

<b>STATE OF ALASKA</b> <b>DEPARTMENT OF CORRECTIONS</b>  <b>POLICIES &amp; PROCEDURES</b>	SECTION: <b>Administration</b>		PAGE: Page 1 of 5
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	TITLE: <b>Research Activities</b>		
	APPROVED BY:  <b>Dean R. Williams, Commissioner</b>		DATE: <b>08/09/16</b>
ATTACHMENTS / FORMS: <b>(A.) Research Agreement.</b> <b>(B.) Research Participation Consent Form.</b>		AUTHORITY / REFERENCES: <b>22 AAC 05.155</b> <b>AS 44.28.030</b> <b>AS 12.62.005</b> <b>22 AAC 05.095 et seq.</b> <b>AS 33.05.010</b> <b>DOC P&amp;P 807.09</b> <b>AS 33.16.180</b> <b>HIPAA 1996</b> <b>AS 33.30.011</b> <b>FBI CJIS Security Policy</b> <b>AS 33.30.021</b>	

**DISCUSSION:**

The Department of Corrections (DOC) recognizes that research assists the Department in establishing goals, objectives, and plans for the future; improves the understanding of correctional management; and contributes to the efficient and effective supervision of offenders, conservation of resources, and increased public safety.

**POLICY:**

- I. To that end it is the policy of the Department of Corrections (DOC) to have in place procedures for conducting research, maintaining the security of data collected, and making appropriate use of staff, prisoners and offenders in research activities.
- II. The Department may engage in research activities that assist in establishing goals, objectives, and plans for the future and contribute to more effective and efficient operations.
- III. All research projects will be approved by the Commissioner prior to the start of the research.
- IV. All persons conducting research in the Department will be informed of applicable policies, with particular emphasis on the confidentiality of the information attained. All research data that identifies individual staff, prisoners, or offenders shall be subject to the same confidentiality and security standards required for case records and personnel files.
- V. The use or participation of prisoners in medical, pharmaceutical, or cosmetic experiments is prohibited. (See DOC P&P 807.09, Medical Experimentation Prohibited.)
- VI. All research will comply with state and federal guidelines and with accepted professional and scientific ethics for the use and dissemination of research findings. Research projects subject to Federal Office for Human Research Protection standards shall maintain and submit preliminary and ongoing documentation to the department.

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## **APPLICATION:**

This policy and procedure will apply to all Department employees, contractors, or consultants associated in any way with research of any program, activity, or group within the Department.

## **DEFINITIONS:**

As used in this policy, the following definitions shall apply:

### **Department Research:**

Studies conducted by employees or contractors of the Department of Corrections.

### **Institutional Review Board (IRB):**

Independent ethics committee formally designated to approve, monitor and review research involving humans with the aim to protect the rights and welfare of the research subject.

### **Medical Research:**

Includes medical experiments and pharmaceutical studies using prisoner subjects.

### **Outside Research:**

Studies conducted by individuals, research firms, or other agencies that are not employees of the Department of Corrections.

### **Research:**

Activities designed to systematically discover or interpret facts.

### **Social Science Research:**

Includes studies involving the use of interviews, questionnaires, and reviews of case records; this does not include any study that will expose research subjects to the possibility of physical, psychological, or other harm as a consequence of their participation in the study.

### **Research Analyst:**

The position managing the Administrative Services, Research and Records unit.

## **PROCEDURES:**

### **I. Obtaining Approval for Research:**

#### **A. Application:**

1. A research application must be submitted to the Research Analyst for review prior to the commencement of the research. The Research Analyst shall forward to the Deputy Commissioner copy of the application, together with a recommendation. The Research Analyst shall consult with

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relevant DOC staff regarding the nature of the research prior to making a recommendation for approval.

