

A. Justification

1. Necessity of Information Collection

Of the 7.2 million men and women under correctional supervision (that is, in prison or jail, or on probation or parole) at yearend 2006, more than two-thirds (70%) or over 5 million offenders were supervised in the community, either on probation (4,237,023) or parole (798,202). At year-end 2006, more than 2.2% of the U.S. adult resident population was under supervision in the community. The number under community supervision has grown. Since 1995, the community supervision population increased by more than 1 million persons; during 2006, the probation population increased by 1.7% and the parole population increased by 2.3%. As it is the largest component of the population under correctional supervision, documenting and understanding changes in the size and composition of the community supervision population are critical facets of determining the impacts of corrections on public safety.

The number on probation and parole alone do not indicate the massive changes in this population and movements onto and off of community supervision. During 2006, nearly 2.3 million offenders entered probation and 2.2 million left probation; analogously, about 536,000 entered parole and 519,000 offenders left parole. The large number of movements onto and off of community supervision indicates a relatively high degree of volatility in these populations. For example, during 2006, almost two-thirds (63%) of the parole population was replaced. However, despite this volatility, the majority of those who exited parole exited successfully, and of those at-risk of failing on parole (the number on parole at the start of the year plus those who entered parole), about 16% were returned to incarceration during 2006. Thus, about 84% of parolees who were at risk of failing either remained on parole or successfully completed their terms of parole supervision during 2006.

The size of the population under community supervision and the volume of movements onto and off of community supervision indicate the importance of this population for understanding U.S. correctional systems. That these offenders are in the community and pose risks also indicates the importance of tracking their outcomes as a basis for describing the operations of the U.S. correctional systems.

Since 1977, the Bureau of Justice Statistics (BJS) has collected annual yearend counts and yearly movements of community corrections populations through its Annual Parole Survey and Annual Probation Survey. The data from these surveys provide the only comprehensive overview of the total community supervision population, as well as the parole and probation populations at both the national and state levels. Data collected from these surveys also describe characteristics of the community supervision population, such as gender, racial

composition, ethnicity, conviction status, offense, supervision status, outcomes including the number of revocations and the re-incarceration rate of parolees (i.e., recidivism measures), and alternative programs, such as electronic monitoring and boot camps.

The detailed data gathered in the Annual Parole Survey and Annual Probation Survey are not available from any other single data source. The data from these surveys provide the only national data of: 1) “point-in-time” estimates of the prevalence of community supervision in the United States, 2) state-level estimates of these populations, 3) movements of offenders entering, by type of entry, and exiting, by type of exit, community supervision, 4) the characteristics of these offenders, and 5) outcomes of these offenders, including the number who had their sentence revoked and the reincarceration rate of parolees (i.e., recidivism measures). The data collected through these surveys provide important information for policy development and criminal justice planning, and the data are essential to the support of criminal justice information systems at all levels of government. For example, the state of Georgia uses the BJS data on parole outcomes to provide national and state comparative benchmarks in managing its parole supervision program. The American Probation and Parole Association (APPA), the State Executives of Probation and Parole Network, and the National Institute of Justice’s Community Corrections Research Network use the national- and state-level data on community supervision population flows and outcomes in their work in developing performance measures for community corrections.

At both the state and local levels, the BJS community corrections data provide agencies with comparative data that help decision-makers better understand how community supervision relates to institutional corrections, how outcomes in their states compare to those in other states, and (in conjunction with other BJS data) how their correctional populations compare with those in other states.

The public interest in community corrections and BJS data on the topic has been reflected in several recent newspaper articles in national newspapers such as *The New York Times* and *The Washington Post*. For example, *The New York Times* published an article (December 2007) titled “Justice Department Numbers Show Prison Trends” in which the size of the community corrections population was discussed along with the size of the incarcerated population. The *New York Times* also published another article (May 2008) titled “New Track on Straying Parolees Offers a Hand Instead of Cuffs” which explained that some states have new strategies in place to make parole “more effective and useful.” A graph titled “Parolees Who Return to Prison” appeared in this article and it presented parole trend data in relation to prisoner trend data, the rate of parolees in each state, and the percentage of parolees who returned to incarceration. In addition, *The Washington Post* published an article (June 2008) titled “New Criminal Record: 7.2 Million” which discussed both the size of the community corrections

and incarcerated populations and the costs associated with supervising and incarcerating these offenders.

The Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. 3732) authorizes the Department of Justice, Bureau Justice Statistics (BJS) to collect this information. The survey forms have been modified to improve the quality of the data. Through an interagency agreement, the U.S. Bureau of Census collects these data for BJS.

2. Needs and Uses

Over the last year and a half, BJS staff have actively engaged stakeholders, including respondents, at professional conferences, workgroup meetings, and other venues to discuss its annual probation and parole surveys for the purposes of gaining a better understanding of the information needs in the community corrections field, the measurement challenges posed by the surveys, reporting issues, emerging issues in community corrections that are not currently addressed by the surveys, and the capacities of respondents to provide data. For example, at the last three conferences sponsored by the American Probation and Parole Association, BJS staff held workshops in which they discussed these survey issues. From these meetings, BJS learned a number of things: Stakeholders need probation and parole data to document for decision-makers (e.g., legislatures) in their states the size of the community corrections population relative to institutional correctional populations, to compare what is happening in their state relative to other states and the nation as a whole, and to understand outcomes on community supervision.

