

March 23, 2023

The Honorable Hal Rogers, Chair  
Subcommittee on Commerce, Justice, Science,  
and Related Agencies  
House Committee on Appropriations  
Washington, DC 20515

The Honorable Jeanne Shaheen, Chair  
Subcommittee on Commerce, Justice, Science  
and Related Agencies  
Senate Committee on Appropriations  
Washington, DC 20510

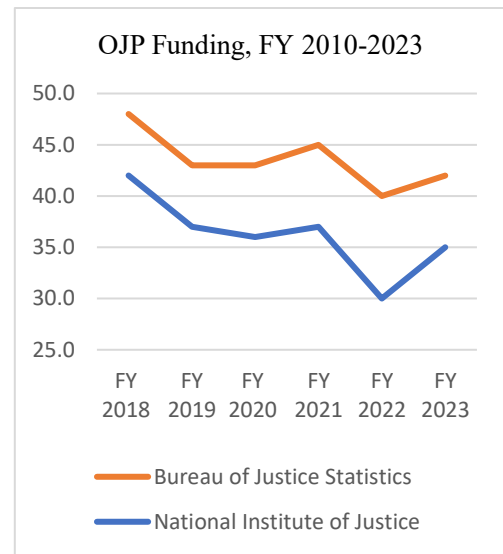
The Honorable Matt Cartwright, Ranking Member  
Subcommittee on Commerce, Justice, Science,  
and Related Agencies  
House Committee on Appropriations  
Washington, DC 20515

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

Dear Chairman Rogers, Chairwoman Shaheen, Ranking Member Cartwright, and Ranking Member Moran:

As you draft the fiscal year (FY) 2024 Commerce, Justice, Science, and Related Agencies Appropriations Bill, we, the undersigned organizations, write to request that you appropriate at least **\$135 million for the Research, Evaluation, and Statistics account within the Department of Justice budget**. Within this amount, we request at least \$60 million for the National Institute of Justice (NIJ) and \$75 million for the Bureau of Justice Statistics. These agencies collectively serve as the research and data-gathering arm of the Department of Justice, filling an important role in helping 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 the Subcommittees' leadership in restoring a portion of the cuts that were taken by the agencies in recent years. However, each remain significantly under-resourced due to the accrued impact of years of declining budgets and the ever-increasing demand for more information and data.



Therefore, as you prepare spending legislation for FY 2024, the justice research and statistics stakeholder community respectfully request the Subcommittee take the following actions:

- (1) Appropriate no less than **\$135 million for the Research, Evaluation, and Statistics account within the Department of Justice budget**, which includes at least **\$60 million for the National Institute of Justice** and **\$75 million for the Bureau of Justice Statistics**.

- (2) **Increase the Research and Statistics Set-Aside (RSS)** from 2% of the Office of Justice Programs (OJP) programmatic budget to 3% in FY 2024. This transfer provides BJS and NIJ with an important source of funding to evaluate existing OJP programs without taking away resources from each agency’s primary responsibilities.
- (3) **Provide flexibility to NIJ with respect to funding for individual research topics.** Instead of prescribing specific funding amounts for research topics identified by the Committee, language could state that the Committee “recommends” or “advises” NIJ to pursue certain topics at levels the agency deems appropriate. Allowing NIJ such flexibility will allow it to direct precious resources to research questions that hold the greatest potential for near-term impact while also addressing priorities identified by Congress.

Additional information about the unique roles and needs of NIJ and BJS is provided below.

## National Institute of Justice

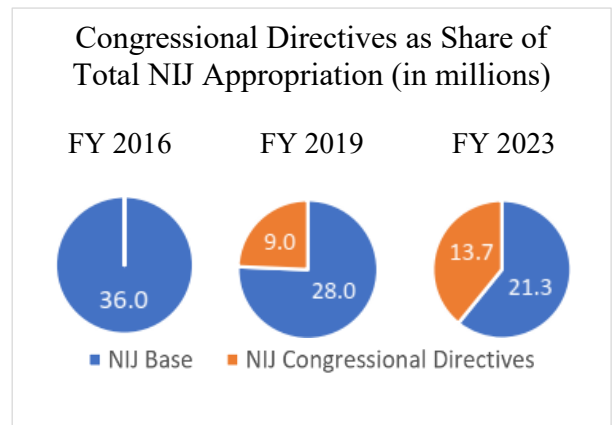
The National Institute of Justice (NIJ) provides funding for research, development, and evaluation activities at institutions across the U.S. to help shed light on the most pressing issues facing our nation’s criminal justice system today, including drivers of domestic radicalization, responses to the opioid epidemic, improving school safety, and fostering positive relationships between law enforcement and the communities they serve.

Despite the nation’s growing need for objective, science-backed solutions, NIJ’s budget has been on a gradual decline for more than a decade. Compounding the pressures caused by decreasing annual appropriations is the inclusion of Congressionally mandated directives for targeted research activities, often without the inclusion of additional funding to the agency’s bottom line.

It has become the norm in recent years for the CJS appropriations bill to include specific funding directives for research areas that the Committee would like NIJ to prioritize. To be clear, many of these topics (e.g., violence against Indigenous women, school safety, domestic radicalization, etc.) are indeed important and require additional study. However, the inclusion of specific funding amounts in the annual appropriations bills limits NIJ’s ability to apply the appropriate level of resources to these and other pressing topics. For example, amounts provided in the bill for specific research topics may exceed the amounts required for that research or evaluation activity, thereby limiting funds that could be more efficiently spent elsewhere.

