

List of Attachments:

- A. Focus Group Protocol
- B. Draft Invitation
- C. Draft Email Confirmation
- D. Draft Consent Form
- E. Draft Thank You Email
- F. RTI IRB Approval

## Attachment A

### Administrative Instructions (2 minutes)

Hello thank you for taking the time to participate in this focus group today. My name is {INTERVIEWER NAME} and I work with RTI International, a nonprofit research organization. The Bureau of Justice Statistics, or BJS, has partnered with RTI to explore how criminal justice entities 1) define digital evidence; 2) collect, analyze, and retain digital evidence; and 3) use findings acquired from digital evidence and assess its impact on their investigations.

To facilitate our notetaking, we would like to record our conversations today. When scheduling this focus group, we sent you the consent form, that you all have signed, consenting for the session to be recorded.

As a reminder, your participation is voluntary, and you may stop at any time. Your responses will not be attributed to you and only the researchers on the project will have access to the recording which will be destroyed after it is transcribed.

Does anyone have any questions? [ANSWER ANY QUESTIONS]

I will now begin the recording.

### Introductions (3 minutes)

We would like to start with group introductions. Please share your name and your agency/position.

### Understanding Digital Evidence (15 minutes)

To get us started, and acknowledging that we may not come to an explicit consensus, we would like to understand a little bit more of how you/your agency defines digital evidence? What is or is not included? (15 minutes)

[Probe if does not come up with response to main question]

- Could this definition differ depending on the type of case or role of person in your agency? Stage of the investigation process?

### Evidence Collection, Analysis and Retention (20 minutes)

Tell me about your procedures for collecting, analyzing, and retaining digital evidence? Are they formally documented?

## Attachment A

### **[Optional probe if does not come up with response to main question]**

- Do these procedures differ for different types of digital evidence?
- Who maintains and/or sets these policies?
- How do you know and or learn about these policies/procedures?

### **Impact of Digital Evidence (15 minutes)**

In what ways has the use of digital evidence positively impacted your cases?

In what ways has the use of digital evidence negatively impacted your cases?

### **[Probe if does not come up in response to main question]**

- Are there ways that digital evidence collection or analysis processes could be improved to make digital evidence more useful in your cases?

### **[For Legal Community Focus Group Only]**

- Are there challenges for digital evidence admissibility given the fast-paced environment?

### **Closing Question (5 minutes)**

Is there anything else you think is important to mention on the current state of digital forensics?

Those are all my questions for you. Thanks again for participating today. If you have any questions regarding this focus group, or the research, please do not hesitate to contact me.

### **Follow up prompts (if needed)**

- Can you elaborate on that point?
- Could you provide a specific example?
- How does that compare to your previous experiences?
- What factors do you think contribute to that situation?

## Attachment B



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<<Month Day>>, 2025

Dear <<Insert name >>:

The Bureau of Justice Statistics (BJS) and RTI International are conducting a new research study aimed to develop national statistics on the use of digital evidence by criminal justice agencies. The goal is to develop new surveys that can be used to enhance the limited statistics currently available on this topic from BJS's Census for Publicly Funded Forensic Crime Laboratories and Census of State and Local Law Enforcement agencies.

According to its latest report, the Regional Computer Forensic Laboratories reported receiving over 9,000 requests for service assistance across local, state, and federal entities in 23 states in 2023. To better understand how digital evidence impacts investigations and case outcomes nationwide and across different criminal justice system entities, BJS and RTI International seek to identify key statistical needs for the field by soliciting your expertise in this area.

A critical aspect of this effort is to hear from practitioner experts about the relevant areas that should be considered for a nationwide data collection effort. Given your experience and contributions to the field, we would like to invite you to participate in a virtual focus group to inform this research effort. Participation in this discussion is voluntary, and we anticipate that the session will take approximately 60 minutes.

If you would like to participate, please confirm your participation and availability by selecting the date(s)/time(s) that works best for you using the link provided below.

<<insert form link>>

Should you agree to participate, our team will be in touch with more details on the focus group, including a date and time for the session.

