://www.ojp.gov/pdffiles1/nij/grants/304796.pdf>.

In fiscal year 2024, Census, managed by NIJ, cognitively tested additional changes to the two instruments building on the recommendations from the RTI report (OMB Control Number 1121-0360). Cognitive testing included two rounds of moderated interviews with respondents and one unmoderated round of cognitive testing to garner feedback on items for possible inclusion on the two surveys. The final report of the cognitive testing results and recommendations are available in Attachment E.

b. Content Changes

Both surveys will move towards an online-based response system, following the general trend of moving away from paper survey forms. An invitation letter will still be mailed to respondents, as well as a reminder postcard, and a PDF of the paper form will be available for download on the website. This decision is a result of feedback received during cognitive testing and resource allocation considerations.

Other minor changes will be made, including rewording or reformatting of a handful of questions and response options, as well as question order, to establish continuity between the two surveys. Several questions will be removed in an effort to keep respondent burden down. Demographic questions, informed by cognitive testing, have been added or modified to stay current with demographic trends and federal guidance. Both surveys will have a new point at which respondents will be asked to exit the survey, and a new follow-up question for those exiting, that will ease burden on respondents who may not be considered 'in-scope.' This will also serve to support frame maintenance efforts.

New questions about mental health, medical care, and staff training will be added to JRFC to better understand these service areas. Lastly, there is a new section in CJRP to obtain data on a youth's length of stay (LOS) in the facility. This section will ask ten questions about each youth released in the prior month. Collecting length of stay data as an aggregate was included in the cognitive testing as a potential avenue to reduced burden; however, respondents expressed concern that an aggregate collection would diminish the quality and significance of the data and belief that the value of analyses with individual-level data outweigh the potential increase in reporting burden. As a result, this section has been designed in a roster format, like the current Section 2 one-day roster, with most of the questions mirroring those in Section 2.

A summary of the content changes for the JFCP are available in Attachment F.

3. Needs and Uses

a. Census of Juveniles in Residential Placement

The data collected from the CJRP has, and will continue to, inform the Nation's understanding of youth placed out of the home due to contact with the justice system. These youth may be held in shelter facilities, detention centers, alternative placements, or more traditional secure correctional facilities. No other single data collection at the national or state-level, collects the quality or volume of information gathered by this census. Specifically, the CJRP collects information on the following:

- The offense characteristics of youth in custody;
- The racial breakdowns of these youth;
- The youth's state of origin;
- The age and gender distribution of these youth;
- The placing agencies for these youth and the government level;
- The legal status of this population including detention and commitment; and
- The amount of time youth are placed in these facilities.

The specific content of this data collection was developed through a rigorous process in which OJJDP determined precisely what data were required to routinely monitor the population of youth in custody and in what format these data are needed. This process included discussions and consultations with prominent researchers, policy analysts, and practitioners in the field of juvenile corrections.

Currently, NIJ and OJJDP consult with the data providers and others in the juvenile justice and corrections field on an ongoing basis to ensure that the information being collected is relevant

and useful. See Sections 4 and 8 of the Supporting Statement for more information regarding consultation with experts and others. NIJ and OJJDP also work diligently to ensure that CJRP findings are made available to practitioners in the field and the general public. For example, OJJDP publishes a *Juveniles in Residential Placement* bulletin following each collection cycle. CJRP findings and data are also published through the OJJDP Statistical Briefing Book website, which includes dozens of data dynamic tables, charts, and maps, with accompanying text interpretations that answer a wide range of questions about juveniles in corrections. The website includes an interactive data analysis tool that facilitates independent analysis of aggregate national and state-level CJRP data on the characteristics of youth held in residential placement facilities. The CJRP data sets are archived through the National Archive of Criminal Justice Data (NACJD) at the Inter-university Consortium for Political and Social Research (ICPSR) Data Enclave in Ann Arbor, MI. See Section 16 of the Supporting Statement for more information about dissemination of results and availability of the data for secondary analyses.

