

April 11, 2022

The Honorable Matt Cartwright
Chairman
Subcommittee on Commerce, Justice, Science, and
Related Agencies
House Committee on Appropriations
H-307, The Capitol
Washington, DC 20515

The Honorable Jeanne Shaheen
Chairwoman
Subcommittee on Commerce, Justice, Science and
Related Agencies
Senate Committee on Appropriations
Room S-128, The Capitol
Washington, DC 20510

The Honorable Robert Aderholt
Ranking Member
Subcommittee on Commerce, Justice, Science, and
Related Agencies
House Committee on Appropriations
1016 Longworth House Office Building
Washington, DC 20515

The Honorable Jerry Moran
Ranking Member
Subcommittee on Commerce, Justice, Science, and
Related Agencies
Senate Committee on Appropriations
Room S-128, The Capitol
Washington, DC 20510

Dear Chairman Cartwright, Chairwoman Shaheen, and Ranking Members Aderholt and Moran:

As you draft the fiscal year (FY) 2023 Commerce, Justice, Science, and Related Agencies Appropriations Bill, we, the undersigned organizations, write to request that you appropriate **no less than \$110 million for the Research, Evaluation, and Statistics account within the Department of Justice budget**. Within this amount, we request **\$50 million for the National Institute of Justice (NIJ) and \$60 million for the Bureau of Justice Statistics**, housed in the Office of Justice Programs (OJP). These agencies collectively serve as the research and data-gathering arm of the Department of Justice (DOJ), performing an important role in helping us to understand and implement science-based strategies for crime prevention and control.

As you know, our nation's justice system has reached an inflection point, as we work to balance confronting the long-term effects of mass incarceration, over-policing, and racism in our legal system with a continued pursuit of effective strategies to prevent and control crime, support law enforcement personnel, and advocate for victims. It is more important than ever to invest in criminal justice research and data collection to develop a rigorous evidence base that can help us develop equitable and just policies. We greatly appreciate your leadership in recommending increases to these agencies in your Subcommittees' FY 2022 Commerce, Justice, Science Appropriations Bills. However, we were disappointed to see that the final FY 2022 omnibus agreement inflicted damaging funding cuts to both agencies, further intensifying the accrued impact of years of under-investment and proliferating Congressional directives.

National Institute of Justice

Request: \$50 million in FY 2023

The National Institute of Justice provides funding for research, development, and evaluation projects at institutions across the country to shed light on the most pressing issues facing our nation's criminal justice system today, including the drivers of domestic radicalization, responses to the opioid epidemic, improving school safety, advancing forensic science, and fostering positive relationships between law enforcement and the communities they serve—not to mention our urgent need to better understand and

respond to the impacts of the COVID-19 pandemic on the incarcerated population and on our court systems.

Despite our growing need for objective, science-backed solutions, over the past decade, NIJ's purchasing power has dropped by 40 percent due to the combined effect of declining appropriations and inflation. Compounding this pressure are Congressionally mandated directives for specific activities, nearly always without the inclusion of additional funding to the agency's bottom line. As a result, 60 percent of NIJ's FY 2022 appropriation was directed to Congressionally requested research, not including a number of additional projects requested without a specifically allocated funding level. An increase to the NIJ base budget would give the agency the flexibility to direct funding to the most pressing and promising areas of science across all domains of justice research, while still being responsive to topics of Congressional concern.

To begin to address these shortfalls, we ask that you appropriate at least \$50 million for NIJ in FY 2023.

Bureau of Justice Statistics

Request: \$60 million in FY 2023

The Bureau of Justice Statistics produces high-quality data on all aspects of the United States criminal justice system, including corrections, courts, crime type, law enforcement personnel and expenditures, federal processing of criminal cases, Indian country justice statistics, and victims of crime. As the Department's principal statistical agency¹, BJS is bound by a unique set of responsibilities and standards—a commitment to producing data that is relevant, objective, trustworthy, timely, and free of political interference.²

Thanks to this Subcommittee's support, BJS has made significant progress in resolving its backlog of delayed and missing reports and datasets, an issue the research community raised with the Subcommittee over the last few years as in need of immediate attention. We are pleased that BJS has been able get back on track and better articulate the expected delivery dates of its publications and data releases.³

