

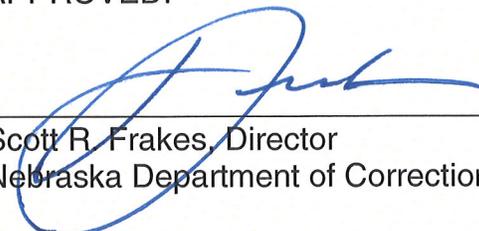
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		<b>RESEARCH</b>	

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### SUMMARY of REVIEW

Revisions throughout. Attachments C and F updated.
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APPROVED:

  
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 Scott R. Frakes, Director  
 Nebraska Department of Correctional Services

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PURPOSE

To provide for the collection and dissemination of information for management, planning and budgetary purposes and to provide for the supervision and control of the processes of research analysis and major information requests throughout the Nebraska Department of Correctional Services (NDCS).

GENERAL

It is policy of NDCS to support research activities that contribute to the attainment of the Department's goals and objectives or to the collective body of criminal justice knowledge. Warden and Program heads shall encourage and use research conducted by outside professionals. Operational personnel should provide assistance to researchers in carrying out their research and evaluations. NDCS shall ensure that research efforts shall not endanger the health, dignity or rights to privacy of its research participants or diminish the protection of the public through implementation of a practice not supported by research evidence. Further, it is the policy of NDCS to utilize a coordinated system of information dispensation including prompt and appropriate responses to requests for information from entities outside of NDCS.

PROCEDURE

Where appropriate the Agency in accordance with the procedures outlined below permits, encourages and uses research conducted by outside professionals.

I. RESEARCH PROPOSAL / DESIGN APPROVAL

- A. All research designs and proposals, whether of internal or external origin, shall be submitted to Planning, Research and Accreditation (PRA) along with any comments prepared by the receiving Warden and an approved Institutional Review Board (IRB) or similar ethics board application, when available. If an ethics board is unavailable to the researcher, or if the board requires a letter of support from NDCS prior to approving a project application, the researcher shall contact the NDCS Research Administrator to review the design or proposal for completeness, compliance with NDCS goals and objectives, and the maintenance of the rights to privacy of participants. Research designs and proposals may be returned to the researcher for clarification or additional information as required. All research designs or proposals must specify purpose, hypothesis, methodology and data requirements and researchers must submit finalized survey instruments when applicable (see Attachment A - Requirement for Research/Information). Authorization to proceed will also depend on the nature of the proposal; the potential impact to the safe and secure operation of any institution, center or program; the cost to NDCS involved in supplying any necessary data; the amount of staff time involved; and impact on victim(s).
- B. All researchers shall review and agree to abide by this Administrative Regulation, institutional procedures and the American Correctional Association's Code of Ethics (Attachment B). This agreement shall be documented with the "Research Statement of Agreement" form (Attachment C).
- C. Warden/Program Head (i.e., Records, Mental Health, and Health Services) shall review and provide recommendation(s) for all research designs or proposals for which their area is a proposed research site. A facility/program staff member shall

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also be identified to coordinate all approved research. These recommendations and identifications shall be detailed on the "Conduct of Research" form (Attachment D) and shall be submitted to PRA for compilation. All research designs and proposals shall be submitted to the appropriate Deputy Director(s) and the Director by PRA.

- D. This shall include any recommendations/comments regarding final authorization to proceed provided by effected Warden and PRA.
- E. Determination of the nature of any research efforts shall rest with the Director of Correctional Services. No research effort shall commence without the written approval and clearance of the Director. Written executive approval/agreement shall include, but not be limited to, the following:
  - 1. The Department and/or facility authorization of access to specified data, inmates or staff.
  - 2. Researcher specification of the use to which said data/information will be put; and
  - 3. Researcher agreement to abide by the NDCS policies and institutional procedures regarding subject participation, protection of confidentiality, data security and disclosure and dissemination of research findings.

If executive approval is not achieved, the design or proposal may remain open pending revision by the researcher or a letter of denial may be submitted to the researcher by PRA at the discretion of the Director. (See Attachment E for a flowchart of this approval process.)