OJJDP submits an Annual Report to Congress, that consistent with the reporting requirements described in the previous section, describes trends in and characteristics of juveniles in residential placement for an offense not limited to information on offense and demographic profiles. CJRP data are used to respond to information requests from the White House, Congressional offices, other federal agencies, state and local government agencies, policymakers, practitioners, researchers, the news media, and the public. In fact, a number of other federal entities rely on the CJRP data for use in their own reports and publications (see Section 6 of the Supporting Statement for additional information about these efforts).

b. Juvenile Residential Facility Census

In 1988, Congress required OJJDP to conduct a systematic study of the conditions of confinement in secure juvenile facilities. The Conditions of Confinement (CoC) study brought to light a number of important issues concerning the treatment, safety, security, and services of juveniles in such facilities. The CoC study (1) collected and analyzed data on conditions of confinement in public and private juvenile facilities, (2) determined the extent to which conditions were consistent with those required by nationally recognized standards for juvenile confinement facilities, (3) suggested explanations for variations in conformance to standards among facilities, and (4) assisted OJJDP in formulating recommendations for improving conditions of confinement. Findings from this study highlighted the importance of understanding conditions of confinement and were used to inform the development of the JRFC. Specifically, the study authors recommended that OJJDP modify the CIC (the precursor to the JRFC) to regularly collect information from facilities including data on isolation and searching, incidence of injuries, escapes, suicidal behavior, and average duration of confinement. These elements were eventually incorporated into the JRFC.

The data collected from the JRFC has, and will continue to, inform the public's understanding of residential facilities in the United States holding youth due to contact with the juvenile justice system. Facilities included in the JRFC represent a wide range of facility types: secure and nonsecure; public (state or local), private, and tribal; and long-term and short-term holding. No other single data collection at the national or state-level collects the detail of information gathered by this census. Specifically, the JRFC collects information on the following:

- facility characteristics, including size, structure, security arrangements, and ownership;
- use of bedspace in the facility, which indicates whether the facility is overcrowded;
- the type of facility, such as detention center, training school, group home, etc.;
- activities offered, such as artistic opportunities, recreation, religious, wellness, etc.;
- services including prenatal care, education, substance use treatment, medical care, and mental health treatment provided to youth in these facilities;
- use of screenings or assessments conducted to determine counseling, education, health, or substance use treatment needs;
- conditions of confinement, including the restraint of youth, the use of isolation to control behavior, and improper absences from the facility;
- number of deaths of juveniles in custody; and
- staff training.

A critical aspect in continuing the current progress is the consistent and routine monitoring of these conditions. This survey contains several elements designed to track nationally and at the state-level, the conditions of juveniles in confinement (both secure and non-secure). Like the CJRP, data from the JRFC are analyzed to develop and disseminate a wide range of publications and web-based products that are used by policymakers, juvenile justice professionals, and the public. The JRFC data sets are also archived through NACJD at the ICPSR Data Enclave.

4. Use of Information Technology

NIJ, OJJDP, and the Census Bureau are committed to decreasing the burden of data collection and costs for both respondents and collectors, as well as increasing data quality by promoting electronic data submission. Both forms and roster spreadsheet information can be completed via the electronic collection instrument.

To reduce burden on respondents and facilitate more timely/accurate submission, the Census Bureau is committed to accepting several different data submission formats, including:

- Respondents' own spreadsheets;
- Respondents' own reports (i.e., data submitted in Word, pdf, txt, etc.);
- Census-created spreadsheet template to upload data;
- Data entered manually online;
- Data received via mail; and
- Data provided via telephone.

Respondents are able to upload their electronic data files through the Census Bureau's Centurion web instrument (Attachment G).

Beginning with the 2011 CJRP collection, the Census Bureau provided an online Web reporting form option to reduce the burden on respondents. The screenshots of the Web form and a copy of the paper form are available in Attachments G and A, respectively. The Bureau's secure servers use "HTTPS" (Hypertext Transfer Protocol over Secure Socket Layer) to ensure the encrypted transmission of data between the respondents' browser and the Bureau. This means that instead of sending readable text over the Internet, both the respondents' and the Census Bureau's servers encode (scramble) all text using a security key. That way, personal data sent to the respondents'

browser or data the respondent sends back is extremely difficult to decode in the unlikely event it was intercepted by an unauthorized party. All browsers connecting to the Census Bureau's secure server must use a minimum encryption key size of 128 bits.

