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<b>Procedures Regulating Research</b>	<b>ACA Standards: 2-CO-1F-09 through 2-CO-1F-15, 4-4108 through 4-4113, 4-4402M, 4-ACRS-4C-20M, 4-ACRS-7D-12, 4-APPFS-3D-16, 4-APPFS-3D-35, 4-APPFS-3D-36, 4-APPFS-3D-37</b>		
<b>Joe M. Allbaugh, Director Oklahoma Department of Corrections</b>	<b>Signature on File</b>		

## Procedures Regulating Research

The Oklahoma Department of Corrections (ODOC) encourages and cooperates with research activities by outside individuals and groups, such as colleges and universities, and by individuals within the agency while protecting inmates/offenders who are involved in research activities. (2-CO-1F-10, 2-CO-1F-11, 4-4108, 4-4109, 4-APPFS-3D-16, 4-APPFS-3D-35, 4-APPFS-3D-36)

All research activities are in accordance with federal laws and regulations to include "Protections Pertaining to Biomedical and Behavioral Research Involving Prisoners as Subjects," 43 FR 53655, November 16, 1978, as amended. Research results will be used to analyze the agency's present activities and as a guideline for future decision-making and policy development. (4-4110) Guidelines for the submission of research proposals, standards for research, research related activities and dissemination of research results are as follows. (2-CO-1F-09, 4-4110, 4-4111, 4-4112, 4-ACRS-7D-12, 4-APPFS-3D-36, 4-APPFS-3D-37)

### I. Submission and Review of Research Proposals

#### A. Submission of Research Proposal

Research proposals must be submitted to the director of Quality Management for consideration. At a minimum, the following information must be provided:

1. Credentials of researcher(s) with a description of previous research projects conducted and subsequent publications;
2. Title of proposed research, purpose, proposed methodology and/or design;
3. Expected outcomes of the research request with an explanation of how the research may benefit ODOC and how and by whom the research results will be used;
4. Source(s) of funding for the research project;
5. ODOC resources required to complete the research request;
6. Copies of any survey(s), questionnaire(s), or other data collection sources;
7. List of any devices to be used for data collection;
8. Preferred ODOC facilities or other locations to be accessed for the research;
9. Documentation from the sponsoring entity's Federally approved/compliant institutional review board, grant manager, or other authorities from whom the researcher obtains consent as required by relevant federal guidelines and sponsor procedures;
10. Projected time frame; and
11. Possible risks associated with the implementation of the research request.

**B. Review of Research Proposal**

Proposals will be evaluated by the director of Quality Management or designee(s) with respect to the following:

1. Soundness of research design and methodology;
2. Knowledge of existing literature and findings regarding the research subject matter;
3. Duplication of other projects underway or proposed;
4. Relevance of the proposal in relation to the goals and objectives of ODOC;
5. Amount and type of assistance required from ODOC personnel;

6. Assurance of maintaining confidentiality of offenders and ODOC staff participants; and
7. Impact of research activities on the security and safety of the agency's operations and/or offenders.

C. Approval of the Research Proposal

1. If the director of Quality Management recommends approval of the proposal, the proposal will be forwarded for field review by the affected senior staff/responsible unit, affected facility head/district supervisor, and General Counsel. (2-CO-1F-12, 4-4112, 4-ACRS-7D-12, 4-APPFS-3D-35, 4-APPFS-3D-36)
  - a. Upon notification by field reviewer(s) and General Counsel that the proposal is supported, the director of Quality Management will notify and advise the researcher(s) of any special conditions and establish a timeline for project completion. The field reviewers will be notified and, if necessary, be requested to perform required logistics to facilitate the research.
  - b. Field reviewer(s) identifying problems with the proposal will notify the director of Quality Management, who may work with the researcher(s) to resolve issues if the director of Quality Management determines that the best interests of ODOC will be served by continuation of the process. If the director of Quality Management does not so determine, the researcher(s) will be notified and the proposal returned as declined.
  - c. The director of Quality Management may advise the field reviewer(s) of any issue resolutions and notify the researcher(s) and field reviewer(s) of any special conditions and establish a timeline for project completion.
  - d. If proposal issues remain unresolved, the director of Quality Management will determine whether the best interests of ODOC will be addressed by the research. If the interests are addressed, the director of Quality Management will notify the researcher(s) and establish a timeline for completion. The field reviewer(s) will be notified and, if necessary, be requested to perform required logistics to facilitate the research. If not, the researcher(s) will be notified and the proposal returned.

2. If the director of Quality Management does not recommend approval of the proposal, based on Section I. item B. above, the researcher(s) will be notified and the proposal returned as declined.

## II. Protection of Offenders Involved in Research Projects

### A. Restrictions

1. In accordance with state and federal laws and regulations, ODOC does not conduct or allow others to conduct medical, pharmaceutical, or cosmetic experiments involving inmates. (2-CO-1F-14, 4-4402M, 4-ACRS-4C-20M) However, this policy does not prohibit an inmate's physician from determining a need to treat the inmate with a new medical procedure or treatment regimen, and from executing an informed consent agreement between the inmate and the physician that outlines the positive and negative aspects of the proposed treatment.
2. Research involving medical and protected health information records may be permitted as long as procedures are in accordance with state and federal (HIPAA) laws and regulations.
3. Inmates may participate in other research activities only when the research does not place the participants at risk physically or emotionally.