Associated with this need for comparative data, stakeholders also expressed the need for clear, concise, and standardized definitions that allow for comparisons by state, such as are provided by the BJS surveys. The stakeholders acknowledged that because jurisdictions measure things differently, the uniform definitions are important for comparisons. At the same time, stakeholders acknowledged that there may be limitations associated with definitional differences and that the surveys need to reflect tradeoffs between definitional purity and capacity to provide meaningful data. The stakeholders also expressed interest in the manner in which the data are organized and presented so that they can fulfill certain objectives. For instance, because states differ in terms of policies and practices, combining similar states based on similar characteristics, such as policies and practices, and making comparisons between similar states would be more informative to some users. Or, as some states retain parole boards that make release decisions in addition to having other forms of release that result in post-prison supervision, stakeholders expressed interest in presentations of the data that reflect the work of the parole boards.

BJJ's efforts to engage stakeholders has also led to opportunities for BJJ staff to become involved with a broader effort by the community corrections field to develop performance measures. Currently, the community corrections field is lacking a system of performance indicators that reflect both outputs of the process of community supervision as well as outcomes such as recidivism and public safety. Although ancillary to BJJ's data collections, BJJ participation in these discussions has provided an additional way to gather information about key issues in the field, to think of ways in which there might be overlap between the performance measures and BJJ statistical data, and to develop relationships with key officials in the field of community corrections that can help BJJ data collection efforts. For example, groups such as the State Executives of Probation and Parole Network and the National Institute of Justice's Community Corrections Research Network are meeting to discuss developing a framework for performance measures, and BJJ has been participating in these meetings. These groups are using BJJ's probation and parole data not only to learn more about the community supervision population but also to help shape the development of these performance indicators. Through these meetings, stakeholders have also informed BJJ about some new topics of interest in the field that BJJ data are not currently capturing. For instance, there is an interest to learn about GPS tracking of offenders specifically, especially with respect to sex offenders, rather than focusing more broadly on electronic monitoring. Related to this issue, stakeholders have informed BJJ that the field has begun to move away from the use of boot camps as a way to elevate the level of supervision in favor of alternative methods, such as GPS tracking.

Stakeholders have informed BJJ that its community corrections data are used by legislative, judicial, and executive government decision-makers to measure the effects of revoked sentences and reincarceration sentencing, release policies, alternative sanctions, reentry, and recidivism on the sources of growth and change in the community corrections population. The BJJ data are used to establish baselines that agencies and communities use to develop approaches to effectively respond to the size and composition of the community corrections population and the needs of these offenders, especially those who have and will return to the community following incarceration. The data allow these agencies to determine the needs for certain programs aimed to make reentry effective and successful, and thereby ultimately reducing prison crowding and recidivism. The discontinuation of these surveys would result in the loss of a valuable source of information for criminal justice planning and policy formulation and there would be no database for the study of state and national trends.

BJJ makes the probation and parole data available to community corrections executives and staff, Congress, researchers, the media, and the public through detailed tables published on the Internet at the BJJ website, timely press releases, and in reports that discuss the status of the community corrections population at the end of each year, including the report *Probation and Parole in the United States, 2006* (NCJ 220218, see attachment 1), as well as other reports

that discuss the incarcerated populations, including *Prison Inmates at Midyear, 2007* (NCJ 221994), and *Jail Inmates at Midyear, 2007* (NCJ 221945). All of this information provides the reentry initiative partnership – which includes law enforcement, corrections, labor and human health services, and the community – with the valuable information necessary to develop programs and allocate resources for the 70% of the correctional population that is supervised in the community and for the nearly 80% of state inmates who will return to the community at some point under parole/conditional release supervision.

Internally, BJS uses these probation and parole data to complement other BJS collections, such as: 1) the National Prisoner Statistics (NPS) series, which collects both yearend and midyear counts of the prison population, the number of admissions and releases, including parole violators, type of sentence, information on prison crowding and other types of data; 2) National Corrections Reporting Program (NCRP) which collects individual-level data annually on prison admissions and releases and on parole entries and discharges in participating jurisdictions, as well as, conviction offenses, sentence length, minimum time to be served and other data from individual prisoner records; and 3) the Survey of Inmates in State and Federal Correctional Facilities which periodically collects data from inmates through face-to-face interviews and asks about a number of topics, including whether they were on probation or parole at the time of their offense, how many prior probation, parole, and incarceration sentences they have, and other data such as demographic information, offense type, criminal history, substance dependence or abuse, participation in prison programs etc.