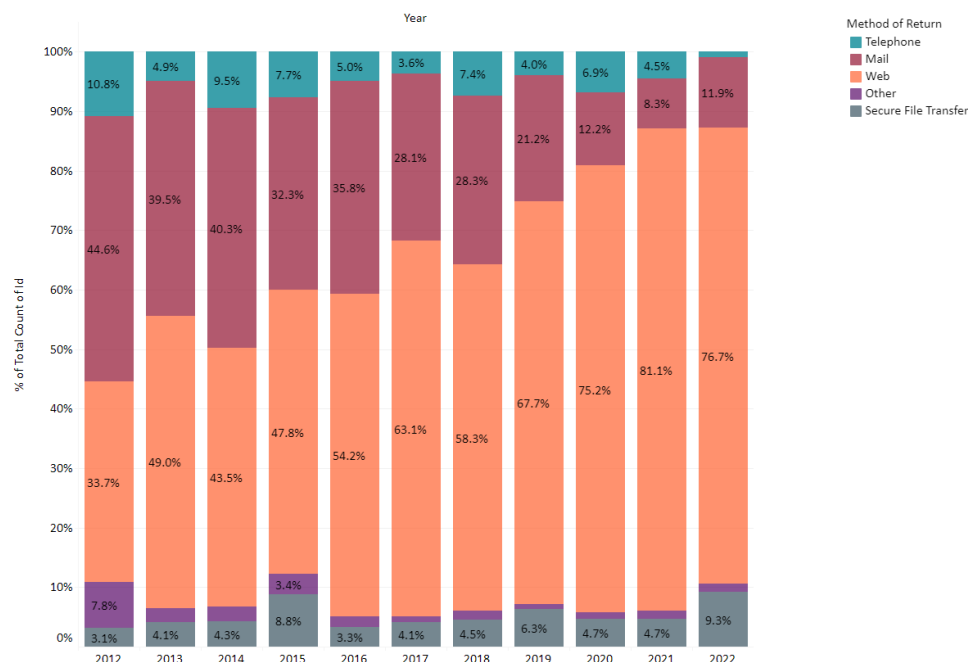
All respondents who use the Web reporting form option are given a unique username and PIN. All respondents are locked out of the Web site upon submission of their data. However, using their unique username and password, they can return at any time to retrieve a copy of their data in PDF format.

The Web submission option has proven to have growing popularity among respondents. Since the commencement of the web reporting option in 2011, online data submission increased to 80.6 percent in the latest CJRP collection, this is an increase of 47 percentage points in the proportion submissions by web compared since the introduction of web collection, making it the most popular method of return (see Table 1). In this same timeframe, mailed submissions have dropped to 11.8 percent. The remaining 7.6 percent of submissions were received via fax, phone, or e-mail during non-response follow-up.

Table 1. Distribution of Method of Response

	2023 CJRP Percent	2022 JRFC Percent
Total		
Web	80.58%	76.7%
Mail	11.83%	11.9%
Phone	0.8%	0.9%
Other	6.77%	10.6%

Figure 1. Method of Response by Collection Year (Percent)



5. Efforts to Identify Duplication

NIJ, OJJDP, and the Census Bureau take numerous steps to identify all sources of statistical information on youth involved in the juvenile justice system; however currently, no other entity routinely and systematically collects the type of data on juveniles in custody found in the CJRP or the type of data on juvenile residential facilities found in the JRFC and required by Congress. Indeed, other federal agencies often turn to NIJ and OJJDP for information on the trends in and characteristics of juveniles in correctional and other residential placement facilities.

In an effort to avoid duplication and assist its sister agencies, NIJ and OJJDP have collaborated with (or recently assisted) the Bureau of Justice Statistics (BJS) and Office of Civil Rights (OCR). (See Section 6 for more information about collaboration among federal agencies.) Specifically, NIJ and OJJDP annually provide BJS with an updated roster of the juvenile residential facilities to sample facilities for the Survey of Sexual Victimization (SSV) as part of BJS's National Prison Rape Statistics Program. The roster has been used in a similar fashion for BJS's National Survey of Youth in Custody (NSYC). NIJ and OJJDP have also assisted the Department of Education (ED)'s Office of Civil Rights (OCR) Civil Rights Data Collection (CRDC) efforts. Currently the CRDC does not collect data from juvenile facilities, nor any information about the youth housed in these facilities. While Census confidentiality statutes as well as the "Federal Assurance of Confidentiality" sent to each facility, limits the information that OJJDP can share for non-research (i.e., civil rights enforcement) purposes, OJJDP consulted with its Office of General Counsel (OGC) and determined that it could share the roster of public juvenile facilities with OCR, which was done in 2015, 2021, and 2024.

