

B. Collections of Information Employing Statistical Methods

The agency should be prepared to justify its decision not to use statistical methods in any case where such methods might reduce burden or improve accuracy of results. When the question “Does this ICR contain surveys, censuses or employ statistical methods” is checked, “Yes,” the following documentation should be included in the Supporting Statement to the extent that it applies to the methods proposed:

1. Universe and Respondent Selection

Respondents to the LEPC Data Collection include all LEAs that currently participate in the National Use-of-Force Data Collection. Since the goal of the FBI UCR Program is to enroll as many agencies as possible in the National Use-of-Force Data Collection, the potential universe of respondents for the LEPC Data Collection is expected to increase in the coming years. The respondent universe for the National Use-of-Force Data Collection includes all LEAs that employ sworn officers and meet the definition as set forth by the Law Enforcement Officers Killed and Assaulted data collection. This universe of LEAs is also the respondent universe for the LEPC Data Collection

As of June 21, 2021, the National Use-of-Force Data Collection included 6,934 participating agencies with 8,409 agencies enrolled in the collection. This collection of agencies is expected to continue to grow as participation in the National Use-of-Force Data Collection continues to increase. Any respondent agency that participates in the National Use-of-Force Data Collection will be automatically enabled to provide LEPC data. The FBI UCR Program total universe contains 18,671 potential agencies which are eligible to enroll in UCR data collections according to the FBI Crime Data Explorer 2019 crime statistics. The FBI UCR Program will continue to pursue enrolling more agencies in the National Use-of-Force and LEPC Data Collections to maximize total coverage and participation.

As the National Use-of-Force Data Collection is intended to collect information on any use of force by law enforcement in the United States or a U.S. territory that meets one of the three use-of-force criteria, sampling methodologies are not used. The LEPC will share this nonsampling methodology due to the shared universe between these two collections. Instead, the FBI UCR Program relies upon the enumeration of these incidents in total to make statements about the relative frequency and characteristics of use of force by law enforcement and LEPC in the United States. However, the voluntary nature of the FBI UCR Program results in some agencies reporting incomplete information and others not participating in the data collection at all. In the case of the LEPC Data Collection, it will be possible for agencies to submit use-of-force data while not providing annualized LEPC data.

2. Procedures for Collecting Information

Participating agencies will submit annual counts in the three areas of collection on an annual basis to the National Use-of-Force Portal. All counts will include contacts with the public occurring between January 1 and December 31 of a calendar year. Agencies will be asked to

submit the prior years data in the following year before a predetermined deadline for agencies to submit their yearly counts for the three categories of LEPC.

Due to the nature of collecting data from a limited universe of LEAs, the FBI UCR Program will not be conducting estimation procedures for the LEPC Data Collection. The data collected is a representation of only the agencies currently participating in the LEPC collection and is not designed to reflect a representative sample or national estimate.

There will be no estimation methodology utilized for the LEPC Data Collection. Approximation is allowable for agencies that do not pull exact LEPC data from a RMS or a Computer Aided Dispatch (CAD) system. These agencies will be allowed to select an “estimation” indicator during their submission. This indicator is designed to provide the FBI UCR Program with information on whether an agency’s submission is based on exact records or an approximation of LEPC collected for that year. An agency’s choice to mark their data as either exact or estimated will in no way affect the ability of the FBI UCR Program to utilize or publish the collected data and is only designed to provide further context to the LEPC Data Collection.

3. Methods to Maximize Response

The FBI continuously works with federal, state, local, and tribal law enforcement partners, and major law enforcement organizations in an effort to increase participation. To increase participation in the LEPC Data Collection, the FBI UCR Program will continue to work with all participating agencies and potential respondents to maximize participation in the National Use-of-Force Data Collection. Maximizing response for the LEPC Data Collection depends greatly on expanding the coverage of the National Use-of-Force Data Collection to include all eligible LEAs. Efforts to increase participation in the National Use-of-Force Data Collection include:

- Collaborated with the International Association of Campus Law Enforcement Administrators and Campus Safety Meetings.
- Collaborated with the Department of Justice Tribal Access Program.
- Partnered with internal and external entities to publish articles highlighting the National Use-of-Force Data Collection.
- Attended numerous speaking engagements/conferences to speak on the National Use-of-Force Data Collection.
- Produced a flyer containing an overview of the National Use-of-Force Data Collection.
- Continued stakeholder engagement with state UCR program managers.
- Developed the Use of Force webpage located at <http://www.fbi.gov/useofforce>.
- Created a series of “how to” videos demonstrating how to successfully complete specific tasks within the use-of-force portal application.