In addition to the needs, uses, and users of the BJS community corrections data discussed thus far, additional users of the data are Department of Justice officials and officials of other Federal agencies, state and local officials in conjunction with researchers and planners to analyze the current trends and growth patterns, and the public seeking general information about the probation and parole population. Some of these users and the ways in which they use the community corrections data are as follows:

Congress – to evaluate the adequacy of community corrections agencies to meet the needs of the growing probation and parole population and to assess the needs, relative to crime, incarceration, and recidivism rates, for new or improved initiatives or laws aimed at ensuring the safety of the general public and effectiveness of reentry programs

U.S. Department of Justice – to understand the current trends and growth patterns in the community corrections population and to allocate resources to assist states and local agencies to meet the needs of these offenders

State and local governments (i.e. legislators, law enforcement agencies,

corrections agencies) – to assess conditions within their own jurisdictions relative to others and at the national level and to determine needs and budget requirements

American Probation and Parole Association – to encourage public awareness of probation and parole, develop standards for probation and parole programs, educate the community corrections field, and to establish training programs for probation and parole officers and executives

American Correctional Association – to develop standards, promote public policy, educate and enhance the development of those in the correctional field, encourage additional research within the field, and to establish training programs

Association of Paroling Authorities International – to develop and improve parole practices, assist in professional development, avoid duplicative efforts, and complement and enhance existing parole data

National Institute of Corrections – to shape and promote correctional practices and public policy, establish standards, evaluate current conditions of the prison, jail, and community corrections population, respond to the needs of corrections by providing assistance and educational opportunities to correctional staff and administrators

Researchers and practitioners – to estimate the impact of incarceration and community corrections on crime, as well as to evaluate community corrections and criminal justice policies

National Criminal Justice Reference Service – to inform policymakers, practitioners, researchers, educators, community leaders, and the general public about crime and public safety

Media – to inform the public about all of the issues related to the community corrections and the incarcerated populations

The public – to make informative decision about crime and punishment within their own jurisdictions

If the data in the Annual Parole Survey and Annual Probation Survey were no longer collected, the data users would be faced with performing their individual functions without the benefit of adequate, historical and current facts about the subject. Stakeholders would lose the ability to make comparative assessments that document the changing demands on their organizations and lose a source of information that they find useful in making requests for resources. The public would lose the ability to assess the needs and outcomes (e.g., re-incarceration, failure on supervision, etc.) of the community corrections population with respect to other correctional populations and other demands for their tax dollars.

3. Use of Information Technology

The Annual Parole Survey and Annual Probation Survey are mail questionnaires with an online form reporting option, which simulates the paper form, with follow-up interviews conducted by way of telephone and e-mail (see attachment 2). The questions on the web option mimic the look of the presentation of the questions on the paper version, and the web option includes the OMB number, general information/contact information, instructions, and burden statement (see attachment 3).

The web option is popular among respondents to the parole survey. Almost all of the parole respondents are central reporters (i.e., agencies that report data for the entire state or multiple jurisdictions) and these central reporting offices are typically more technologically advanced, which means they are better capable of submitting data electronically. For the 2007 collection, 30 of the 54 (56%) parole respondents submitted their data electronically. A number of the probation respondents are central reporters, and those agencies are more likely to report electronically, but the majority of the probation respondents are county and local-level agencies. Some of these agencies are not computerized and some do not have internet access, which is why the web option is not utilized as frequently by probation respondents. For the 2007 collection, 89 of the 464 (19%) probation respondents submitted their data through the web option.

The 2007 collection was the second year the web option was offered. The number of parole and probation respondents who submitted electronically in 2007 increased from 2006, and we expect this trend to continue in future years. We have received positive feedback from the respondents regarding the web option.

In addition, the bulletins, press releases, and data tables are made available to the public on the BJS website, <http://www.ojp.usdoj.gov/bjs/abstract/ppus06.htm>.

4. Efforts to Identify Duplication

BJS staff have completed reviews of other surveys, reviews of other federal data collections, and reviews of literature in order to identify duplication. This review has led to a conclusion that the annual probation and parole surveys uniquely provide information that is not collected elsewhere. Along the way, BJS staff have also noted how other collections complement BJS collections.

The National Survey of Drug Use and Health (NSDUH), which is sponsored by the Substance Abuse and Mental Health Services Administration (SAMHSA), is an annual survey which conducts interviews with randomly selected individuals in the non-institutionalized population age 12 or older. The purpose of the survey is to provide yearly national and state level estimates of alcohol, tobacco,

illicit drug, non-medical prescription drug use, and other health-related issues, including mental health. The NSDUH also collects data on the number of persons who were on probation or parole in the 12 months prior to the interview, which is different from BJS' surveys which provide a one-day snapshot of the populations. In addition, the BJS Probation and Parole Surveys collect data on the probation and parole population movements and outcomes, which the NSDUH does not. For example, the BJS surveys collect data on revocation of supervision, return to prison or jail, and completion of community supervision. In addition, the BJS surveys collect data on the criminal justice system characteristics of both populations, such as offense type, maximum sentence, and supervision status, which the NSDUH does not. Hence, the BJS data provide information that allows users to integrate information about probation and parole populations into the larger criminal justice system.