Note also that both the BJS and ED collections have different purposes, priorities, and schedules than the CJRP and JRFC. BJS's SSV is collected annually and is a complete enumeration of all state-operated facilities and a sample of locally run facilities. BJS's NSYC collects data on the

incidence and prevalence of sexual assault in juvenile facilities under the Prison Rape Elimination Act of 2003 (PREA; P.L. 108-79) and is collected episodically. In comparison, the CJRP focuses on a much broader spectrum of the characteristics and legal attributes of juveniles in placement for an offense and is collected on a biennial basis. The Department of Education's CRDC collection is used for "monitoring efforts regarding equal educational opportunity."

Finally, to ensure this information is not collected by other non-federal entities, the NIJ, OJJDP, and the Census Bureau continue to monitor the research literature. All such reviews have indicated that CJRP/JRFC-type information is not independently available through other means. While some states and localities maintain similar information, it is often incomplete and such localized information sources do not cover the entire country, which is the intent of both the CJRP and JRFC.

This is also true for the new items being added to the JFCP. A panel of experts (see Attachment H) were consulted to identify new content that is needed but not collection on the national level.

- Experts acknowledged that the medical needs of youth in residential facilities is a growing policy issues and the reauthorized JJDPA requires facilities to report information on pregnant youth in custody. Previously, information on physical health needs of youth in residential facilities was collected infrequently through the JRFC with the last administration in 2006.
- Experts identified training of staff as an important topic yet no there is no comprehensive national collection of training requirements or offerings in juvenile residential facilities.
- While external organizations such as Performance-based Standards and local and state governments have reported length of stay in residential facilities for limited samples of facilities, there is no comprehensive national effort to collect data and track length of stay.

6. Efforts to Minimize Burden

As noted above in Section 3, efforts have been made in the design of the JFCP to minimize burden. Respondents are given the option of submitting data electronically through the Census Bureau's secure, online data collection application. The Web reporting form option reduces respondent burden by building in automatic skip patterns based on answers to previous items and allows for internal edit checks. The system also allows for respondents to complete the form at their convenience and in multiple sessions, if needed.

The online collection instrument will provide respondents with a printable, pdf version of the form. This provides respondents with the opportunity to circulate the instrument if it requires more than one facility component to contribute to the data response. During the cognitive interviews, respondents that reported via paper form noted that this would be a sufficient alternative to receiving a mailed, paper copy.

Respondents are provided the statement of statutory and policy protections of confidentiality, as well as the burden statement along with the request letter. As part of the collection process, respondents are encouraged to read the frequently asked questions in the "FAQs" section of the Census Bureau's online form or call a 1-800 number for assistance with electronic submissions (See Attachment G).

Since this is a facility-based census, the aim is to obtain one completed form for each facility. However, many states have identified a designated central reporter, who is then responsible for completing and sending in the forms for some or all public facilities. Similarly, some private agencies operate more than one juvenile facility and have indicated that they can serve as an umbrella reporter to receive and complete forms for all their designated facilities. As such, the Census, OJJDP, and now NIJ have worked with states and agencies to identify “central reporters” who can report for multiple respondents, wherever possible. This approach reduces respondent burden and helps to standardize the responses by agency so that they are consistent, and errors are minimized.

We acknowledge that adding an additional roster to collect information on the Length of Stay will noticeably increase the burden on respondents. We explored the feasibility of collecting aggregate rather than individual LOS information during the cognitive interviews. However, respondents overwhelmingly preferred reporting individual-level information on LOS due to the lower quality and significance of the aggregate data, specifically the inability to identify critical variations among youth that affect LOS.

7. Consequences of Less Frequent Collection

If these data collections do not proceed, NIJ and OJJDP will not have the capacity to respond to Congressional and Presidential reporting mandates for the Department. This includes mandates in the Juvenile Justice Delinquency Prevention Act (see Attachment C). Larger, more burdensome data collections would be needed to address the issues covered in this collection; and federal, state, and local policymakers would need to rely on anecdotes or incomplete and inaccurate data rather than on federally collected data in developing juvenile justice policy. Without this data collection, comparable national and state-level data would not be available to policymakers, practitioners, and the general public; and OJJDP, federal, state and local agencies would not have important information to develop programs for youth in residential placement, identify training and technical assistance needs, and monitor trends in juvenile placement populations and characteristics.