Since 2017, the portion of the NIJ appropriation that has been diverted to topics identified by Congress has grown from 10% to 39% in FY 2023. This has had a deleterious impact on the agency. For example, due to a lack of purchasing power, NIJ was not able to issue funding solicitations in FY 2022 on the following topics:

- The intersection of **homelessness** and the criminal justice system
- Preventing and mitigating the impact of **mass shootings**
- The impact of **prosecutorial discretion** on crime



- Victimization **experiences of immigrant** populations
- **White collar crime**
- Social science research related to **forensic science**

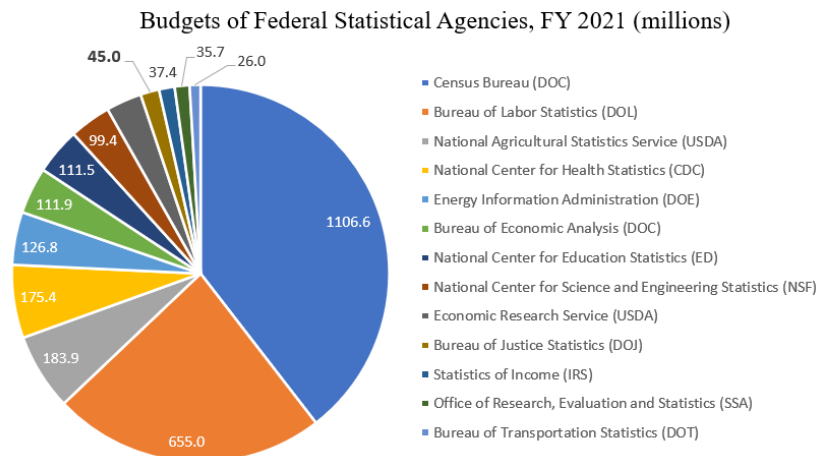
In addition to research examples like these, funding shortfalls also limit NIJ’s ability to support dissemination activities that aim to ensure evidence stemming from NIJ investments translate to improvements in policies and practices that promote public safety and equitable access to justice on the ground.

For FY 2024, the justice research and statistics stakeholder community urges the Committee to appropriate at least \$60 million for the National Institute of Justice. In addition, we respectfully request that funding amounts not be specified for individual research topics. Instead, language could state that the Committee “recommends” or “advises” NIJ to pursue such topics at levels the agency deems appropriate. Allowing NIJ such flexibility can allow it to direct precious resources to research questions that hold the greatest potential for near-term impact while also addressing priorities identified by Congress.

## Bureau of Justice Statistics

The Bureau of Justice Statistics (BJS) produces high-quality data on many 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 agency—one of 13 federal principal statistical agencies—BJS is bound by a unique set of responsibilities and standards that governs its role in producing data that is relevant, objective, trustworthy, and timely.<sup>1</sup>

Despite 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. Since FY 2010, the BJS budget has decreased by 30%, not accounting for inflation. Steady declines in funding have resulted in antiquated systems and, especially, staffing shortfalls, which can only be resolved through sustained investment. Further, despite its growing responsibilities, BJS is among the smallest of the 13 principal statistical agencies (see chart).



Inadequate funding means that data are not being collected on major segments of the criminal justice system. For example:

<sup>1</sup> <https://www.nap.edu/catalog/24810/principles-and-practices-for-a-federal-statistical-agency-sixth-edition>

- Data on **prosecution and sentencing** is largely nonexistent, including information on how fines, conditions of supervision, and mandatory treatments are applied.
- **Racial and ethnic data** are not captured in a standard manner across regions and agencies, making it difficult to get an accurate national picture of racial disparity. Further, many policies that may have a disparate impact on communities of color or low-income individuals (i.e., fees, fines, voter disenfranchisement) are not well documented.
- Data on **mental health and substance use** and their connection to incidents of crime is not well documented.
- Little is known about how **law enforcement officer wellbeing** impacts their work or ability to connect with and gain the trust of their community.
- The **societal impacts of crime** on communities and families (e.g., stigma, the experiences of families of those who are incarcerated, etc.) are not well documented.
- Data about **use of force** by the police is inconsistent and not required to be reported publicly, with agencies representing 41% of total sworn officers participating in the voluntary data collection as of 2019.

An appropriation of \$75 million in FY 2024 would bring the agency back up to its FY 2011 level when adjusting for inflation and set BJS on a path toward right-sizing its budget. It would allow BJS to modernize data collection and dissemination systems, hire the necessary experts, and begin to develop the next generation of statistical products to keep pace with the ever-changing criminal justice landscape and fill critical knowledge gaps.

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

Sincerely,

American Anthropological Association  
 American Educational Research Association  
 American Political Science Association  
 American Sociological Association  
 American Statistical Association  
 Association of Population Centers  
 American Psychological Association  
 Consortium of Social Science Associations  
 Crime & Justice Research Alliance  
 Executive Committee of the American Society of Criminology  
 Federation of Associations in Behavioral and Brain Sciences  
 Justice Research and Statistics Association  
 National Postdoctoral Association  
 Population Association of America  
 Society for Research in Child Development