The National Criminal Justice Treatment Practices Survey (NCJTPS), which was sponsored by the National Institute on Drug Abuse (NIDA), was a survey that provided data on existing treatment programs across all correctional settings, including prison, jails, probation and parole offices, and local community correction agencies for juvenile and adult offenders. The NCJTPS collected data on the number of probationers and parolees supervised by agencies at the time of the interview, but definitional differences exist between the NCJTPS and the BJS surveys. Some sub-populations fell within the scope of the NCJTPS which do not fall within the scope of the BJS surveys. In addition, the national-level estimates provided by the NCJTPS are associated with large standard errors because the sample size was small, which is not a limitation of the BJS data because the data are a complete enumeration of all probation and parole offenders that fall within the scope of the BJS surveys. Lastly, the NCJTPS cannot provide state-level estimates, and as is the case with the NSDUH as well, did not collect data on population movements, outcomes, or characteristics of the probation and parole population.

The International Survey of Releasing Authorities was sponsored by the Association of Paroling Authorities International (APAI), Center for Research on Youth and Social Policy (CRYSP) at the University of Pennsylvania, the Pew Foundation, and the Georgia State Board of Pardons and Paroles. This survey collected data from every parole releasing authority that was a member of APAI at the time of the survey (2007) and provided data about parole policies and practices. No parole population data was collected, which is the main objective of the BJS parole survey.

In addition to the Parole and Probation Surveys, the BJS maintains the Federal Judicial Statistics Program (FJSP) whose key purpose is to examine the unique characteristics of the federal system, and to report on changes and trends on a federal fiscal year basis. The FJSP provides data on federal offenders under supervision for the BJS annual probation and parole surveys, but the FJSP data are limited only to federal offenders and do not cover state populations. With the

knowledge and consent of BJS' respondent at the Administrative Office of the U.S. Courts (AOUSC), federal data collected by the FJSP from AOUSC are used to fulfill the federal data needs of the Parole and Probation Surveys.

The probation and parole series complements other BJS collections on parolees, such as the National Corrections Reporting Program (NCRP), the National Prisoner Statistics program (NPS), and the Survey of Inmates in State and Federal Correctional Facilities (SISFCF). The NCRP collects individual records on all admissions and releases to and from state prison and on all entries and exits to and from parole from participating states; participation varies between 38 to 42 states. Although the NCRP is not a complete enumeration, BJS can compare the data with the flows and types of entries and exits collected through the Annual Parole Survey to make national estimates with greater confidence. In addition, although the Annual Parole Survey collects aggregate data about general offense categories, NCRP collects more detailed offense data through the individual-level records. Additional analyses using NCRP data are being planned to further assist with the interpretation of the aggregate data collected through the Annual Parole Survey.

The National Prisoner Statistics series collects both yearend and midyear counts of the prison population and the number and types of admissions, including those admitted due to a parole violation, and releases, including those released conditionally either to probation or parole. The data collected from the NPS series and the probation and parole collections can be used together to better understand recidivism and the types of offenders who are released to the community. The SISFCF, or inmate survey, allows BJS to interview a large nationally representative sample of inmates on specific topics including criminal history, socioeconomic conditions, drug and alcohol use and treatment, and mental health and medical problems. The information from the survey, conducted every 5-6 years due to collection costs, can be used to better understand the criminal history of inmates, including those who had prior probation and parole sentences and the number of prior sentences. In addition, the inmate survey collects drug treatment data, including if inmates received treatment when they were on probation or parole. Because this type of information is not collected through the Probation and Parole Surveys, the data allow for a better understanding of the needs of the community corrections population and the ways in which those needs are or are not currently addressed.

Although some probation and parole data has been collected through other surveys, no exact duplicative efforts were uncovered during a search of the National Criminal Justice Service repository. BJS is the only federal government agency that collects aggregate data on the probation and parole stock population, the movements of the parole and probation population, outcomes of the population, characteristics of the parole and probation population, and collects all of this data at both the national and state levels. No other organizations collect comparable data on parole and probation.

5. Impact on Small Businesses/Efforts to Minimize Burden

Survey forms are sent to central reporters whenever possible to minimize the reporting burden. Since the last OMB submission, three respondents have been consolidated with other responding agencies, thereby allowing the number of respondents to be reduced by three. A further reduction in the number of respondents occurred as the result of the elimination of two small probation agencies.

BJS recognizes that a number of probation respondents are at the local-level and some have limited record keeping systems and limited financial and personnel resources which would permit them to do additional tabulations necessary to complete the CJ-8 Annual Probation Survey long form (see attachment 4; draft 2008 form). The CJ-8A Annual Probation Survey (Short Form) (see attachment 5; draft 2008 form) was created, and approved by OMB in the 2001 submission, to minimize the burden while nevertheless collecting basic information which is currently available. Determination of who is to get the CJ-8A (Short Form) is based on availability of information, as determined by past reporting and conversations with individual respondents. The CJ-8A (Short Form) includes what BJS considers to be the critical data elements which are the core of the surveys and the items that have been collected annually for years. This approach to minimizing burden is also believed to be the best approach to maximizing response rates with a minimal effect on data quality.