Without the JFCP, there would be no ability to provide a current, comprehensive juvenile facility frame for related federal, sample-based data collections that are also required by statute, as noted previously in Section 4. Additionally, a number of other federal agencies and initiatives rely on JFCP data for their own reports and publications, and without this collection these efforts to understand and track information on juvenile facilities and the youth in placement there would be severely hampered.

A variety of non-federal entities also routinely analyze and disseminate JFCP data, including but not limited to the Annie E. Casey Foundation’s National KIDS COUNT Project, the Pew Charitable Trusts Public Safety Performance Project issue briefs, the Child Trends DataBank, The Sentencing Project, the Prison Policy Initiative, and the MacArthur Foundation funded Juvenile Justice, Geography, Policy, Practice & Statistics website.

The changes being proposed to these data collections will increase their use and utility. In particular, moving the reference date from October to March will decrease the perceived lag time between the data year and year of release by allowing data to be released the following year.

8. Special Circumstances Influencing Collection

The special circumstances listed in the instructions for OMB Form 83-I do not apply to this data collection for the following reasons:

- Each census will be biennial (not quarterly or more frequently) and occurring in alternating years;
- The respondents will have more than 30 days to respond;
- Only one copy of the document will be requested;
- The collection does not require respondents to maintain records beyond the data collection itself;
- The collections are designed to be censuses of juvenile residential facilities and those youth in custody of those facilities on the reference date and, as such, will produce valid and reliable results;
- NIJ will not require reporting of statistical data that have not been approved by OMB;
- The pledge of confidentiality provided with the data collection derives directly from statute (see Attachment I for 34 U.S.C. 10231); and
- The collection does not request proprietary information.

9. Adherence to 5 CFR 1320.8(d) and Outside Consultation

The Department of Justice announced the data collections in the Federal Register in accordance with 5 CFR 1320.8(d). The 60-day Federal Register notice was published on May 21, 2024 (89 FR 44709). The 30-day Federal Register notice was submitted to the Federal Register concurrent with the proposed information collection request to the OMB for review. NIJ would have responded to all questions and comments on the collections; however, no public comments have been received to date in response to this notice.

During the development phases of this project, OJJDP consulted extensively with experts in the field. These consultants provided expert advice on the operations and population of the specific facilities. Currently, NIJ social scientists consult with OJJDP programmatic staff as well as staff at the Census Bureau and experts at the National Center for Juvenile Justice to determine the value of the information being collected, the phrasing and content of questions, and the form structure. NIJ and OJJDP also rely on experts in the field of juvenile corrections to advise the agency regarding needed changes, deletions, or additions to the form. This information is gathered through conferences, regional meetings with State Juvenile Justice Specialists, quarterly meetings of the Council of Juvenile Justice Administrators, and internal agency meetings. A list of the individual directly involved in informing the juvenile data collections is included in Attachment H.

In 2020, RTI, in collaboration with NIJ and OJJDP, convened 12 experts with varying roles and experiences related to the juvenile justice, key Department staff, and staff from the National Center for Juvenile Justice to comprehensively review the CJRP and JRFC survey items and identify the importance of existing topics; if existing questions should remain the same, be edited

or be removed; if questions should be added to existing topics; and if new topics should be added to either questionnaire. Detailed findings can be found in the report referenced in Section 1.a (<https://www.ojp.gov/pdffiles1/nij/grants/304796.pdf>.)

In 2023 and 2024, OJJDP and the Census Bureau's Data Collection and Methodology Research Staff worked together to improve the questionnaires for the juvenile collections. Staff utilized cognitive interviewing and unmoderated testing to garner feedback on items for possible inclusion to and removal from the two surveys based on the findings of the work done by RTI and feedback from NCJJ. Detailed findings can be found in the report in Attachment E starting on page 15 of the report.

Federal social science staff at NIJ (and previously at OJJDP) connect with JFCP respondents at national conferences and meetings, including:

- The National Juvenile Court Data Archive workshops, most recently in 2015 (Burlington, VT), 2016 (Louisville, KY), 2017 (Tempe, AZ), and 2018 (Greenville, SC). In a significant number of states data providers for juvenile court data also provide juvenile correction data, so the workshops are an important venue to discuss common issues and topics such as data sharing and privacy/security concerns.
- The Council of Juvenile Correctional Administrators Winter Meetings in 2018, 2019, 2022, 2023, and 2024. State juvenile correctional agency administrators have historically been critical to JFCP collections, either as direct data contributors or as the key authority for encouraging facility participation. These meetings provide an opportunity to educate and inform the field about the latest data from the national juvenile corrections data collection efforts; to encourage engagement and participation from state agency administrators; to discuss strategies for improving the quality, coverage, and timeliness of the data; and to share data resources.