If you have any additional questions, please do not hesitate to contact me at [njones@rti.org](mailto:njones@rti.org) or BJS Statistician Charlotte Lopez-Jauffret at [charlotte.lopez-jauffret@usdoj.gov](mailto:charlotte.lopez-jauffret@usdoj.gov).

Sincerely,

***Nicole Jones, MSDFC, MSCJ, 3CE***

Investigative Sciences Program | Center for Forensic Science Advancement and Application

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<https://www.rti.org/rti-center-forensic-sciences>

BJS is authorized to conduct this data collection under Title 34 United States Code Section 10132. By law, BJS will use the information you provide only for statistical or research purposes and must protect the confidentiality of information identifiable to a private person against unauthorized disclosure or misuse. [Title 34 U.S.C. Sections 10134 and 10231] Any person who violates these provisions may be punished by a fine up to \$10,000, in addition to any other penalties imposed by law. Per the Cybersecurity Enhancement Act of 2015, federal information systems are protected from malicious activities through cybersecurity screening of transmitted data. The [BJS Data Protection Guidelines](#) provide more detailed information on how BJS and RTI International will use and protect data collected under BJS's authority.

## Attachment C



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<<Month Day>>, 2025

Dear <<Insert name >>:

Thank you for your willingness to participate in this research study conducted by the Bureau of Justice Statistics (BJS) and RTI International to develop national statistics on the use of digital evidence by criminal justice agencies. It is critical to hear from practitioner experts about the relevant areas that should be considered for a nationwide data collection effort. As a reminder, participation in this discussion is voluntary, and we anticipate the focus group will take approximately 60 minutes.

The virtual focus group session will take place over [Zoom or Teams] on <<Insert Date>> at <<Insert Time>>. Please use the following link to access the virtual focus group:

<<Insert Link>>

**If you are not able to attend the focus group at this time or are no longer interested in participating in the focus group, please let us know by responding to this email.**

If you have any additional questions, please do not hesitate to contact me at [njones@rti.org](mailto:njones@rti.org) or BJS Statistician Charlotte Lopez-Jauffret at [charlotte.lopez-jauffret@usdoj.gov](mailto:charlotte.lopez-jauffret@usdoj.gov).

Sincerely,

***Nicole Jones, MSDFC, MSCJ, 3CE***

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### ***Study Introduction***

The Exploratory Study of Digital Evidence Collection, Analysis, Retention, and Use is being conducted by the Bureau of Justice Statistics (BJS) to develop an understanding of how criminal justice agencies collect, analyze, and use digital evidence, and the impact it has on their work. BJS has partnered with RTI International to convene several focus groups with staff at criminal justice agencies to inform question development aimed to develop national statistics on the use of digital evidence by criminal justice agencies. These focus groups will provide meaningful insight from practitioners about the relevant areas that will be considered for a nationwide data collection effort.

### ***Description of the Study***

The Exploratory Study of Digital Evidence Collection, Analysis, Retention, and Use is a mixed methods research project aimed to collect qualitative and quantitative information to inform BJS data collection efforts about digital evidence and its uses for criminal justice entities. The study will later include a survey but will first be informed by views directly from the field to understand how the practitioners across criminal justice entities define digital evidence and how findings acquired from digital evidence may impact their investigations.

The focus groups will be conducted by a staff member from RTI on behalf of BJS and will consist of up to 5 participants. You will connect with the interviewer via Zoom or Microsoft Teams using computer audio or telephone. You can keep your web camera on or opt to turn it off during the discussion. As a group, you will discuss your thoughts and experiences relating to the interviewer questions. The focus group will last approximately 60 minutes.

The interviewer will not ask you any sensitive questions. You will be asked to provide your name and role within your organization, which BJS will not use for any reporting purpose. Your responses will help inform BJS on how criminal justice agencies collect and store digital evidence, and the impact of digital evidence on cases.

