

 Good Life. Great Mission. <hr/> DEPT OF CORRECTIONAL SERVICES	POLICY		
	RESEARCH		
	REVISION DATE December 31, 2019	NUMBER 103.01	PAGE 1 of 7
STATEMENT OF AVAILABILITY			
*This Policy is to be made available in law libraries or other inmate resource centers.			

EFFECTIVE: March 1, 1980
 REVISED: July 26, 2009
 REVIEWED: July 28, 2010
 REVIEWED: July 27, 2011
 REVIEWED: August 13, 2012
 REVISED: August 2, 2013
 REVISED: December 31, 2014
 REVISED: July 31, 2015
 REVISED: July 31, 2016
 REVISED: July 31, 2017
 REVISED: July 31, 2018
 REVISED: December 31, 2019

SUMMARY of REVIEW

Policy now available in Law Library and on NDCS Website. PURPOSE – Changed language.
 PROCEDURE – I. REQUEST FOR INFORMATION – New section applies to all requests for information, whether of internal or external origin. II.A.1. – Language updated. II.A.3. – Language updated. II.A.5. – Language updated. II.A.8. – Language updated. II.A.9. – Language updated. II.B.3. – Language updated. II.B.4. – Language updated. II.B.9. - Change in Research Protocol section added. ATTACHMENTS - Research Request Form added, 103.01 Protocol Change Form. Reordered Attachments.

APPROVED:



Scott R. Frakes, Director
 Nebraska Department of Correctional Services

 Good Life. Great Mission. <hr/> DEPT OF CORRECTIONAL SERVICES	POLICY		
	RESEARCH		
	REVISION DATE December 31, 2019	NUMBER 103.01	PAGE 2 of 7
STATEMENT OF AVAILABILITY *This Policy is to be made available in law libraries or other inmate resource centers.			

PURPOSE

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 mission and goals or to the collective body of criminal justice knowledge. Wardens 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, nor diminish the protection of the public through implementation of a practice not supported by research or 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. (4-4108)

PROCEDURE

The Agency permits, encourages, and uses research conducted by outside professionals in accordance with the procedures outlined below, where appropriate. The Agency also allows permits and encourages requests for information about NDCS, its departments, and the people under its care. (4-4109)

I. REQUESTS FOR INFORMATION

- A. All requests for information, whether of internal or external origin, shall be submitted to the Research Division via e-mail (DCS.Research@nebraska.gov) using the NDCS Research Request Form (Attachment A)
- B. In the "Request" section, the requestor should clearly state the specific information being requested, the intent behind the request, and contact information for the requestor. Any and all associated documentation or additional information that provides context to the request shall be attached to the submitted form to ensure the results provided by the NDCS Research Division are responsive to the intent of the request.
- C. Requests for information will be prioritized by the NDCS Research Division by criteria including the order in which it was received, the requested deadline for the information, existing workload, and other factors that may affect staff availability.

II. REQUESTS FOR RESEARCH AND/OR EVALUATION

- A. Research Proposal/Design Approval (4-4112)
 1. All research designs and proposals, whether of internal or external origin, shall be submitted to the Research Division along 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 granting project approval, the researcher shall contact the NDCS Research Director or his/her designee to review the design or proposal. This review shall assess the proposal's completeness, compliance with NDCS mission and goals, and the measures in place to ensure the participants' privacy. Research designs

	POLICY		
	RESEARCH		
	REVISION DATE December 31, 2019	NUMBER 103.01	PAGE 3 of 7
STATEMENT OF AVAILABILITY *This Policy is to be made available in law libraries or other inmate resource centers.			

and proposals may be returned to the researcher for clarification or additional information as required. All research designs or proposals must specify: (4-4111)

- a. Purpose, hypothesis, methodology, and data requirements.
 - b. Researchers must also submit finalized survey instruments when applicable (Attachment B).
 - c. Authorization to proceed will depend on the nature of the proposal.
 - d. The potential effects on the safe and secure operation of any institution, center, or program.
 - e. The cost to NDCS involved in supplying any necessary data.
 - f. The amount of staff time and resources involved.
 - g. Effects on victim(s).
2. All researchers shall review and agree to abide by this Policy, institutional procedures, and the American Correctional Association's Code of Ethics (Attachment C). This agreement shall be documented with the *Research Statement of Agreement* form (Attachment D). (4-4111)
 3. Wardens or Program heads (e.g., Records, Mental Health, 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 also be identified to be the designated point of contact for the researcher and his/her team. These recommendations and identifications shall be detailed on the "Conduct of Research" form (Attachment E) and shall be submitted to the Research Division for compilation. All research designs and proposals shall be submitted to the appropriate Deputy Director(s) and the Director by the Research Director or his/her designee. This shall include any recommendations/comments regarding final authorization to proceed provided by affected Warden and the Research Director or his/her designee.
 4. 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:
 - a. The Department and/or facility authorization of access to specified data, inmates, and/or staff.
 - b. Researcher specification of the use to which said data/information will be put.
 - c. 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.

	POLICY		
	RESEARCH		
	REVISION DATE December 31, 2019	NUMBER 103.01	PAGE 4 of 7
	STATEMENT OF AVAILABILITY *This Policy is to be made available in law libraries or other inmate resource centers.		

If executive approval is not achieved, either the design or proposal will remain open pending revision by the researcher, or a letter of denial will be submitted to the researcher by the Research Director or his/her designee at the discretion of the Director (Attachment F).