Since the first collection in 1997, OJJDP and the Census Bureau have developed and maintained a broad range of formal and informal relationships with the data providers. These data providers serve as a network of support for the project by providing updates on facility lists, comments on publications, information about juvenile corrections, and reviewers for questionnaire drafts. The Census Bureau has worked with data providers to help them set up reporting systems that fit with the JFCP reporting mechanisms, thereby decreasing the burden on a number of the data providers. The collections' histories of high response rates and the ongoing, annual use by other federal agencies and the public demonstrate its ongoing value, utility, and relevance for the field.

10. Paying Respondents

NIJ and OJJDP do not compensate respondents who participate in this data collection. Participation is voluntary.

11. Assurance of Confidentiality

All information tending to identify individuals (including entities legally considered individuals) will be held strictly confidential according to Title 34, United States Code Section 10231. A copy of this section is included with this submission as Attachment I. Regulations implementing this legislation require that NIJ and OJJDP staff and contractors maintain the confidentiality of the information and specify necessary procedures for guarding this confidentiality. These

regulations (28 CFR Part 22) are also included in Attachment J. The request letter sent to respondents for each survey notifies persons responsible for providing these data that their response is voluntary and the data will be held confidential. A copy of these letters, along with the necessary notification is included in Attachment K in this package.

12. Justification for Sensitive Questions

NIJ and OJJDP's interests would not be served if many facilities declined participation due to particularly sensitive questions. Therefore, the Census Bureau, NIJ, and OJJDP have paid particular attention to the views of the respondents toward particular issues and questions. All questions deemed too inflammatory or sensitive were removed (such as questions about severe disciplinary actions) during the pretesting stage. The final tests of the questionnaire, as well as each census administration to date, indicate that most respondents do not consider the questions too intrusive or sensitive. However, one set of questions still has a sensitive nature: the final section on deaths in the facility.

Congress mandates in the JJDP Act that OJJDP report on the number of deaths to youths in custody. Under Section 207 of the Act, Congress requires OJJDP to include in its annual report the number of juveniles who died while in custody and the circumstances under which they died. OJJDP previously asked about the annual number of deaths to youths in custody on the Census of Public and Private Juvenile Detention, Correctional, and Shelter Facilities, the precursor to JFCP. Since 2000, the JRFC has been the mechanism used by OJJDP to gather detailed information on deaths in custody. The CJRP is used to gather aggregate data on the number of juveniles who died while in custody.

In 2022, the most recent year for which there is final data, facilities reported 8 deaths. While juvenile deaths in custody are rare, they can be indicative of the conditions in the facilities. In order to develop policies affecting the safety and security of persons in these facilities, it is vital to know what circumstances can potentially lead to death. During the two stages of interviews and the feasibility test undertaken to develop and test the JFCP, as well as all administrations of the censuses so far, no facility has indicated any problem with reporting the death of a youth under their care. Even in cases where the death may have been preventable, the facilities have sufficient trust in the Census Bureau, NIJ, and OJJDP to report these instances. As with any confidential data, NIJ and OJJDP take all due precautions to assure that information of this kind which facilities consider sensitive will not be released in such a way as to disclose the facility involved.

13. Estimate of Respondent Burden

The total estimated number of respondents is 1,711 for each year. It takes an average of 4 hours to complete the CJRP. This is an increase of 1 hour from prior averages due to the additional Length of Stay Roster. It takes an average of 2 hours to complete the JRFC (see table for additional detail.) Despite the changes to the JRFC, there is no change to the average respondent burden due to the removal of questions (see additional detail in Section 15). The average annual burden 5,703 hours of 17,110 total hours for the 2025 CJRP, 2026 JRFC, and 2027 CJRP.

Table 2. Estimated Burden Hours

Activity	Number of Respondents	Total Annual Responses	Time per response (hours)	Total annual burden (hours)
2025 CJRP Collection	1,711	1,711	4	6,844
2026 JRFC Collection	1,711	1,711	2	3,422
2027 CJRP Collection	1,711	1,711	4	6,844
Total Burden	5,133	5,133		17,110

14. Estimate of Respondent's Cost Burden

The forms were designed so as not to require any new systems or efforts on the part of respondents. Rather, respondents provide information that are already needed for their own operational functions. As such, this data collection requires no startup costs or maintenance costs from respondents.

