

BUREAU OF JUSTICE STATISTICS

The Bureau of Justice Statistics (BJS) in the Department of Justice Office of Justice Programs (OJP) provides objective, reliable, and trustworthy statistics on a variety of justice-related issues, including, according to its website, “crime, criminal offenders, victims of crime, and the operation of justice systems at all levels of government.” These data are critical to federal, state, and local policymakers in combating crime and ensuring that justice is both efficient and evenhanded. Established in 1979, BJS’s principal products cover the following nine topics: corrections, courts, crime type, criminal justice data improvement program, employment and expenditure, federal processing of criminal cases, Indian country justice statistics, law enforcement, and victimization.

**The following is based on publicly available information, information from former agency leadership, and select information from our questionnaire.

STRENGTH OF BJS’S SUPPORT†	
Autonomy: Mixed. No current threats but lacks agency-specific professional autonomy protections in statute.	Parent agency: Mixed. Positive aspects include recent championing in the President’s budget request and additional staff authorized and regularly requesting budgets that would allow BJS to maintain productivity and meet data user needs for relevant and timely data. A challenging aspect is lags in hiring and BJS website updates due to reliance on OJP for shared services.
Budget: Weak. BJS’s appropriated budget has declined by nearly 30% in purchasing power since 2018. Understanding its total budget is also difficult—as explained in challenges below.	Staffing level: Challenging. Compared with other principal federal statistical agencies, BJS staffing level is not commensurate with its budget. Including estimated set-aside and staffing amounts, its budget-to-staff ratio is roughly four times the median of the other federal statistical agencies.

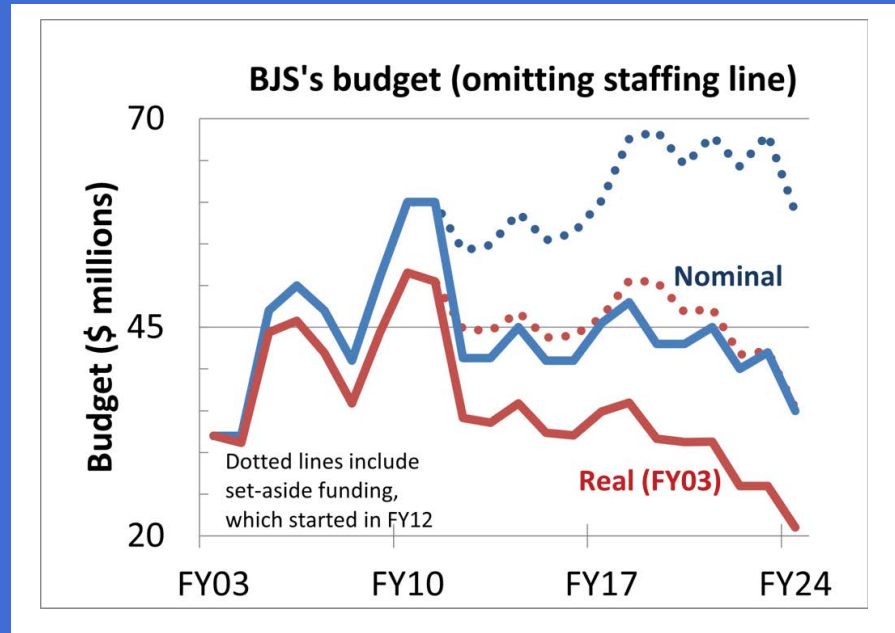
† See Supporting Materials F for an explanation of the support ratings.

AGENCY FAST FACTS

Budget inputs and FY24 level

1. Appropriations line item: \$35 million
2. Half of congressional set-aside that is a percent of OJP total research, evaluation, and statistics: 1%, or \$24 million
3. Undisclosed amount determined from OJP-wide account: supported 59 full-time employees in FY 2023 and subsequently authorized to increase to 82
4. BJS receives funding from other agencies to collect information through BJS's core platforms in order to meet those agencies' information needs

Funding history, inflation adjusted



Appointment of head & layers down in the Department of Commerce org chart

The BJS director is presidentially appointed. Senate confirmation of the presidential nomination was removed in 2012. BJS is one of two federal statistical agencies with such an appointment.

Four: Between the Attorney General (AG) and the BJS director are the:

- ➔ Deputy AG
- ➔ Associate AG
- ➔ Assistant AG for OJP

Other

- ➔ BJS has roughly 50 active surveys covering the range of the criminal justice system, from victimization and arrests, to trial and sentencing, to imprisonment and recidivism. It contracts with private entities and the U.S. Census Bureau for the administration of most of its data collections.
- ➔ Three out of five BJS employees are survey statisticians.

