



U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Statistics

Washington, D.C. 20531

MEMORANDUM

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DATE: January 24, 2025

SUBJECT: BJS request to conduct frame building outreach for the Census of
Prosecutor Offices (CPO), under the OMB generic clearance
agreement (OMB Number 1121-0339).

Introduction

The Bureau of Justice Statistics (BJS), with assistance from the Urban Institute (Urban), is seeking generic clearance approval to conduct outreach to prosecutors' offices for the purpose of building a complete frame for the next Census of Prosecutor Offices (CPO), the most recent iteration of the National Survey of Prosecutors (NSP) series. For the purposes of this data collection, state court prosecutors are defined as those that serve in the executive branch of state governments and handle felony cases in state courts of general jurisdiction. By law, these

prosecutors are afforded broad discretion in determining who is charged with an offense and if a case goes to trial. The chief prosecutor, also referred to as the district attorney, county attorney, commonwealth attorney, or state's attorney, and their staff represents the state in criminal cases and is accountable to the public as an elected or appointed public official.

The NSP historically collected information on the operational and administrative functions of the offices that prosecute criminal offenses in state courts. Additionally, these data collections examined emerging topics such as terrorism, hate crimes and human trafficking. BJS has collected data from state court prosecutors through NSP as a survey (1990, 1992, 1994, 1996, 2005, 2020) or census (2001, 2007, attempted in 2014) since 1990. CPO was last successfully collected in 2007 (previous OMB approval 1121-0149, expired 09/30/2017). In 2014, BJS attempted to conduct the census, but failed to reach an adequate response rate—just over 40% of offices responded. BJS had a better response rate (67%) with the NSP in 2020, which sampled 750 of the expected 2,330 prosecutor offices in the United States. CPO hopes to build off this success. The main purpose of the CPO is to collect key statistics about all prosecutor offices currently operating in the United States. A secondary purpose of the CPO is to construct and validate a reliable sampling frame for future survey iterations of the NSP.

BJS and Urban, its data collection agent, propose conducting outreach to update and supplement the existing roster of prosecutor offices which was developed for the 2020 NSP. By compiling a comprehensive roster identifying all prosecutor offices in the United States, BJS can pursue full implementation of a census. Through outreach, the CPO project team aims to update the following information:

- Jurisdictional boundaries of prosecutor offices.
- Prosecutor office name, phone number, email, and mailing address.
- Lead prosecutor name, title, phone number, email, and mailing address.

The 2020 NSP frame relied heavily on the member directory for the National District Attorneys Association (NDAA), the largest association of prosecutors in the United States. NDAA's membership includes contact information for over 5,500 individuals from approximately 1,500 prosecutor offices across the United States. The CPO project team utilized the frame developed for the 2020 NSP as a starting point to update the roster; however, it has been over four years since the 2020 NSP was developed. Therefore, additional measures are needed to update the roster for the current census. To date, the project team has used the Association of Prosecuting Attorneys (APA) membership directory to verify prosecutor offices in the frame. Urban updated the roster by conducting online key word searches with the jurisdiction/office name and the state-specific term for the chief prosecutor in the state. When Urban found state directories, they cross checked the name and contact information of the chief prosecutor with information on the office's specific website. There were several instances where the contact information was not publicly accessible and not able to be verified. Following the 2024 election cycle, there are also several offices with new chief prosecutors. Thus, this clearance is a request to contact state attorney associations, individual prosecutor offices, and other government agencies to update missing contact information on the frame.

Summary of Part 1 Request

This generic clearance request (OMB Control Number 1121-0339) is to finish building the frame for the next CPO. Confirmation of the chief prosecutor and office contact is needed for a total of 980 offices. Following thorough internet searches to update the 2020 NSP frame, the CPO team identified 759 prosecutor offices in which contact information needs verification. There are an additional 221 offices that had chief prosecutors change during the 2024 election cycle. Building the frame has four tasks:

- 1) verifying the chief prosecutor's name,
- 2) verifying the physical and mailing address for the prosecutor office,
- 3) identifying the chief prosecutor's email, and
- 4) collecting the generic prosecutor office email and office phone number.

This request seeks permission to contact state prosecutor associations, district and county prosecutor offices, and local government officials to verify the chief prosecutor and obtain updated office contact information.

State Attorney Associations

Each state has at least one prosecutorial association that operates as a professional organization to connect prosecutors within a state. California and Virginia have two prosecutorial associations. These associations serve as a resource for training, networking, and collaboration among district attorney offices. BJS requests permission to contact 46 of the 52 state prosecutor associations (**Attachment A**). BJS has an updated roster of all prosecutor offices in Connecticut, District of Columbia, Delaware, Maryland, Nevada, and Washington, thus no outreach is necessary. The remaining 46 state attorney associations will be asked to verify contact information of prosecutor offices in their state by responding to an email requesting submission of their own directory or confirming information in an excel spreadsheet (**Attachment B**-Michigan example) of the offices that the CPO team could not update through other sources. Responses will be requested two weeks after the initial email, upon which a non-response follow-up email will be sent; a non-response follow-up phone call will be made the week after (**Attachment C**). BJS anticipates that up to 60% (588) of prosecutor offices in the frame will be verified through reaching out to state prosecutor associations.

