



Promoting the Practice and Profession of Statistics[®]

732 North Washington Street, Alexandria, VA 22314-1943

(703) 684-1221 ■ Fax: (703) 684-2037 ■ Email: asainfo@amstat.org

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June 4, 2015

The Honorable Robert Goodlatte
Chair, Judiciary Committee
U.S. House of Representatives
Washington, DC 20215

The Honorable John Conyers
Ranking Member, Judiciary Committee
U.S. House of Representatives
Washington, DC 20215

The Honorable Charles Grassley
Chair, Judiciary Committee
United States Senate
Washington, DC 20510

The Honorable Patrick Leahy
Ranking Member, Judiciary Committee
United States Senate
Washington, DC 20510

Dear Chairman Goodlatte, Ranking Member Conyers, Chairman Grassley, and Ranking Member Leahy,

With the Office of Justice Programs (OJP) due for reauthorization, I write to urge two provisions be included to strengthen the Bureau of Justice Statistics (BJS) in its mission to “collect, process, analyze, and disseminate accurate and timely information on crime and the administration of justice and to assist States and localities to improve criminal justice record-keeping.” Namely, the American Statistical Association urges Senate confirmation for the BJS director—removed in 2012—be restored and the director’s term be changed from serving at the will of the president to a fixed term of at least four years staggered from the presidential elections.

It is imperative that policy discussions on the often contentious issues regarding crime and justice be informed by statistical data that are trusted by the public to be objective, valid, and reliable. As a letter recently signed by 20 former statistical agency heads states, “All sides of a policy debate should be able to look to the statistical data as objective and high quality. Any perception that the data have been influenced by a partisan perspective undermines the policy making and its administration.”

To ensure BJS data are viewed as objective and of highest quality, BJS must be seen as an independent statistical agency, wherein its data collection, analyses, and publication are under the sole control of the BJS. A statistical agency’s independence is greatly aided by presidential

appointment and Senate confirmation because of the vetting and prestige it provides. The combination of the two—presidential appointment and Senate confirmation (PASC)—is especially important for establishing the director as independent and fully qualified. The fixed and staggered term further ensures both independence—because of the possibility of serving different administrations—and a fully qualified director. In addition, the PASC process ensures the director will maintain a stronger voice within DOJ and OJP to articulate budget and human resource needs to protect the long-term requirements of statistical series and the infrastructure underpinning the more than 60 national statistical programs on crime and justice and the nearly 50,000 agencies, offices, and institutions from which data must be collected.

Over the last several years, the DOJ has strengthened institutional arrangements that protect BJS autonomy and help the agency fend off unwarranted influence and ensure BJS has the last word in the collection and dissemination of statistics. We applaud these developments and urge they be continued.

The American Statistical Association—the second-oldest, continuously operating professional society in the United States—has 19,000 members in government, industry, and academia. The ASA has a proud tradition of service to statisticians, quantitative scientists, and users of statistics across a wealth of academic areas and applications. Among our many committees is the Committee on Law and Justice Statistics, which is devoted to BJS issues.

In short, we support statutory language explicitly confirming the independence of the agency's leadership and restoring the Senate confirmation of the BJS director for a fixed term staggered from the presidential cycle. This provides periodic infusion of fresh eyes and new thinking on the ever-changing nature of crime and justice in the United States while simultaneously insulating the agency from political pressure or interference. The strength and autonomy of a federal statistical agency that we advocate are in accordance with the National Academy of Sciences' *Principles and Practices for a Federal Statistical Agency*—the fourth and fifth editions of which have been endorsed by the ASA Board of Directors—and new guidance from the Office of Management and Budget directive for federal statistical agencies (www.gpo.gov/fdsys/pkg/FR-2014-12-02/pdf/2014-28326.pdf), as well as the DOJ Scientific and Research Integrity Policy.

Thank you for your consideration. We would welcome the opportunity to meet with you to further discuss our recommendation or to otherwise provide additional information.

Sincerely,



David Morganstein
President, American Statistical Association

NB: A similar letter was sent to Attorney General Loretta Lynch.