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March 11, 2020

Katharine T. Sullivan
Principal Deputy Assistant Attorney General
Office of Justice Programs
U.S. Department of Justice
810 7th St NW
Washington DC 20001

Dear Deputy Assistant Attorney General Sullivan:

Thank you for your response to our October 2019 inquiry. Members of CJRA and COSSA have discussed your response and remain concerned about several important issues raised in our original letter, as well as additional concerns confirmed by your response. We would like to request a meeting with you, BJS Director Anderson, and the leadership of both our organizations to discuss our concerns further and identify ways OJP can better meet the needs of its data user community.

Since our original letter in October, more inconsistencies in the availability of BJS data have come to our attention. In the accompanying appendix, we outline six data collections that we consider long overdue with specific questions regarding delays and changes to several of these BJS data products. Given the timely release of BJS data is critical to managing our nation's criminal justice system, we hope you can provide some clarity on what has caused these delays and how BJS can better communicate with stakeholders about future delays or changes to planned releases.

Multiyear delays in the release of expected data and reports, and a lack of communication between BJS and the data user community whose work depends on the timely release of BJS data, does not help improve public safety, or the efficiency of our criminal justice system. We request that BJS communicate its plan to prioritize the release of data collections and reports. Criminal justice researchers and practitioners rely on timely and regular release of BJS data and statistics to understand crime trends, criminal behavior, victims of crime, disparities in justice, correctional systems, offender reentry, and the operation of justice at Federal, state, and local levels. Such data is necessary for timely development and implementation of criminal justice policy.

Your February 2020 response to our letter mentioned that BJS is “continuing to recruit for vacancies” and “has had to prioritize efforts over the past year”. We are aware that the BJS budget has stagnated in recent years, that congressionally mandated data collection responsibilities have increased, and that federal hiring freezes and workforce attrition and shortages have likely resulted in delayed and missing data collections and reports. We



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understand the challenges that BJS faces due to stagnant funding and hiring constraints and acknowledge that this could affect BJS's productivity and lead the agency to prioritize activities. Our organizations will continue to advocate to increase federal funding for our criminal justice research agencies to ensure they have the resources they need. We are committed to help OJP fulfill its obligations to the American people.

We appreciate your attention and look forward to hearing from you.

Peter B. Wood, Chair
Crime & Justice Research Alliance

Wendy A. Naus, Executive Director
Consortium of Social Science
Associations

Encl: List of delayed/missing BJS products

Appendix I: Specific Questions Regarding BJS Data Releases

We have identified concerning trends regarding expected releases of data and reports related to the publications and surveys identified in this letter. First, we notice that BJS has fallen behind its own projected publication schedule according to the publication calendar on its website. Several publications scheduled for release in Fall 2019 have not yet been published.

Second, we have noticed that the gap between the collection and release of data appears to be widening for a number of critical BJS data products—including the release of multiple years of data for annual collections when previous data had been more frequently released for single years.

We request clarity on delays and changes made to following BJS products:

- 1) **National Corrections Reporting Program (NCRP)** – The website for the National Corrections Reporting Program (NCRP) describes the program as “annual” and “active” but lists the latest available data as from 2016.
 - Has data been collected since 2016?
 - Is there a reason for the delay in publication of more current data?
 - Does BJS plan on continuing to release this data?

- 2) **Survey of Jails in Indian Country (SJIC)** – The Survey of Jails in Indian Country (SJIC) provides important data on facilities operated by tribal authorities, but there is no data available for any year since 2016, which was published in 2017. The BJS website indicates that it plans to publish 2017-2018 data in Spring 2020.
 - Is there a reason for the delay in releasing this data?

Additionally, these data were published in annual, single year sets, until 2017. Now, according to the online publication schedule, we anticipate two years’ worth of data in 2020. Prior to this delay, there was a one-year lag between data and release. There is now a three-year lag between data and release.

- Why was the decision made to published two years of data at once, rather than publishing annual data more frequently?
 - What is the reason for the change in the publication schedule for this survey?
 - Can BJS share its decision-making process and plan for communicating future changes with the data user community?
- 3) **Survey of Sexual Victimization (SSV) (Formerly Survey of Sexual Violence)** – The description accompanying the 2018 release of *Sexual Victimization Reported By Adult Correctional Authorities, 2012-2015*, noted that “Companion tables in the Survey of Sexual Victimization in Adult Correctional Facilities 2012-15 - Statistical Tables will include counts of sexual victimization reported by the Federal Bureau of Prisons, state prison systems, and large jail jurisdictions.” However these tables have not yet been published, and they are not included on the current publication calendar on the BJS website. The last release of statistical tables was published in 2014 and included data from 2009-2011.
 - Is there a reason for the delay in releasing these statistical tables?
 - When does BJS plan to release this data?

Additionally, the most current available statistical tables for the Survey of Sexual Violence in Juvenile Correctional Facilities were released in 2016, containing data from 2012.

- Does BJS plan on publishing statistical tables to accompany the release of *Sexual Victimization Reported by Youth in Juvenile Facilities, 2018*? If so, when?

4) **Annual Probation Survey and Annual Parole Survey** – The website for the Annual Probation Survey and Annual Parole Survey describes the program as “annual” and “active” but lists the latest available data as from 2016.

- Is there a reason for the delay in available data?

Additionally, these data were published in annual, single year, sets through 2018, when 2016 data was published. The publication schedule indicates that 2017 and 2018 data are planned for release in Spring 2020, indicating that the lag between data collection and release is lengthening.

- Why was the decision made to published two years of data at once, rather than publishing annual data more frequently?
- What is the reason for the change in the publication schedule for this survey?
- Can BJS share its decision-making process and plan for communicating future changes with the data user community?

5) **Firearm Inquiry Statistics (FIST)** – As we mentioned in our previous letter, the last edition of the annual “BJS Background Checks for Firearms Transfers” statistical tables contains data from 2015 and was published in 2017. According to the publication schedule on the BJS website, the next release of data in this series is not anticipated until Fall 2020.

- Is there a reason for the delay in releasing these data?
- Can BJS share its decision-making process and plan for communicating future changes with the data user community?

6) **Survey of Prison Inmates (SPI)** – As we mentioned in our previous letter, while the 2016 SPI methodology has been published and one discrete subset of the data focused on firearms was released, no other SPI data has been published. The BJS publication calendar indicates that data on additional topics are expected to be released in Summer 2020.

- What is the reason for the lengthy delay in releasing these data?