We would like your permission to record the focus group, both what you say and what is on the screen while you are being interviewed. If you decline to be recorded, you can still provide your insights outside of the focus group. Only the people who work on this study will have access to the recording, which will be used to ensure that we have understood your feedback when we are writing the results. If you agree to allow us to record, we will keep a copy of the recording through the completion of the study and then we will delete it.

### ***Possible Risks or Discomforts***

The focus group questions will not be personal in nature. There are no anticipated risks or discomforts to participating in the study.

### ***Benefits***

You will not receive any direct benefits from participating or completing the focus group. However, we hope you will participate because your answers will help BJS improve its research on digital evidence so that we can produce the best statistics possible.

**Voluntary Participation**

Your participation is completely voluntary. There are no penalties for not participating. You may skip any questions you do not want to answer or stop the interview at any time.

**Authority and confidentiality**

BJS is authorized to conduct this study under Title 34 United States Code (U.S.C.) Section 10132(c)(12). BJS and RTI may only use the data we collect for statistical or research purposes, and we are required by Federal law to protect your privacy and confidentiality (34 U.S.C. Sections 10134 and 10231). BJS and RTI are required by law to use secure systems to store and manage your personally identifiable information. It is a crime for anyone on the project team to use or share your information in a way that breaks Federal law.

This study has been approved by the Office of Management and Budget (OMB). The eight-digit OMB number, XXXXXX, confirms this approval and expires on XXXXX. Without this approval, we could not conduct this study.

**CONTACTS FOR QUESTIONS:**

You may ask the interviewer questions during the focus group. You may also send comments or questions about this study or any other aspect of the survey, including to [AskBJS@usdoj.gov](mailto:AskBJS@usdoj.gov).

Please indicate your responses to the questions below and sign this form to indicate whether you agree to participate in the interview and whether you allow us to record what you say and the screen (audio and video). As a reminder, you can provide your insights outside of the focus groups without giving permission to record the interview.

*Please select the appropriate options below to indicate your consent to participate:*

**I have read the above, understand that my participation is voluntary, and I agree to participate.**

**I do not agree to participate in this study.**

*Please select the appropriate option below to indicate your consent to record this interview:*

**I agree for this interview to be audio and video recorded.**

**I do not agree for this interview to be audio and video recorded.**

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Signature of participant

---

Date

# Attachment E



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<<Month Day>>, 2025

Dear <<Insert name >>:

Thank you for your participation in the focus group! The insights we gain from these discussions help us to better understand use of digital evidence by criminal justice agencies. We welcome you to provide any addition insights or information that may not have surfaced during our discussion. Your feedback is invaluable to the continued development of this research project.

If you have any questions, please do not hesitate to contact me at [njones@rti.org](mailto:njones@rti.org) or BJS Statistician Charlotte Lopez-Jauffret at [charlotte.lopez-jauffret@usdoj.gov](mailto:charlotte.lopez-jauffret@usdoj.gov).

Sincerely,

***Nicole Jones, MSDFC, MSCJ, 3CE***

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NOT HUMAN RESEARCH DETERMINATION

March 14, 2025

Michael Planty  
202-728-1955

[mplanty@rti.org](mailto:mplanty@rti.org)

Dear Michael Planty:

On 3/14/2025, the IRB reviewed the following submission:

Type of Review:	Initial Study
Title:	BJS Statistical Support Program: Exploratory Study of Digital Evidence Collection, Analysis, Retention, and Use
Investigator:	Michael Planty
IRB ID:	STUDY00023186
Funding Source:	Dept of Justice BJS
Customer/Client Name:	Dept of Justice BJS
Project/Proposal Number:	0219772.000.001
IND, IDE, or HDE:	None

The IRB determined that the proposed activity is not research involving human subjects as defined by DOJ regulations 28 CFR 46.

Although RTI IRB oversight of this activity is not required, this determination applies only to the activities described in the IRB submission and may not apply should any changes be made. If the nature or scope of the activity changes and there are questions about whether the revised activities constitute human subjects research, you should contact the IRB to discuss whether a new submission and determination is necessary.

Sincerely,

The RTI Office of Research Protection