<p>Recent successes</p>	<ul style="list-style-type: none"> → New products, data sources, other innovations: <ul style="list-style-type: none"> • Just the Stats, a web-published series featuring short reports on specific topics of interest • Redesign and modernization of the National Crime Victimization Survey (NCVS) survey instrument and development of subnational estimates with input from stakeholders and a technical review panel • Development of a campus climate survey in coordination with Department of Education → BJS partners with the Federal Bureau of Investigation (FBI) through the Uniform Crime Reporting program, which includes the National Incident-Based Reporting System (NIBRS). BJS has implemented new methods for addressing nonresponse in NIBRS and producing reliable state and Metropolitan statistical areas (MSA)-level estimates of NIBRS crimes. → BJS was engaged by the White House in support of President Biden’s Executive Order (EO) on Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety to produce a report to the President on police statistics and to co-lead the inter-agency Criminal Justice Statistics Interagency Working Group. → BJS leadership, resources, and staff for initiatives, research, and data collection are frequently tapped by the U.S. Department of Justice (USDOJ) and Congress. → BJS has been authorized by USDOJ to increase its staffing level by approximately 30%. → BJS has recovered from the publication delays that plagued the agency in the late 2010s. → BJS conducted the first-ever census and survey of victim-serving agencies. Prior to this, the only information on victim service organizations came from the list of organizations already receiving federal funding. Questions were added to the NCVS to understand the decision to use or not use victim services, including questions on psychological harms.
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<p>Agency strengths</p>	<ul style="list-style-type: none"> → BJS’s products are relevant to societal issues as seen, for example, by website visits spiking in 2020 after George Floyd’s murder. → Since the late 2000s, BJS has a strong tradition of independence in the release of its reports. → BJS has a strong relationship with the Office for Victims of Crime, including collaborations and support for the NCVS, Census of Victim Service Providers, and Survey of Victim Service Providers. → BJS has a strong program for recognizing staff innovation. → BJS has a long-standing practice to consult with data users and providers and with federal partners and outside experts with knowledge and experience in criminal justice research and survey methodology for all of its major collections. For examples of the latter, see the Additional guidance callout below.
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<p>Agency threats/ vulnerabilities</p>	<ul style="list-style-type: none"> ➔ Removal in 2012 of Senate confirmation of the President's nominee for director took away an important check for the individual's qualifications, opening the door to unqualified or overly partisan leadership. ➔ Large gaps between directors are due to the director serving at the pleasure of the President and appointment often not happening in the first year of an administration. ➔ While having enabling legislation, BJS has few professional autonomy protections in statute.
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<p>Agency challenges</p>	<ul style="list-style-type: none"> ➔ Budget opaqueness: Only one of BJS's three budget inputs is known publicly: the amount appropriated by Congress. BJS also receives a portion of a congressional set-aside that is shared with the National Institute of Justice (NIJ), and its staffing allotment is done by USDOJ out of a department-wide account. ➔ Congressional appropriations support has declined approximately 30% in purchasing power since 2018. With this decline and data collection costs that have risen in real terms, BJS's capacity to field its full phalanx of collections in a timely manner is diminished. Consider, for example, that the FY 2024 cost of fielding the NCVS is \$62 million, more than the \$59 million provided through congressional appropriations to BJS. Likely, as a result: <ul style="list-style-type: none"> • The last reported data collection or data available period for four of its annual surveys is 2019 (Justice Expenditure and Employment Extracts Series), 2020 (Firearm Inquiry Statistics; National Corrections Reporting Program), or 2021 (Annual Probation Survey and Annual Parole Survey). • Even its most well-known survey—the National Crime Victimization Survey—is affected by budget pressures that impede improvements to sample design, reduce capacity to address increasing nonresponse rates, and slow implementation of new design features such as those related to crime victims' use of victim services. • Reports are sometimes delayed. For example, from August 2023 to January 2024, BJS published six reports based on data from 2020 and five on data from 2019. • BJS has not been able to act on selected recommendations of National Academies' and other reports listed in the Additional guidance box. ➔ Former BJS directors point out the agency budget has been constrained for a couple of decades. Besides not being able to fund survey redesigns to account for technological and methodological advances, consider the following: <ul style="list-style-type: none"> • The Census of State and Local Law Enforcement Agencies was administered every four years from 1992 to 2008 and has only been successfully administered twice since then, in 2014 and 2022. • The National Inmate Survey was administered in 2007, 2008–09, and 2011–12—and then not again until 2023. • The Recidivism of State Prisoners study hasn't been carried out in 12 years: previous surveys were in 1983, 1994, 2005, 2008, and 2012.
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Agency challenges