However, the factors that exacerbated this backlog, such as antiquated systems and, especially, staffing shortfalls, can only be resolved by sustained investment. Despite a growing demand from policymakers, researchers, and other stakeholders for high-quality criminal justice data across an expanding array of variables, BJS has also faced significant budgetary challenges over the past decade. The agency's purchasing power has dropped by nearly one third (32.7 percent) since FY 2012 due to the combined effect of declining appropriations and inflation. Additional funding would allow the agency to modernize its data collection and dissemination systems, hire the necessary experts, and to begin to develop the next generation of statistical products to keep pace with the ever-changing criminal justice environment.

In order to restore lost purchasing power and make much-needed investments in modernization, we ask that you appropriate at least \$60 million for BJS in FY 2023.

¹ <https://www.whitehouse.gov/omb/information-regulatory-affairs/statistical-programs-standards/>

² <https://www.nap.edu/catalog/24810/principles-and-practices-for-a-federal-statistical-agency-sixth-edition>

³ <https://bjs.ojp.gov/library/publications/forthcoming>

OJP Strategic Directions

Request: Report Language

While DOJ has made strides in better integrating research and data into its activities thanks to its implementation of the *Foundations for Evidence-Based Policymaking Act of 2018*,⁴ significant work remains to be able to truly deliver on NIJ and BJS's potential to transform the work of the Department. At a time when we are doubling down on investing in research, science, and data in many other parts of government, NIJ and BJS lag behind peer agencies in terms of budget growth, hampering their ability to keep pace with new technologies and scientific developments. Ensuring that DOJ decisionmakers have access to cutting-edge science and the next-generation statistics requires sustained investment of the sort OJP has not seen in over a decade, as well as a long-term strategic vision for supporting the development of scientific findings and evidence to improve justice policy.

We request that the Subcommittee direct OJP to undertake a systematic review of its use of evidence and data and to identify the investments needed to realize the promise of its research and statistical agencies. We propose that the report accompanying the FY 2023 CJS Appropriations Bill include the following language:

Research, Evaluation, and Statistics. — The Committee recognizes the critical role of the National Institute of Justice (NIJ) and the Bureau of Justice Statistics (BJS) within the Office of Justice Programs (OJP) in improving the nation's understanding of crime and justice through science and data. Investments in modernization are urgently needed to develop evidence-based justice policies. However, directives under the *Foundations for Evidence-Based Policymaking Act of 2018* (PL 115-435) ("Evidence Act") and other Congressionally-requested initiatives have given these agencies new responsibilities and obligations without additional resources. The Committee directs the Office of Justice Programs, in cooperation with the National Academies of Sciences, Engineering, and Medicine if necessary, to conduct an assessment of the impact of these dynamics on NIJ and BJS's ability to keep pace with cutting-edge scientific practice and emerging policy needs. OJP is further directed to develop a forward-looking vision for strengthening these agencies' ability to nimbly respond to and anticipate future needs and scientific developments over the next decade and identify the resources needed to achieve this vision. These activities should, where possible, be integrated into OJP's implementation of the Evidence Act. OJP shall provide an update to this Committee on its progress within 180 days from the enactment of this Act.

Thank you again for your consideration of this request. Please contact Wendy Naus (wnaus@cozza.org) at the Consortium of Social Science Associations (COSSA) if you have any questions.

Sincerely,

Academy of Criminal Justice Sciences Executive Board
American Psychological Association
American Statistical Association
Executive Committee of the American Society of Criminology
Association of Population Centers
Association of Public Data Users (APDU)
Consortium of Social Science Associations

Crime & Justice Research Alliance
Institute for Excellence in Government
Johns Hopkins Center for Gun Violence Solutions
Justice Research and Statistics Association
The National Alliance to Advance Adolescent Health
Population Association of America
Society for Prevention Research
University of Cincinnati

⁴ <https://www.justice.gov/open/roles-and-responsibilities-under-foundations-evidence-based-policymaking-act>