### B. Voluntary Participation

All inmate participation in approved research will be voluntary. Prior to participation in any such research activity, the "Informed Consent to Participate in Research" ([DOC 021501A](#), attached) or an equivalent consent form approved by the director of Quality Management and the researcher(s)' institutional review board will be completed and signed by the inmate. (2-CO-IF-13, 4-4113, 4-ACRS-7D-12, 4-APPFS-3D-37)

### C. Confidentiality and Access to Inmate/Offender Information (2-CO-1F-15, 4-APPFS-3D-36)

To visit an ODOC facility, private facility, or a building owned or leased by ODOC, researcher(s) will sign and adhere to the terms of the "Compliance Agreement" ([Attachment C](#), attached).

1. Researcher(s) will take all necessary measures to safeguard the confidentiality of the inmate/offender files used in the research project and will guarantee the anonymity of subjects in the published findings.
2. Individuals or outside agencies may obtain access to inmate/offender criminal case history information for use in

research, evaluation, or statistical analysis pursuant to a written agreement with ODOC using the "Request for Access" form ([Attachment A](#), attached).

3. To ensure confidentiality and security of the inmate/offender criminal case history information, the researcher(s) will sign the "Nondisclosure Agreement for Criminal Case History Information" ([Attachment B](#), attached).
4. Access to other offender information or records will be governed by the provisions of [OP-020108](#) entitled "Information Requests and Release of Information from Agency Records and Media Access to the Department of Corrections," the requirements of OP-060212 entitled "Maintenance and Access of Offender Records" and [OP-140108](#) entitled "Privacy of Protected Health Information."
5. Any ODOC employee who is approved to conduct research projects with ODOC will also follow the procedures established above regarding the privacy and security of inmate/offender records.

### III. Dissemination of Research Results (4-APPFS-3D-36)

#### A. Provision of Results by Researcher(s)

Upon completion of the project, the researcher(s) will provide the results, at a minimum, in an Executive Summary or an Abstract to the director of Quality Management prior to its publication and/or other dissemination. If requested by the director of Quality Management, the researcher(s) will also provide a minimum of three paper copies and one electronic version of the complete project.

#### B. Dissemination to ODOC

The director of Quality Management will retain one copy of the submitted results and the complete project, if requested as in Section III. item A. of this procedure, to have available to provide field staff who reviewed the initial proposal, the general counsel and the director of ODOC. The director of Quality Management will forward appropriate responses from these parties to the researcher(s) and may distribute the submitted results to additional staff as relevant and necessary.

#### C. Dissemination to the General Public

1. ODOC will not discourage the publication of any approved research request but does retain the right to review and comment on the research prior to its publication. All published research materials will include a disclaimer that the publication may not necessarily reflect the opinion of the Oklahoma Department of Corrections. The

director of Quality Management will provide comments to the researcher within 30 days of the receipt of the research results.

2. Results of all significant research projects, as defined by the director of Quality Management, will be distributed to the Oklahoma Department of Libraries Publications Clearinghouse in accordance with [OP-020303](#) entitled "Dissemination of the Oklahoma Department of Corrections Publications."
3. ODOC may also request that the researcher(s) provide copies to other appropriate local, state, or federal criminal justice agencies and non-profit organizations.

D. Dissemination to Professional Organizations

Researcher(s) will provide the agency a courtesy notification prior to presenting research results to a professional organization.

IV. References

Policy Statement No. P-020800 entitled "Guidelines for Research and Research-Related Activities"

OP-020108 entitled "Information Requests and Release of Information from Agency Records and Media Access to the Department of Corrections"

OP-020303 entitled "Dissemination of the Oklahoma Department of Corrections Publications"

OP-060212 entitled "Maintenance and Access of Offender Records"

OP-140108 entitled "Privacy of Protected Health Information"

"Protections Pertaining to Biomedical and Behavioral Research Involving Prisoners as Subjects" 43 FR 53655, November 16, 1978.

Department of Justice Regulations, Title 28 and beyond entitled "How to Implement Privacy and Security" 1976, pages 10-11, 40-64.

V. Action

All senior staff are responsible for compliance with this procedure.

The director of Quality Management is responsible for the annual review and revisions.

Any exception to this procedure will require written approval of the agency director.

This procedure is effective as indicated.

Replaced: Operations Memorandum No. OP-021501 entitled "Procedures Regulating Research" dated December 3, 2014

Distribution: Policy and Operations Manuals  
Agency Website

<u>Referenced Forms</u>	<u>Title</u>	<u>Location</u>
<a href="#">DOC 021501A</a>	"Informed Consent to Participate in Research"	Attached

<u>Attachments</u>	<u>Title</u>	<u>Location</u>
<a href="#">Attachment A</a>	"Request for Access "	Attached
<a href="#">Attachment B</a>	"Nondisclosure Agreement"	Attached
<a href="#">Attachment C</a>	"Compliance Agreement"	Attached