Prosecutor Offices

BJS anticipates that 40% (392) of prosecutor offices will need to be contacted directly, following outreach to state prosecutor associations. To do this, the project team will reach out to prosecutor offices through lines of communication available in the current directory or publicly. BJS anticipates that most of the outreach will be done via email but may also include phone, mail, and messaging through online platforms when necessary (**Attachment D**). During each form of communication, prosecutor offices will be given background information on the CPO and asked to provide contact information for the office and chief prosecutor. A nonresponse follow-up email will be sent two weeks after the first outreach and a phone call will be made one week after that (**Attachment E**).

Local Government Officials

BJS anticipates that up to 25% (98) of the 392 prosecutor offices that were contacted during individual office outreaches will need to be verified through contacting other local government agencies, who often know the contact information for prosecutor offices in their locality. Rural prosecutor offices may not be active members of state attorney associations or update publicly available sources for contact information. In these situations, BJS will rely on other local government officials to obtain contact information of prosecutor offices, such as staff at county commissions, courts, and mayor's offices. Like the other outreaches, BJS will provide these local agencies with background information on the CPO and ask that they give the contact information of prosecutor offices in their locality that are missing from our roster (**Attachment F**). BJS will conduct a non-response follow-up via email two weeks after initial outreach and a non-response follow-up phone call will be made the following week (**Attachment G**).

Outreach

In week 1, BJS will email 46 state prosecutor associations asking for contact information of unverified prosecutor offices in their state from our roster. BJS will request that they either submit their own directory or verify an excel spreadsheet with missing prosecutor offices from their state within two weeks of receiving the first email. Non-response follow-up email will be sent in week 3 and a non-response follow-up phone call will occur in week 4. In week 5, BJS will reach out to individual prosecutor offices who remain unverified following outreach to state prosecutor associations. BJS anticipates reaching out to up to 392 prosecutor offices. A non-response follow-up email will be sent in week 7 and a phone call will be made in week 8. Lastly, BJS anticipates needing to reach out to up to 98 local government agencies to obtain contact information of offices who remain unverified following communication with state prosecutor associations and individual prosecutor offices. BJS will call local government agencies in week 9, followed by a non-response email in week 11 and non-response phone call in week 12. If BJS obtains new contact information, the project team will contact the individual prosecutor office and repeat the steps conducted in weeks 1-4 (**Table 1**).

Table 1. Outreach schedule

Week	Description of outreach	Method	Communication Document
1	Outreach to state attorney associations requesting that they verify contact information of prosecutor offices in their state	Email	Attachments A & B
3-4	Non-response follow-ups to state attorney associations	Email, phone call	Attachment C
5	Outreach to prosecutor offices requesting that they verify the chief prosecutor and office contact	Phone call, email, USPS mail, online portal messaging	Attachment D
7-8	Non-response follow-ups to individual prosecutor offices	Email, phone call	Attachment E

9	Outreach to local government agencies requesting that they verify contact information of prosecutor offices in their locality	Phone call	Attachment F
11-12	Non-response follow-ups to local government agencies	Email, phone call	Attachment G

Burden Hours

The email outreach to 46 state prosecutor associations asking that they submit their most recent directory of prosecutor offices in their state or verify our list is expected to take up to 30 minutes per respondent for a total of 23 hours. The phone call, email, USPS mail, or online portal message to 392 prosecutor offices asking that they confirm their chief prosecutor and contact person is expected to take 15 minutes per respondent for a total of 98 hours. Lastly, the phone call or email to 98 local government agencies asking that they confirm the chief prosecutor and office contact in their locality is expected to take 15 minutes per respondent for a total of 24.5 hours (**Table 2**). The total burden for this request is 148.5 hours for 536 respondents.

Table 2.

Task #	Task Description	Number of contacts	Estimated burden per respondent (in minutes)	Total burden (in hours)
1.	State attorney associations outreach	46	30	23
2.	Prosecutor offices outreach	392	15	98
3.	Local government agency outreach	98	15	24.5
	Totals	536		145.5 hours

Costs to the Federal Government

The estimated cost for this request is \$7,761 for 98 hours of work by Urban and \$1,017 for 20 hours of work by the GS-12 BJS project manager. This equates to a total cost of \$8,778 to the federal government.

Data Confidentiality and Security

BJS is authorized to conduct this data collection under 34 U.S.C. § 10132. The frame building activities will collect identifying information including the name of the chief prosecutor, address, email, and telephone number. All information related to frame building will be stored on a secure drive at Urban with restricted access to those staff members who are directly involved in the project. All project staff are required to sign a pledge of confidentiality and privacy certificate which confirms the maintaining of data and following the procedures outlined above.

Protection of Human Subjects

Urban'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 H**).

Contact Information

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

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Attachments

Attachment A:	State Attorney Association Initial Outreach
Attachment B:	2024 Census of Prosecutors Roster (Michigan example)
Attachment C:	State Attorney Association non-response Follow-Ups
Attachment D:	Prosecutor Offices Initial Outreach
Attachment E:	Prosecutor Office Non-Response Follow-Ups
Attachment F:	Local Government Agencies Initial Outreach
Attachment G:	Local Government Agencies Non-Response Follow-Ups
Attachment H:	Institutional Review Board Review