The CJ-7 Annual Parole Survey (see attachment 6; draft 2008 form) and CJ-8 survey instruments have proved to have a basic, reliable and readily understood format, which BJS staff have only sought to refine as necessary. Since the last OMB submission, only minimal modifications to the forms, which include removal of some survey items, the addition of a couple survey items, and refinements made to general categories and definitions, have been proposed in order to improve BJS survey data quality and meet the needs of the criminal justice officials in the field (see attachments 7, 8, and 9 for the collection instruments that were approved in the 2005 OMB submission). Survey items were removed if stakeholders in the field indicated there was a decreased interest, which is why the boot camp item was omitted from the draft 2008 CJ-7 and CJ-8 forms, or if the items resulted in a substantial amount of missing data or would place additional amounts of burden on the respondents. For instance, since the last OMB submission, BJS learned through feedback from respondents that the majority of their information systems do not track death data by gender and/or race and to report it, respondents would have to resort to counting paper records. Given the burden that would impose and given the fact that the item resulted in a substantial amount of missing data, it was removed from the 2008 draft CJ-7 form.

The four items removed from the CJ-7 form since the last OMB submission were replaced by two new items and the five items removed from the CJ-8 form

were replaced by three new items. These changes were based on feedback from the field which indicated in meetings with BJS staff that there was an increased interest to collect new data. For instance, stakeholders indicated to BJS there is an interest to learn more about GPS tracking of offenders, specifically sex offenders, rather than focusing more broadly on electronic monitoring or intensive supervision programs. Because of this feedback, BJS replaced the questions about electronic monitoring and intensive supervision on both the draft 2008 CJ-7 and CJ-8 forms with a question about GPS tracking.

The draft 2008 CJ-8 form also excludes two other items, including one about the tracking offenders through paper records only and one about whether probationers are supervised by private agencies only, due to a lack of interest in the field and frequent reports of missing data by respondents. These items were replaced by two new items on the draft 2008 CJ-8 form. The first item, which is also included on the draft 2008 CJ-7 form, asks respondents to indicate whether the data they reported represent cases or individuals. If agencies indicate the data represent cases, Census staff will be instructed to contact respondents and remind them that the data are suppose to reflect individuals. This question will allow BJS staff, along with Census staff, the ability to better assess and improve data quality. The second new item was intended to assess whether agencies have the capacity to report the number of probationers who were sentenced to incarceration for the same offense for which they are on probation. In meetings with criminal justice officials and respondents, it was explained that the field is interested in knowing how many probationers have actually served time for the same offense. The new question proposed is formatted as a yes/no question to reduce the amount of burden and to determine first whether agencies even have the capacity to report the information, because if they do not, there is no need to think about actually asking for the counts in the future.

In addition to adding and removing some items, refinements to definitions and general categories were also made to more closely matching the categories our respondents use to collect information wherever possible or to reflect current policy concerns. For instance, on the 2008 draft CJ-8 form, BJS has changed the offense categories to make them broader because respondents had difficulty in the past reporting specific offense types. On the draft 2008 CJ-7 form, the offense category “public-order offense” was replaced with “weapons offense.” Some state-level respondents indicated that their information systems do not track public-order offenses, but they did express interest in knowing the number of offenders on parole for a weapons offense. These same respondents indicated that their information systems have the capability to report that offense type. The draft 2008 CJ-7 form also includes an additional category, “Term of supervised release from prison”, as a type of entry to parole and “to receive treatment” as a type of exit from parole because respondents indicated that the addition of these categories will better reflect how they track their offenders.

Changes to the draft 2008 CJ-8A form involve the deletion of two items, which include the question about tracking offenders through paper records only and a question that asked how many probationers were in a community-based correctional facility (CBCF). Both items were eliminated due to frequent reports of missing data because a number of the local-level information systems did not track these data. These old items were not replaced with any proposed new items in order to keep the burden at a minimum.

The arrangement of items on the forms reflects a logical flow of information to facilitate comprehension of requested items and to reduce the need for follow-up. In addition, instructions and definitions are contained with each item, where necessary, and revised when feedback from respondents and users indicates they are needed for clarification purposes. Also, we provide the respondents with the bulletin and detailed tables from the previous year as a reference point for compiling data. In addition, respondents can complete the collection via the web-reporting option, <http://www.ojp.usdoj.gov/bjs/abstract/ppus06.htm>. Respondent are provided with a unique user ID and password to enter the website and can view their data and print their data, but do not have access to another agency's data.

External reviewers have found the survey instrument formats, including item content, item display, instructions for compiling the questionnaire, and publication design to be effective and efficient in collecting needed information while minimizing the burden.

6. Consequences of Less Frequent Collection

Less than annual collection of Annual Parole Survey and Annual Probation Survey would both result in a break in series—as noted previously, these two surveys have been collected annually since 1977—and a diminution in BJS capacities to track changes in community supervision populations. One of the main purposes of these surveys is to provide comparative data across states in outcomes on community supervision. Collectively, across the states, there are changes to supervision policies and practices that are ongoing. Less than annual collection of the data could preclude BJS from describing changes in the year in which they occurred. This would diminish the usefulness of these data for the broader stakeholder community, and it would diminish BJS capacity to provide accurate measures of the growth and change in these populations.

