



POLICY GUIDANCE: BJS DATA RELEASE AND DISSEMINATION

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Background

The [Bureau of Justice Statistics](#) (BJS), located within the Office of Justice Programs in the U.S. Department of Justice, is a Recognized Statistical Agency [Title 44 U.S.C. Section 3563]. BJS's mission is to collect, analyze, publish, and disseminate information on crime, criminal offenders, victims of crime, and the operation of justice systems at all levels of government.

BJS's mission and legislative mandate are built on the concept that data collected and published with public taxpayer funds, by a public agency, or for a public agency are a "public good" that must be made available as widely as possible or practical, on an equitable and timely basis, consistent with BJS's statutory data use and confidentiality requirements.

Policy

This policy establishes dissemination practices and principles to support BJS in meeting its fundamental responsibility to provide equitable and timely access to its statistical products and data, subject to strong confidentiality protections. Statistical products include reports, bulletins, tabulations, data analysis tools, and public-use and restricted-use data files. Exceptions to this policy are rare and must be approved by the BJS Director or the delegate.

BJS data collection agents that collect or handle data under BJS's authority have access to unpublished data during the data collection, analyses, and statistical product preparation processes. Such access is **not** considered to be a public release of the data and is strictly controlled by BJS as a condition of funding. These entities may **not** use any data collected in conjunction with BJS-funded activities for any non-BJS approved purpose before the data are publicly released.

Scope

This policy applies to **all** BJS statistical data collections and statistical products.

Dissemination Principles and Practices

BJS takes into consideration three main factors when determining when and how to release a statistical product:

- Necessary measures to protect confidentiality and privacy.
- Availability of resources required to produce tabulations, prepare statistical products, and create public-use and restricted-use data files.
- Data quality, analytic, or data processing issues that may limit the ability to make available public-use data and/or tabulations.

BJS follows applicable federal authorities and guidelines that govern the collection and dissemination of its statistical information.

BJS is authorized to conduct its data collections under Title I of the Omnibus Crime Control and Safe Streets Act of 1968 [Title 34, U.S.C. Section 10132].¹ BJS is required by law to use the information it collects only for statistical or research purposes and must protect the confidentiality of information identifiable to a private person [Title 34, U.S.C. Sections 10134 and 10231].

BJS follows established information dissemination practices, including those outlined in OMB's [*Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies*](#); the [*BJS Data Quality Guidelines*](#); OMB's Statistical Policy Directive No. 4: [*Release and Dissemination of Statistical Products Produced by Federal Statistical Agencies*](#); and OMB's Statistical Policy Directive No. 2: [*Standards and Guidelines for Statistical Surveys*](#).

The [*BJS Data Protection Guidelines*](#) describe in more detail the various authorities that govern BJS's statistical activities.

BJS releases its statistical products as soon as practical after completing data collection, analysis, and verification.

To promote data timeliness and relevance, BJS releases an annual publications calendar and publishes its statistical products on its website as soon as possible after the data collection ends and analyses are complete. BJS may release preliminary data to increase timeliness when a publication is significantly delayed. In the event a release is delayed, BJS will update its publications calendar and notify users through its website. Prior to release, BJS conducts the appropriate verification procedures to ensure sufficient data quality and to protect confidentiality.

BJS makes its data available to the public as widely as possible, to the extent practical, in various formats and platforms that are user-friendly and easily accessible.

BJS publishes data on its website through online data analysis tools and on its publication pages. Some data analysis output is available via online Application Programming Interfaces (API). Data available on the BJS website are available to all users and do not contain any personally identifiable information.

¹ BJS administers some data collections under another authority in conjunction with Title I, including the Prison Rape Elimination Act of 2003 [P.L. 108-79] and the Death in Custody Reporting Act of 2013 [P.L. 113-242].

BJS makes its data widely accessible using different tiered access methods to support its statistical mission, subject to strong confidentiality protections. To the extent possible, BJS archives its published microdata for secondary analysis to support and facilitate additional research in the field of criminal justice. Data are available as public-use or restricted-use files, depending on the type of data and required access controls to protect confidentiality. Public-use data are available for online download. Prospective users of BJS's restricted-use data may apply for access through the [Standard Application Process](#). Approved users are required to sign a confidentiality pledge, comply with regulations that govern the protection of human subjects, and adhere to the terms of a restricted data use agreement.

BJS releases public-use and/or restricted-use data files as soon as practical, where possible, after BJS publishes the data in a report or another statistical product.

Prior to releasing public-use or restricted-use data files, BJS conducts a comprehensive disclosure risk review on each file to assign the appropriate access method and apply the needed privacy enhancing techniques to mitigate potential privacy risks and to protect confidentiality.

In the event delays impede the timely release of a BJS statistical product, BJS may consider releasing a public-use or restricted-use data file in advance of the publication to support its mission to disseminate timely data. The BJS Director approves such releases.

BJS upholds its fundamental responsibility to provide equitable access to all users.

BJS operates under the premise that all users must be given equitable access to published BJS data to the extent practical. BJS does not provide preferential early access to its data files, tabulations, or statistical products, including tabulations based on unpublished data that are otherwise ready for public release. When a data asset is made available to one user, BJS will consider it releasable to others, subject to the appropriate confidentiality protections.

BJS may authorize pre-release access to the media of final statistical products under an embargo to maximize the public's access to informed discussions about the data. BJS may also grant embargoed access to data providers (e.g., jurisdictions or facilities) that are specifically detailed in a statistical product to provide them an opportunity to prepare for any inquiries that may result from the release of a given report. BJS statistical products released during the embargo period are **not** subject to the approval or consent from a cognizant jurisdiction or facility. The standard embargo period is typically 2–3 days prior to release of the report to the public.

On rare occasions, BJS may release tabulations to a limited number of users before the general data release, e.g., departmental publications with lengthy publication lead times. The BJS Director will approve such releases.

Freedom of Information Act Requests and Federal Confidentiality Protections

BJS complies with the Freedom of Information Act [FOIA; 5 U.S.C. § 552]. BJS data collections have protections under a broader federal statute that affects the confidentiality of information in the Privacy Act of 1974 and FOIA. Generally, unpublished BJS data fulfill one of the nine FOIA exemptions and are not releasable to the public due to BJS's statutory data use and confidentiality requirements.

BJS Contacts

Direct questions or comments to AskBJS@usdoj.gov. Include "BJS Data Release Policy" in the subject line.