- F. Researcher wishing to enter a facility or program area to collect data will be required to obtain an appropriate identification card and security background check from Central Office Human Resources before conducting research. See Administrative Regulation 112.14, *Identification Cards*. Researchers collecting secondary data extracts containing items of a sensitive nature will also be required to submit a security background check, but will not be issued an identification card.
- G. All research requests are to be coordinated though PRA. Once executive approval is granted, the researcher has 60 days to begin research or executive approval to conduct research will be suspended. Once approval to conduct research is suspended, the researcher must re-apply for permission to conduct research. All research delays or requests for an extension if the 60-day time period are to be coordinated through PRA.
- H. In an effort to provide a NDCS response to research-related information requests, NDCS has developed a 'generalized' attachment to assist facility and program staff and to steer such requests to Central Office, Planning, Research & Accreditation Section where the merits, appropriateness and legality of any disclosure can be more readily assessed. Attachment 'F' provides a 'response' which can be used for any research-related request.

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II. CONDUCT of RESEARCH

A. Operational personnel may assist research personnel in carrying out research to the extent necessary and reasonable under institutional/program staffing constraints.

B. Obtaining Consent of Participants:

Researchers shall inform subjects in writing of all features of the research that reasonably may influence willingness to participate and explain all other aspects of the research about which the subject inquires and shall obtain the written consent of the participant.

1. The exact procedure by which the potential participants' consent will be solicited shall be described in the proposal.
2. The solicitation shall include, where pertinent, a reasonable explanation of experimental procedures.
3. If the researcher does not wish to disclose fully to the participants the purposes, nature, outcome or implications of the research prior to its commencement, the researcher shall justify to PRA that such lack of disclosure is advisable and not detrimental to the subjects.
4. The researcher shall respect the individual's right to decline participation in research or to discontinue participation at any time. Refusal to participate in research shall at no time affect the care or treatment of the individual involved.

C. Anonymity of the Subjects

Information obtained about research subjects is confidential. Data shall be collected in such a manner that protects the subjects' identity. Where the identity of the subject must be identified for the purposes of analysis, an artificial system of identification not meaningful to others shall be created. Such a system shall be described in the research proposal.

D. Rights of Privacy

To balance legitimate scientific, institutional and organizational needs for the information with the individual rights of privacy of inmates and assure the informed consent of inmate participation in any research effort, whether internally or externally directed, the following policies shall direct research:

1. The utilization of participation of individuals under the custody of NDCS in experiments of a medical, cosmetic and/or pharmaceutical nature is expressly prohibited. This policy does not preclude individual treatment of an inmate based on his or her need for a specific medical procedure that is not generally available. Research shall be in compliance with all state and federal guidelines.
2. Individuals under the custody of the NDCS may participate, at their own discretion and pending approval of NDCS and institutional officials responsible, in surveys and in experiments of a non-medical, non-cosmetic or non-pharmaceutical nature.

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3. Researchers who are not employees of NDCS must ensure the Director or designee that no public disclosure of confidential information, beyond members of the research team, will take place if access to offender files or other sensitive documents governed by statutory confidentiality requirements is approved.

E. Where evidence exists to support a change in agency practice and such change may significantly impact the general well-being or safety of the public, demonstration or pilot programs may be used to determine the nature and degree of the impact(s). The decision to implement the program fully will be based, in part, upon the findings of these pilot programs.

### III. REVIEW and DISSEMINATION of COMPLETED RESEARCH

A. Final copies of all reports, papers, presentations, and other research projects shall be forwarded to Planning/ Research/Accreditation prior to dissemination or submission for publication or presentation in order to assess adherence to methodology outlined in the research proposal and acceptability of data and deductions derived there from. Final copies shall also be reviewed for comment by the Warden of all facilities/programs serving as research sites, as well as the applicable Deputy Directors and Director, prior to dissemination or publication.

B. Results of research projects conducted within the NDCS and approved by PRA shall be made available, upon demand, to any persons, agency or organization. For all reports, papers, and other research projects that are accepted for publication or presentation, researchers shall provide PRA with the expected date of publication and a citation for the work.

### REFERENCE

I. Administrative Regulation 112.14, *Identification Cards*

### II. ATTACHMENTS

- A. Requirement for Research/Information
- B. Code of Ethics - American Correctional Association
- C. Research Statement of Agreement
- D. Conduct of Research
- E. Research Approval Process Flowchart
- F. NDCS Initial Response to Research-Related Research Request

### II. ACA STANDARDS

- A. Standards for Adult Correctional Institution (ACI) (4<sup>th</sup> edition): 4-4108, 4-4109, 4-4110, 4-4111, 4-4112, 4-4113 and 4-4402.
- B. Performance Based Standards for Adult Community Residential Services (ACRS) (4th edition): 4ACRS-4C-20, 4-ACRS-7D-12
- C. Standards for Administration of Correctional Agencies (CO) (2nd edition) 2-CO-1F-11