7. Special Circumstances Influencing Collection

There are no special circumstances in conducting this information collection. Collection is consistent with the guidelines as listed in 5 CFR 1320.6. These data will be collected in a manner consistent with the guidelines in 5 CFR 1320.6.

8. Federal Register Publication and Outside Consultation

The research under this clearance is consistent with the guidelines in 5 CFR 1320.6. The 60-day notice for public commentary was published in the Federal Register, Volume 73, Number 122, pages 35712-35714 on June 24, 2008. The 30-day notice for public commentary was published in the Federal Register, Volume 73, Number 168, pages 50841-50842, on August 28, 2008.

Although no public comments were received directly in response to the 60-day notice, new items proposed in the 60-day notice were discussed with some stakeholders at APPA's summer conference in July of this year. Based on feedback from these stakeholders, a couple of the proposed items were omitted from the current 2008 draft forms. BJS learned that the respondents who provide the data for the BJS surveys may not be the same contacts who have the capacity to provide data for some of the new items proposed in the 60-day notice. Given that this could lead to increased burden and potentially decrease response rates and increase the amount of missing data, those proposed items were omitted from the current 2008 draft forms. Also, given that the field has expressed interest in collecting GPS data and because there are some space limitations with the forms, the proposed GPS question was kept in favor of some other proposed items.

BJS has consulted with states' departments of corrections staff, local probation and parole officers and researchers, and criminal justice experts to collect a wide range of opinions in order to improve survey measurement, data collection, reporting, procedures, data analysis, and presentation. The following individuals provided valuable advice and comments on the content and design of these data collection instruments:

Mr. William Adams
FJSRC Analyst
The Urban Institute
2100 M Street, NW
Washington, D.C. 20037
(202) 261-5506

Mr. James Alibrio, Director
Research & Statistics Program
PA Board of Probation & Parole
1101 S. Front Street, Suite 5500
Harrisburg, PA 17104-2521
(717) 787-1006

Mr. Donald Blevins
Chief Probation Officer
Alameda County Probation Department

400 Broadway, P.O. Box 2059
Oakland, CA 94604
(510)268-7050

Barbara Broderick
Chief Probation Officer
Maricopa County Adult Probation
111 S. 3rd Avenue
P.O. Box 3407
Phoenix, AZ 85030
(602)506-7244

Ms. Cynthia Burke, Director
Criminal Justice Research
SANDAG
401 B Street
San Diego, CA 92101
(619)699-1910

Mr. William D. Burrell, Consultant
37 Cliveden Court
Lawrenceville, NJ 08648
(609)895-0212

Mr. Larry Chan, Administrator II
Department of Public Safety & Correctional Services
Office of Planning, Policy, Regulations, and Statistics
300 E. Joppa Rd, Suite 1000
Towson, MD 21236
(410) 339-5021

Mr. Robert Guy, Director
Division of Community Corrections
North Carolina Department of Corrections
2020 Yonkers Rd.
Raleigh, NC 27604
(919) 716-3101

Mr. Kermit Humphries
Community Corrections Branch
National Institute of Corrections
320 First Street, N.W.
Washington, D.C. 20534
(202) 307-3106, Ext. 136

Ms. Yolanda Jiggetts, Director

Department of Public Safety & Correctional Services
Office of Planning, Policy, Regulations, and Statistics
300 E. Joppa Rd, Suite 1000
Towson, MD 21236
(410)339-5022

Mr. Calvin Johnson, Director
Research and Evaluation
Court Services & Offender Supervision Agency
633 Indiana Ave.
Washington, DC 20004
(202)220-5332

Ms. Jean Kuehl, Assistant Director
Department of Correctional Services
Sixth Judicial District
951 29th Avenue SW
Cedar Rapids, IA 52404
(319) 398-3675

Mr. William McDevitt
PA Board of Probation & Parole
1101 S. Front Street, Suite 5500
Harrisburg, PA 17104-2521
(717) 787-1006

Ms. Catherine McVey, Chair
Pennsylvania Board of Probation and Parole
1101 South Front Street, Suite 5100
Harrisburg, PA 17104-2517
(717) 787-5699

Ms. Geraldine Nagy, Director
Travis County Adult Probation Department
411 W. 13th St.
Austin, Texas 78701
(512) 854-4600

Mr. John Prevost, Assistant Director
Georgia State Board of Pardons and Parole
1116 W. Floyd Veterans Bldg.
2 MLK Jr. Drive
Atlanta, GA 30334-4909
(404) 651-6744

Mr. Paul A. Quander, Jr., Director

Court Services & Offender Supervision Agency
633 Indiana Avenue
Washington, DC 20004
(202)220-5344

Mr. Tom Stough, Data Manager
Department of Public Safety & Correctional Services
Office of Planning, Policy, Regulations, and Statistics
300 E. Joppa Rd, Suite 1000
Towson, MD 21236
(410)339-5021

Ms. Faye Taxman, Professor
Administration of Justice Program
George Mason University
10900 University Blvd.
Manassas, VA 20110
(703)993-8555

Mr. Carl Wicklund, Executive Director
American Probation and Parole Association
c/o The Council of State Governments
3560 Iron Works Pike
P.O. Box 11910
Lexington, KY 40578-1910
(606) 244-8203

9. Paying Respondents

Participation in the Surveys is voluntary and no gifts or incentives will be given.