2. The application to conduct research must include:

- a. The subject of study;
- b. The name, address, and telephone number of the principal researcher and all research staff;
- c. An endorsement by a recognized research organization such as a university college, private foundation, consulting firm, or public agency certifying that the research proposal is for valid scientific, educational, or other public-interest purposes;
- d. A summary of the goals of the study and the justification for the research; and
- e. A detailed research design including the following elements:
  - i. The Departmental resources and personnel that may be needed for the study;
  - ii. The sampling procedures for selecting subjects or records for the research as well as criteria that will be used for sample selection;
  - iii. The procedure for data collection and copies of research instruments to be used, including interview schedules, questionnaires, data collection, forms, and tests;
  - iv. The security procedures to be followed to protect the privacy of participants and appropriate confidentiality; and
  - v. Plans for publication or distribution of the research results.

B. Researchers from institutions that require Institutional Review Board (IRB) review of research protocols (e.g. universities, Alaska Native Tribal Health Consortium, etc.) must provide evidence of IRB approval before receiving approval for the research to commence. For continuing projects, researchers must yearly provide a copy of the continuing IRB review to the Research analyst to document that the project has received continued approval from the IRB to continue data collection.

C. If the study requires the direct involvement of prisoners, such as by responding to interviews or completing questionnaires, the Research Analyst may ask Departmental staff to review the proposal and submit a recommendation for approval or disapproval.

D. Where applicable, research must comply with the Health Insurance Portability and Accountability Act (HIPPA) of 1996 and / or the FBI's Criminal Justice Information Services (CJIS) data security and confidentiality policies. In addition research should also comply with the Alaska Criminal Information Act (AS 12.62.005 et seq.) and 22 AAC 05.095 (Access To Prisoner Records).

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- II. If the Research Analyst approves the research, the appropriate Division Director must be informed in advance of the research to be conducted within the Director's sphere of operations.
- III. The Research Analyst shall approve the intended use and dissemination of the research findings prior to the start of research, and shall review and comment on the final findings prior to actual dissemination.
- IV. Conditions for Outside Research:
- A. The Research Analyst shall ensure that all outside researchers are informed of the Department's research policies. A signed *Research Agreement* (Attachment A) must be completed by each researcher or agent before the project begins.
  - B. Researchers shall provide preliminary and continuing documentation of IRB review and compliance for the life of the project.
  - C. A staff member shall be assigned to monitor the research project and shall pay particular attention to compliance with policies on confidentiality.
  - D. The researcher shall obtain a signed *Research Participation Consent Form* (Attachment B) from each staff member, prisoner, or offender scheduled to participate in the research prior to any research involvement.
  - E. The principal researcher shall explain the study and its justification to all potential subjects. A written summary, in lay language, shall be prepared to facilitate this explanation and a copy provided to each potential subject. It shall be made clear to all prisoners or other clientele that personal participation will in no way affect the terms or length of their confinement or supervision.
  - F. The principal researcher shall maintain records adequate to enable the Research Analyst to ascertain the status of the study at any given time.
  - G. Any data collected during the course of the research will be used only in the manner described to the subject prior to the research.
  - H. Prisoners or offenders shall not receive payment of any kind in connection with a research study without the written permission of the Commissioner. Such payments shall be consistent with the legal guidelines relating to work programs conducted by the Department.
  - I. An employee of the Department shall not receive payment of any kind from the researcher.
  - J. Access to the collected research data that identifies staff, prisoners, or offenders will be limited to the researchers, those staff members responsible for filing or evaluating the data, and the Research Analyst.

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K. All collected individual and personal research data shall be stored by the researchers and by the Department in a secure manner while the research is in progress and prior to the authorized disposition of research findings.

V. Follow-up Reports on Outside Research:

- A. Immediately following the data gathering part of a research study, the principal researchers shall prepare a report that includes a summary of the study and send it to the Research Analyst.
- B. When the entire research project is completed, the principal researcher must provide a copy of any report intended for publication for distribution to the Commissioner.
- C. In any report of results, researchers must not use the true names of subjects or describe any prisoners or offenders in such detail that they might be identified.

VI. Violations:

- A. Any violation of this or another policy or regulation may result in the withdrawal of permission to conduct the current research or any future research.
- B. Violations of regulations or statutes with regard to criminal offender record information may subject the violator to civil or criminal liability.

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