15. Costs to Federal Government

The estimated annual cost for CJRP and JRFC is \$633,054 each. The estimated cost for both collections is \$1,266,108 annually. Please note that although the data collections occur every other year, for "off" years of each survey, there are still costs incurred due to planning, development, and testing activities. For a breakdown of costs, see Table 3 below.

Table 3. Breakdown of annual costs

OJJDP/NIJ Annual Costs			
	Staff Salaries		
		GS-14 Statistician (5%)	7,650
		GS-15 Supervisory Statistician (1%)	1,800
		Subtotal Salaries	9,450
	Fringe benefits (28% of salaries)		2,646
	Data Analysis Cooperative Agreement		40,000
Subtotal OJJDP/NIJ Costs			52,096
Data Collection Agent Costs			
	Data collection agent costs (salaries, fringe benefits, web survey, email, and telephone follow-up, programming, and overhead)		1,214,014
Total Annual Costs			1,266,108

16. Reasons for Change in Burden

The burden estimate has been updated to reflect the proposed form changes outlined below. These changes were developed based on recommendations from the report and cognitive testing done by RTI and the Census Bureau, respectively. This section will discuss only changes that affected the burden estimate.

CJRP:

1. Three questions were removed from Section 1, and two questions were added.

2. A new section, Section 3 “Released Youth” was added, containing ten questions to be answered for each youth (meeting certain criteria) who was released from the facility in the month of February.

JRFC:

1. Twelve questions were removed from Section 1, and five questions were added.
2. Five questions were removed from Section 2 (two of which were relocated to the new Section 5), and two questions were added.
3. Four questions were removed from Section 3.
4. One question was removed from Section 4.
5. Nine questions were removed from Section 5.
6. A new section, Section 5 “Medical Services” was added, containing nine questions. Seven of the questions are new, with two of the questions relocated from Section 2.

For a full list of changes to each survey, please see Attachment F.

17. Project Schedule and Publication Plans

NIJ and OJJDP consider publications of the JFCP information important not only for federal agencies, but also for enhancing the work of the facilities themselves. NIJ, with OJJDP funding, manages a comprehensive system for analysis and distribution of the information collected. Under this plan, NIJ manages a cooperative agreement to the National Center for Juvenile Justice for the National Juvenile Justice Data Analysis Program (NJJDAP). The NJJDAP analyzes the JFCP data and produces standard fact sheets, bulletins, and reports for publication and shorter “Data Snapshots” to provide visual representation of data trends. (Please see Attachment L for the most recent *Juveniles in Residential Placement* Bulletin, *Juvenile Residential Facility Census* Bulletin, and Data Snapshot.) An additional way that the data are released are via OJJDP’s website through the online Statistical Briefing Book, located at <https://ojjdp.ojp.gov/statistical-briefing-book> which offers users standard tables and figures, as well as interactive data analysis tools where users can create customized crosstabs.

In an effort to promote the publication of research findings from the JFCP and increase their utility to the field, NIJ facilitated panels at the 2022 and 2023 American Society of Criminology Annual Meeting and the 2023 Academy of Criminal Justice Sciences to educate researchers, students, and practitioners about national juvenile justice data availability.

A high-level publication schedule for the Juvenile Facility Census Program is presented in Table 4 below.

Table 4. JFCP publication schedule

Item	Anticipated Delivery
CJRP 2025 Web Release	Fall 2026
CJRP 2025 Data Snapshot	Fall 2026
Juveniles in Residential Placement, 2025 Statistical Bulletin	Winter 2026
JRFC 2026 Web Release	Fall 2027

JRFC 2026 Data Snapshot	Fall 2027
Juvenile Residential Facility Census 2026 Statistical Bulletin	Winter 2027
CJRP 2027 Web Release	Fall 2028
CJRP 2027 Data Snapshot	Fall 2028
Juveniles in Residential Placement, 2027 Statistical Bulletin	Winter 2028

18. Display of Expiration Date

The expiration date will be displayed along with the OMB approval number. See Attachment M for an example of the approval number display.

No exceptions to the certification statement are requested or required.