10. Assurance of Confidentiality

According to 42 U.S.C. 3735 Section 304, the information gathered in this data collection shall be used only for statistical or research purposes, and shall be gathered in a manner that precludes their use for law enforcement or any purpose relating to a particular individual other than statistical or research purposes. The data collected through the Probation and Parole Surveys represent institutional characteristics of publicly-administered or funded facilities and are, therefore, in the public domain. The individual probation or parole agencies that do submit data are notified that BJS will only publish aggregate counts at the state level. In addition, no individually identifiable information is provided and all counts are simply too large to attribute to an individual.

11. Justification for Sensitive Questions

Not applicable. There are no questions of a sensitive nature included in the Annual Parole Survey or the Annual Probation Survey. In addition, the data collected and published from the surveys are summary totals from which the identity of specific private persons cannot reasonably be determined.

12. Estimate of Hour Burden

A separate form will be used for each survey. The CJ-7 will be sent to 54 state, federal, and local parole departments, the CJ-8 will be sent to 344 state, federal and local probation departments, and the CJ-8A will be sent to 120 local probation departments. The respondent burden is kept to a minimum by centrally collecting data from state departments whenever possible and by distributing the CJ-8A (Short Form) to local probation agencies with limited record-keeping systems and limited financial and personnel resources. The federal data are now obtained indirectly from the Administrative Office of the U.S. Courts through BJS' Federal Justice Statistics Program; we have chosen to include the collection of federal data in this calculation. The burden will be:

| Type of form | Number of respondents | Average time required | Annual reporting hours |
|--------------|-----------------------|-----------------------|------------------------|
| CJ-7 | 54 | 1.5 | 81 |
| CJ-8 | 344 | 1.5 | 516 |
| CJ-8A | 120 | 0.5 | 60 |
| Total | 518 | 1.27 | 657 |

13. Estimate of Respondent Cost

Questionnaires and a self-addressed stamped envelope are mailed to each respondent. The information requested is normally maintained electronically as administrative records in the parole and probation agencies. The only costs respondents will incur are costs associated with their time. Other than these costs, there are no additional costs to the respondent.

At an estimate of \$30 per hour, both the CJ-7 and CJ-8 forms are estimated to take 1.5 hours per year for a total cost of \$45.00 per respondent. The estimated total burden for all 54 CJ-7 respondents and all 344 CJ-8 respondents is \$17,910. The CJ-8A (Short Form) is estimated to take 0.5 hours per year for a total cost of

\$15 per respondent, and a total estimated respondent cost of \$1,800 for all 120 CJ-8A (Short Form) respondents. The total respondent cost for the entire collection is \$19,710. However, by distributing the CJ-8A (Short Form) to 120 local probation agencies, BJS is relieving each of those respondents of an estimated 1 hour per year, or \$30, for a total cost savings of \$3,600.

14. Cost to the Federal Government

Beginning in 2006, BJS moved the collection duties back to the U.S. Census Bureau from BJS in order to implement web-based data collection methods. Beginning with the 2006 collection year, Census developed and implemented a multi-mode collection strategy: (1) Respondents could enter data directly into a database using a web interface; (2) respondents could fax or mail completed forms back to Census and Census staff entered the data; or (3) respondents could call and report data to Census staff who then entered their responses into the database. Data collection was initiated via a mail-out with the survey forms; the contact letter (see attachment 10) provided respondents with the URL for the Census website that they could use to enter data directly. In addition, each respondent is provided with an individual user ID and password to enter the website and can view their data and print their data, but do not have access to another agency's data.

In developing the web interface and database, Census staff programmed several edit checks. With the 2007 collection year, Census implemented a feature that enabled BJS staff to download the data directly from the website devoted to the annual parole and probation surveys. Under this mechanism, BJS staff could download extracts of the data at any time during the collection cycle to begin to conduct preliminary analysis. This mode of accessing data replaced the former mode of delivery of the data, in which Census provided access to BJS on an as-requested basis. In addition, the Census website also contained features that facilitated tracking responses and calculating response rates at any point in the data collection cycle.

Currently, the division of labor for a data collection cycle on the annual probation and parole surveys is as follows: The Census Bureau maintains and updates the website and database, conducts the mail-out of survey forms, conducts follow-up, collects the data, and prepares a dataset for BJS analysis. BJS staff analyze the data, prepare statistical tables, and write reports based on these data.