5. Researchers wishing to enter a facility or program area to collect data will be required to submit to a security background check from Central Office Human Resources before conducting research. Researchers collecting secondary data extracts containing items of a sensitive nature will also be required to submit a security background check.
6. All research requests are to be coordinated through the Research Division. Once a formal letter of approval is issued, 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 of the 60-day time period are to be coordinated through the Research Division.
7. If researchers anticipate their project(s) will not be completed prior to the original IRB or NDCS project approval expiration date, a request for extension must be made to the Research Division no later than 30 days prior to the expiration date. There is no guarantee that project extensions will be granted for all requests.
8. In an effort to provide coordinated responses to research-related information requests, NDCS has developed standardized language to assist facility and program staff in redirecting such requests to the NDCS Research Director. In (Attachment G) it provides a response which can be used for any research-related request.
9. All data provided to researchers, and all subsequent researcher-created datasets are to be used for the approved research project only. Data sets may only be used for additional projects if separate research requests are submitted and approved by the Director. Violation of data permissions may result in immediate project termination and may jeopardize the ability of the researcher and his/her institution or organization to conduct future research projects with NDCS.

B. Conduct of Research

1. Operational Personnel

Operational personnel may assist research personnel in carrying out research to the extent necessary and reasonable under institutional/program staffing constraints. (4-4110)

2. Inmate Participation

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.

3. Medical/Pharmaceutical Research

	POLICY		
	RESEARCH		
	REVISION DATE December 31, 2019	NUMBER 103.01	PAGE 5 of 7
STATEMENT OF AVAILABILITY *This Policy is to be made available in law libraries or other inmate resource centers.			

Inmates may participate in medical or pharmaceutical research, at their own discretion and pending approval of NDCS and institutional officials responsible. Such biomedical research must comply with all state and federal guidelines. (4-4113, 4-4402)

4. Obtaining Consent of Participants

Researchers shall inform subjects in writing of all features of the research that reasonably may influence a person's willingness to participate, answer all questions a subject may have regarding all other aspects of the research, and obtain the written consent of the participant.

- a. The exact procedure by which the potential participants' consent will be solicited shall be described in the proposal.
- b. The solicitation shall include, where pertinent, a reasonable explanation of experimental procedures.
- c. If the researcher does not wish to disclose fully to the participants the purposes, nature, outcome, or implications of the research to participants prior to its commencement, the researcher shall justify to the Research Director or his/her designee that such lack of disclosure is advisable and not detrimental to the subjects.
- d. 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.

5. Anonymity of the Subjects

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

6. Rights of Privacy

Researchers must ensure the Director or his/her designee that no public disclosure of confidential information, beyond members of the research team, will take place if access is granted to offender files or other sensitive documents governed by statutory confidentiality requirements.

This is required to balance legitimate scientific, institutional, and organizational needs for information with the individual privacy rights of inmates, and to ensure the informed consent of inmate participation in any research effort, whether internally or externally directed.

7. Program Implementation

	POLICY		
	RESEARCH		
	REVISION DATE December 31, 2019	NUMBER 103.01	PAGE 6 of 7
	STATEMENT OF AVAILABILITY *This Policy is to be made available in law libraries or other inmate resource centers.		

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

8. Destruction of Data

- a. All data provided to researchers, and all subsequent researcher-created datasets, are to be used for the approved research project only. Upon completion of the approved project or expiration of project approval, whichever is sooner, all data provided by NDCS and all subsequent researcher-created datasets shall be destroyed.
- b. Researchers shall complete and return a signed and dated copy of the *Data Destruction Form* (Attachment H) to the Research Division once all project data and related databases have been destroyed.
 - 1) Paper documents that contain confidential or personally-identifying information must be shredded.
 - 2) Electronic data files must be deleted from all sources (e.g., emails, flash drives, hard drives, cloud storage).

9. Change in Research Protocol

In the event any change is needed to the scope, protocol, or other aspects of the research project after it has begun, a Change in Research Project Protocol form must be submitted to the NDCS Research Division for review (Attachment I).

The Research Division will review the specific change(s) being requested, the merits of the requested change(s), and the potential effects of the change(s) on NDCS resources. The Change in Research Project Protocol form will then be forwarded to the NDCS Director for review and to make a final decision on whether such change(s) will be permitted.

III. REVIEW AND DISSEMINATION OF COMPLETED RESEARCH

- A. Final copies of all products resulting from data provided by NDCS, as well as any researcher-created datasets, shall be forwarded to the Research Division prior to dissemination or submission for publication or presentation in order to assess adherence to the methodology outlined in the research proposal and acceptability of data and the deductions derived therefrom. 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 the Research Division shall be made available, upon demand, to any persons, agency, or organization. For all products that are accepted for publication, presentation, or other dissemination, researchers shall provide the Research Division with the expected date of publication, and a citation for the work.

 Good Life. Great Mission. <hr/> DEPT OF CORRECTIONAL SERVICES	POLICY		
	RESEARCH		
	REVISION DATE December 31, 2019	NUMBER 103.01	PAGE 7 of 7
STATEMENT OF AVAILABILITY *This Policy is to be made available in law libraries or other inmate resource centers.			

REFERENCE

- I. STATUTORY REFERENCE – None noted
- II. NDCE POLICIES – None noted
- III. ATTACHMENTS
 - A. Research Request Form (DCS-A-adm-148-pc) (2019)
 - B. Requirement for Research/Information
 - C. Code of Ethics - American Correctional Association
 - D. Research Statement of Agreement
 - E. Conduct of Research
 - F. Research Approval Process Flowchart
 - G. NDCS Initial Response to Research-Related Research Request
 - H. Data Destruction Form
 - I. Protocol Change Form (2019)
- IV. AMERICAN CORRECTIONAL ASSOCIATION (ACA) STANDARDS
 - A. Standards for Adult Correctional Institution (ACI) (4th edition): 4-4108, 4-4109, 4-4110, 4-4111, 4-4112, 4-4113, 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