Once agencies are participating in the National Use-of-Force Data Collection, the FBI UCR Program will utilize a targeted marketing and outreach program to those agencies to inform and train agencies' personnel on submitting LEPC data to the National Use-of-Force Portal.

The FBI UCR Program will be assessing the issue of nonresponse for those agencies actively participating in the National Use-of-Force Data Collection, but who fail to provide LEPC data. Analysis for evaluating missing data due to nonparticipating agencies will be conducted under plans for furthering the National Use-of-Force Data Collection. Agency nonresponse for LEPC data will be evaluated and a nonresponse study considered if agency participation in the LEPC Data Collection falls below a threshold of 70 percent. Nonresponse efforts will consist of additional outreach to unresponsive agencies to determine a solution to the agency's inability or refusal to provide LEPC data along with their National Use-of-Force data submissions.

4. Task Force and Testing

On June 6, 2019, during the National Use-of-Force Task Force meeting in Jacksonville, Florida, the FBI UCR Program proposed the collection of police contact with the public be included in the National Use-of-Force Data Collection Portal housed within the LEEP. The task force members concurred that adding the ability to capture LEPC data on an annual basis would provide context to use-of-force incidents. Agencies will report their LEPC numbers on a new electronic worksheet within the existing data collection portal.

Based on this suggestion, recommendations for implementation were presented through the CJIS Advisory Policy Board (APB). The APB process affords the opportunity to obtain the user community's input and acceptance on the development and operation of newly established data collections. Implementation of a new data collection in the FBI UCR Program follows a shared management concept through this process. The philosophy underlying the Advisory Process is one of shared management; that is, the FBI along with federal, state, county, city, university, college, and tribal data providers, and system users share responsibility for the operation and management of all systems administered by the CJIS Division for the benefit of the criminal justice community. The APB is responsible for reviewing appropriate policy, technical, and operational issues related to CJIS Division programs. After their review, the APB makes recommendations to the Director of the FBI on the topics as presented. The opportunity to engage stakeholders and obtain viable feedback has been important to the success of this project.

In the fall 2020, the FBI UCR Program requested and received clearance to conduct a pilot study to measure the number of law enforcement contacts with the public and to conduct cognitive interviews with agency staff to measure the effectiveness of the data collected. The pilot deployed on September 1, 2020, and continued through October 30, 2020.

To gain a broad perspective, the FBI UCR Program selected participants for the pilot study from a select group of state and local agencies of varying populations that were already participating in the National Use-of-Force Data Collection with access to the portal and directly submit data to the FBI (without going through a state agency). Agencies reported LEPC data representing calls for service from January 1 to December 31, 2019.

When reporting their annual LEPC counts, agencies were asked to submit one number for each of the three categories recommended by the CJIS APB and indicate whether the numbers are based on actual records, an estimated count, or advise that the number of contacts with the public are not applicable or unavailable. Most agencies used a CAD system to facilitate incident response and communication in the field. In many instances, agency staff first enter data into the CAD system, followed by entry to an RMS. Therefore, actual records could be acquired from the agency's CAD or RMS. Estimated numbers were anticipated to be compiled directly from officer reports and calls.

Upon completion of the pilot entry, staff members from the FBI UCR Program conducted one-on-one interviews over the phone with the pilot participants. Prior to conducting these interviews, the staff members were trained on the pilot study to ensure consistency among the interviewers. During the subsequent telephone interviews, the FBI interviewers provided screenshots from the National Use-of-Force Data Collection Portal and asked open-ended questions based on data points (clarity of the data categories, frequently asked questions, etc.); the mechanisms for record collection (information on CAD or other reporting systems used to obtain the data); and the LEEP user experience (ease of portal use and layout of the forms). The interviewers took detailed notes of participants' responses. The objective was to identify problems, improve the reporting categories, and highlight other difficulties or gaps that respondents have answering questions.