Based upon actual costs incurred during 2006 and 2007, the estimated costs to the government associated with the collection, processing, and publication of reports, preparation of data tables, and archiving data for these two annual collections are projected for 2008 and are shown in the table that follows. Total estimated costs of \$275,000 are divided between Census Web development and collection costs (\$25,000 and \$200,000, respectively) and BJS analysis,

reporting and dissemination costs (\$50,000). Both BJS and Census costs include salary, fringe, and overhead. Census costs include costs in addition to salary as described in the table below.

| Estimated costs for 2008 probation and parole surveys | |
|---|-----------|
| BJS costs | |
| Staff salaries | |
| GS-13 Statistician (25%) | \$20,828 |
| GS-15 Supervisory Statistician (3%) | \$3,456 |
| GS-14 Chief Editor (3%) | \$2,764 |
| Other Editorial Staff | \$2,000 |
| Front-Office Staff (GS-15 & Directors) | \$1,000 |
| Subtotal salaries | \$30,048 |
| Fringe benefits (28% of salaries) | \$8,414 |
| Subtotal: Salary & fringe | \$38,462 |
| Other administrative costs of salary & fringe (15%) | \$11,538 |
| Subtotal: BJS costs | \$50,000 |
| Census costs | |
| Web development, maintenance, updating | \$25,000 |
| Other Census costs (staff, printing, mailout, fax and phone followup, programming, software & hardware maintenance, fringe benefits, and Census overhead) | \$200,000 |
| Subtotal: Census costs | \$225,000 |
| Total estimated costs | \$275,000 |

During the upcoming year, BJS will engage in a review of costs, asking Census for additional justification for actual prior year costs, consider soliciting bids for the collection, and seek ways to minimize data collection costs.

15. Reason for Change in Burden

The number of respondents for the Annual Probation Survey decreased from 469 to 464 due to the consolidation of some local probation agencies (three agencies were consolidated with existing responding agencies) and the elimination of two small probation agencies due to budget cuts. These changes resulted in the total annual reporting hours decreasing from 667.5 hours to 657 hours.

16. Project Schedule

| <u>Task</u> | <u>Start date</u> | <u>End date</u> |
|-----------------------------------|-------------------|-----------------|
| Data collection | December | June |
| Second mail-out (first follow-up) | March | March |

| | | |
|--|-----------------------------------|-----------|
| Data editing, verification, final callbacks | February (April for callbacks) | July |
| Analysis | July | September |
| Report writing | September | November |
| Press release and final report released | November | November |

The parole and probation questionnaires and cover letter announcing the collection (see attachment 10) will be sent out December 15, 2008, with a request for their return by February 28, 2009. Because some agencies do not finish their final reports (upon which they base their responses) until mid summer, the collection cannot be completed until that time. After the February due date, a second mail-out occurs and the original cover letter and another form(s) is sent to all outstanding respondents. Telephone calls and e-mail reminders (see attachment 2) will be sent to respondents who do not return the questionnaire about a month after the second mail-out. Respondents will also be contacted by telephone or e-mail to discuss any inconsistencies (see attachment 2) in the reported data or to ask for information not reported on the forms, especially if the data were reported in the prior year.

After a majority of respondents have submitted data, preliminary analysis will begin. BJS staff check the data for out-of-range values, missing data, and other types of responses that generate logical inconsistencies. These preliminary analyses are undertaken while data collection is still in progress in order to provide time for making callbacks to clarify data. As necessary, data from respondents are aggregated to the state, regional, and national totals, with the aim of producing distributions for each variable.

For some items, BJS uses ratio adjustment methods to estimate values for certain items in which there is non-response, and it does this in order to generate state- or national-level totals of key variables, such as the total number of entries onto or exits from probation or parole. (BJS publishes both reported and imputed entries and exits at the state-level and each are labeled accordingly; see attachment 1, tables 1 and 3.) To provide support for making these adjustments, BJS staff or BJS' data collection agent will ask respondents who are unable to provide data on these key items certain questions that support the use of ratio adjustments. For example, if a respondent is unable to provide a count or estimate of entries onto parole, during follow-up contact, they will be asked to provide a qualitative assessment of the change in entries in relation to a known quantity, such as the number on parole at the start of the year. The ratio adjustments are done one of two ways; within agency using reported data from the prior year or within categories of agencies that are similar in size or geographic location. The decision

depends on the availability of data. Within categories of comparable agencies, the data from those that reported complete data in either the current or prior year's collections are used to estimate quantities for comparable agencies that did not provide data on key items such as entries and exits from community supervision.

After the analysis is completed, the report will be written and the data will be released to the public less than a year after they are collected. Not only does the data result in a published report, but the data will be made available through a Department of Justice press release and additional detailed tables, all of which be posted on the BJS.

17. Expiration Date Approval

The OMB Control Number and the expiration date will be printed on the CJ-7, CJ-8, and CJ-8A (Short Form) forms and on the web option. See attachment 3 for screenshots of the 2007 web-reporting option in which the OMB control number is visible to respondents.

18. Exceptions to the Certification Statement

There are no exceptions to the Certification Statement. The Collection is consistent with the guidelines in 5 CFR 1320.9.