- The [Survey of Prison Inmates](#) was administered every five to seven years from 1974 to 2004 but has only been carried out once since then: previous surveys were in 1974, 1979, 1986, 1991, 1997, 2004, and 2016.
 - The [National Survey of Youth in Custody](#) has been administered only three times: 2008–09, 2012, and 2018.
 - The frequency of the [Census of State and Federal Adult Correctional Facilities](#) seems to have decreased from five years to seven years: previous surveys were in 1974, 1979, 1984, 1990, 1995, 2000, 2005, 2012 (limited variables), and 2019.
 - The frequency of the [Census of Federal Law Enforcement Officers](#) has slowed from every two years to at least every four years: 1996, 1998, 2000, 2002, 2004, 2006, 2008, 2016, and 2020.
- ➔ Data collection and reports for prosecution, adjudication, and sentencing are particularly sparse and cover only federal and tribal courts. Besides omitting state and local courts, BJS surveys do not cover the many decisions made during the prosecutorial process (e.g., declining to prosecute). Consider the BJS surveys that cover this part of the criminal justice process:
- The [National Survey of Indigent Defense Systems](#) was conducted in 1999–2000 and 2013.
 - The [Census/Survey of Public Defender Offices](#), which alternates with the National Survey of Indigent Defense Systems, was last conducted as a census in 2007.
 - The [National Survey/Census of Prosecutors' Offices](#) has not been conducted since 2015: Census in 2001, 2007, and 2015; Surveys in 1990, 1992, 1994, 1996, and 2005.
 - The [Census of Tribal Court Systems](#) has been conducted once, in 2014.
 - The [Survey of State Attorneys General Offices](#) was conducted once in 2014 on white-collar crime and once in 2018 on human-trafficking offenses.
 - The [State Court Processing Statistics](#) data collection was collected from 1988 to 2006 and in 2009.
 - The National Judicial Reporting Program was collected biannually from 1986 until 2006, the last year of its collection.
 - The [Federal Justice Statistics Program](#) and [National Pretrial Reporting Program](#), which cover other parts of the process, are active, though the latter last collected data in 2012 (with a data collection currently underway).
- ➔ For a federal statistical agency, BJS has limited staff to carry out the labor-intensive work of a federal statistical agency (e.g., manage ongoing data collection efforts, engage in redesign of collections, and respond to Congressional mandates). Indeed, including estimated set-aside and staffing amounts, its budget-to-staff ratio is roughly four times the median of the other federal statistical agencies. Additional staff are needed to balance workload and improve timeliness of data releases.

<p>Agency challenges</p>	<ul style="list-style-type: none"> ➔ BJS's dependence on its parent agency for some shared services results in delays in hiring and webpage updates. ➔ Mandates from Congress and special requests from the White House and USDOJ generally come without additional funding, further straining BJS limited resources. For example, the FY 2023 House Commerce Justice Science (CJS) committee directed BJS to produce measures “showing how representative is the existing workforce of the average police and sheriff department, compared to the community served” and “of average officer pay in police and sheriff departments compared to cost of living in the jurisdiction in which they are currently employed; and legislative and administrative recommendations for increasing the percentage of officers that live in the jurisdiction in which they are employed and how representative the law enforcement agency is of the community it serves.” In FY 2022, the same committee directed BJS to “collect data on solitary confinement practices, including frequency, conditions of solitary confinement, duration of solitary confinement, the impact of solitary confinement on an individual’s physical and social-emotional health, and the recidivism rate of individuals who have experienced solitary confinement.” There are seven mandates for BJS in the House FY21 report language.
<p>Agency opportunities</p>	<ul style="list-style-type: none"> ➔ With additional staffing, BJS could expand its partnership and advantageous engagement with the FBI and Office for Victims of Crime (OVC) to further extend the coverage of the criminal justice system and therefore the relevance of all its data products. ➔ With additional funding, BJS could more fully implement the recommendations of the reports in the <u>Additional guidance</u> callout below.
<p>Agency-specific recommendations</p>	<p>In addition to the all-agency recommendations in the body of the report, we recommend the following for the President and Congress:</p> <ul style="list-style-type: none"> ➔ Change the appointment of the BJS director to either civil servant or presidential appointment with Senate confirmation for a fixed term not beginning in the first year of an administration. ➔ Make BJS's three budget components (i.e., set-aside input, staffing amount, and congressional appropriation) transparent. ➔ Give BJS more staffing-level flexibility in order to address its staffing challenges (e.g., by providing it with its portion of DOJ-wide staffing account and giving it authority to use all of its budget for salaries and expenses). ➔ Provide more funding so BJS can more regularly field its non-annual surveys and thereby provide more timely and frequent statistics on the entire criminal justice system. ➔ Provide BJS with capacity to directly update its website. ➔ Always accompany new mandates with an adequate budget.

Additional guidance

- Surveying Victims: Options for Conducting the National Crime Victimization Survey. 2008. Washington, DC: The National Academies Press. <https://doi.org/10.17226/12090>
- Ensuring the Quality, Credibility, and Relevance of U.S. Justice Statistics. 2009. Washington, DC: The National Academies Press. <https://doi.org/10.17226/12671>
- Estimating the Incidence of Rape and Sexual Assault. 2014. Washington, DC: The National Academies Press. <https://doi.org/10.17226/18605>
- Modernizing Crime Statistics. Reports 1 and 2 from the National Academies: 2016 and 2018.
- The Limits of Recidivism: Measuring Success After Prison. 2022. Washington, DC: The National Academies Press. <https://doi.org/10.17226/26459>
- Reducing Racial Inequality in Crime and Justice: Science, Practice, and Policy. 2023. Washington, DC: The National Academies Press. <https://doi.org/10.17226/26705>
- The United States Needs to Fill the Gaps in Its Crime Statistics. 2023. Janet Lauritsen in Amstat News.
- State of the Criminal Justice Data Infrastructure. May 2021. Three former leaders of BJS in Amstat News.
- Priorities for 2021 Congress and Administration. Bureau of Justice Statistics memo.
- Campaign for Criminal Justice Data Modernization. April 2021. Arnold Ventures.