Results

The results of the pilot tests were provided to OMB as part of the LEPC pilot report, which was sent to OMB on May 19, 2021. However, a summary of prior results is included below.

Unit/officer-initiated contact:

The first data obtained by the LEPC pilot was the *unit/officer-initiated contact*. Of the 36 contributing agencies, 23 (63.9 percent) submitted "Actual" numbers, 11 (30.6 percent) submitted "Estimated" numbers, 1 (2.8 percent) submitted "Not Applicable," and 1 (2.8 percent) submitted "Not Available" data to the platform.

Court/bailiff activities:

The second data obtained by the LEPC pilot was the *court/bailiff activities*. Of the 36 contributing agencies, 2 (5.6 percent) submitted "Actual" numbers, 8 (22.2 percent) submitted "Estimated" numbers, 20 (55.6 percent) submitted "Not Applicable," and 6 (16.7 percent) submitted "Not Available" data to the platform. Also, only 10 agencies submitted numbers to this action, resulting in most data reported as a zero.

Citizen calls for service:

The final data obtained by the LEPC pilot was the *citizen calls for service*. Of the 36 contributing agencies, 26 (72.2 percent) submitted "Actual" numbers, and 10 (27.8 percent) submitted "Estimated" numbers.

Upon completion of the pilot, agencies were contacted to participate in a voluntary post-pilot call with the FBI UCR Program designed to evaluate the pilot study procedures and instructions. Of the 36 participants, 26 (72.2 percent) participated in the interview. As approved through OMB prior to deployment of the project pilot, questions asked within the after-action survey concentrated on various aspects of the contributor's ability to understand, access, and successfully submit the data.

Observations and Recommendations

The FBI UCR Program provided final observations and developed recommendations in the LEPC pilot report which will be incorporated into the collection prior to live launch. These observations and recommendations are provided below.

Data Collection:

Interpretation of the categories appeared to be consistent from one agency to another. However, the category of *court/bailiff* was not applicable to all participating agencies. A vast majority of participants interact with the courts in the capacity of testimony or support and did not have notable public contact as a result. Based on this information, further explanation will be added to the applicable documentation and guidance available in the application. While the *Law Enforcement Public Contact Frequently Asked Questions* document was provided for assistance, the overwhelming response of participants was the document was opened in preparation for the pilot but not necessary to look up anything specific.

Gathering Information, submitting counts and determining estimates:

Agencies had little to no issue obtaining and reporting the information as requested. Although the personnel obtaining the data might be different from the individual keying the data into the LEPC, data requested within the platform falls in line with regular reports already processed within the agencies normal work procedures. However, a concern was identified within the "Estimation" selection of the data. A common theme for respondents was the "Estimation" option for their reported data was chosen as a fail-safe. Because respondents were concerned all data may not be "exact" within the query, "Estimation" was selected as a "best choice." No true estimation methodology was identified to support an actual estimation of the data provided.

CAD and RMS:

Overall, the agencies participating in the LEPC pilot were able to obtain all data necessary as requested without creating any additional tracking system or mechanism.

LEEP Use:

Participants were pleased with the LEEP LEPC platform developed for the collection.

Planned Recommendations

- Add a clarifying question in the administration portion of the form to establish if a law enforcement agency assigns personnel to “court deputy” or “bailiff” functions. This will determine if the “court/bailiff” segment is required for the submitter. The addition of this question will also allow easy identification of those agencies submitting the data to determine any necessary calculations for participation or develop trending of the data.
- Addition of “tool tip” hover-over, where necessary, to help a submitter understand the data request and attempt to clarify any questions in the submission of the data. For instance, when classifying citizen calls for service and officer-initiated calls the “tool tip” should help clarify the information which qualifies.
- In the process of entering the data a “Save” button is used. Once the “Save” button is selected, an option of “Submit” should immediately appear for the submitter to release the data to the FBI UCR Program. In a few instances, the submitter did not immediately see the “Submit” option and the data was not released to the portal. In final development, both options will be made available for the submitter to have the option to “save” (if needing to come back later to finish the record) or “save and submit” to release data to the FBI UCR Program.

5. Contacts

Scott Schubert
Law Enforcement Engagement & Data Sharing Front Office
Criminal Justice Information Services (CJIS) Division
UCR@fbi.gov
304-625-3690