

Procedures Regulating Research	1
I. Submission and Review of Research Proposals.....	1
A. Submission of Research Proposal	1
B. Review of Research Proposal (4-APPFS-3D-37).....	2
C. Approval of the Research Proposal	3
II. Protection of Inmates Involved in Research Projects	4
A. Restrictions	4
B. Voluntary Participation	4
C. Confidentiality and Access to Inmate/Offender Information	4
III. Dissemination of Research Results	5
A. Provision of Results by Researcher(s)	5
B. Dissemination to ODOC	5
C. Dissemination to the General Public.....	6
D. Dissemination to Professional Organizations.....	6
IV. References	6
V. Action.....	7
Referenced Forms.....	8
Attachments.....	8

Section-02 Information Management	OP-021501	Page: 1	Effective Date: 02/07/2022
Procedures Regulating Research	ACA Standards: 2-CO-1F-09 through 2-CO-1F-15, 5-ACI-1F-13, 5-ACI-1F-14, 5-ACI-1F-15, 5-ACI-1F-16, 5-ACI-1F-17, 5-ACI-1F-18, 5-ACI-6C-09M, 4-ACRS-7D-12, 4-APPFS-3D-16, 4-APPFS-3D-35, 4-APPFS-3D-36, 4-APPFS-3D-37		
Scott Crow Director Oklahoma Department of Corrections	Signature on File		

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, 5-ACI-1F-13, 5-ACI-1F-14, 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. (45 CFR Subpart C) Research results will be used to analyze the agency's present activities and as a guideline for future decision-making and policy development. (5-ACI-1F-15) 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, 5-ACI-1F-15, 5-ACI-1F-16, 5-ACI-1F-17, 4-ACRS-7D-12, 4-APPFS-3D-36, 4-APPFS-3D-37)

- I. Submission and Review of Research Proposals
 - A. Submission of Research Proposal

Section-02 Information Management	OP-021501	Page 2	Effective Date: 02/07/2022
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Research proposals must be submitted to the administrator of Data Quality and Analytics 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 (4-APPFS-3D-37)

Proposals will be evaluated by the administrator of Data Quality and Analytics 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;

Section-02 Information Management	OP-021501	Page 3	Effective Date: 02/07/2022
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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 inmates/offenders and ODOC staff participants; and
7. Impact of research activities on the security and safety of the agency's operations and/or inmates.

C. Approval of the Research Proposal

1. If the administrator of Data Quality and Analytics recommends approval of the proposal, the proposal will be forwarded for field review by the affected senior staff/responsible unit, affected facility head/administrator, and General Counsel. (2-CO-1F-12, 5-ACI-1F-14, 5-ACI-1F-17, 4-ACRS-7D-12 b#1, 4-APPFS-3D-35, 4-APPFS-3D-36, 4-APPFS-3D-37)
 - a. Upon notification by field reviewer(s) and General Counsel that the proposal is supported, the administrator of Data Quality and Analytics 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 administrator of Data Quality and Analytics who may work with the researcher(s) to resolve issues if the administrator of Data Quality and Analytics determines that the best interests of ODOC will be served by continuation of the process. If the administrator of Data Quality and Analytics does not so determine, the researcher(s) will be notified and the proposal returned as declined.
 - c. The administrator of Data Quality and Analytics 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 administrator of Data Quality and Analytics will determine whether the best interests of ODOC will be addressed by the

Section-02 Information Management	OP-021501	Page 4	Effective Date: 02/07/2022
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research. If the interests are addressed, the administrator of Data Quality and Analytics 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 administrator of Data Quality and Analytics 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 Inmates 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) 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. (5-ACI-6C-09)
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 research activity, the "Informed Consent to Participate in Research" ([DOC 021501A](#), attached) or an equivalent consent form approved by the administrator of Data Quality and Analytics and the researcher(s)' institutional review board will be completed and signed by the inmate. (2-CO-IF-13, 5-ACI-1F-18, 4-ACRS-7D-12 b#3, 4-APPFS-3D-37)

C. Confidentiality and Access to Inmate/Offender Information (2-CO-1F-15, 4-APPFS-3D-36, 4-APPFS-3D-37)

Section-02 Information Management	OP-021501	Page 5	Effective Date: 02/07/2022
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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 inmate 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 Inmate/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, 4-APPFS-3D-37)

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 administrator of Data Quality and Analytics prior to its publication and/or other dissemination. If requested by the administrator of Classification and Population, administrator of Programs and chief of Strategic Engagement, the researcher(s) will also provide a minimum of three paper copies and one electronic version of the complete project.(4-ACRS-7D-12 b#2)

B. Dissemination to ODOC

Section-02 Information Management	OP-021501	Page 6	Effective Date: 02/07/2022
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The administrator of Data Quality and Analytics will retain one copy of the submitted results and the completed project, if requested, to provide to field staff who reviewed the initial proposal, the general counsel and the agency director of ODOC. The administrator of Data Quality and Analytics 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 administrator of Data Quality and Analytics 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 administrator of Data Quality and Analytics, 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 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 Inmate/Offender Records"

Section-02 Information Management	OP-021501	Page 7	Effective Date: 02/07/2022
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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 (45 CFR Subpart C-Department of Health and Human Services)

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

V. Action

All executive/senior staff are responsible for compliance with this procedure.

The administrator of Data Quality and Analytics 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: OP-021501 entitled "Procedures Regulating Research" dated December 10, 2020

Distribution: Policy and Operations Manuals
Agency Website

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

<u>Attachments</u>	<u>Title</u>	<u>Location</u>
Attachment A	"Request for Access"	Attached
Attachment B	"Nondisclosure Agreement for Criminal Case History Information"	Attached
Attachment C	"Oklahoma Department of Corrections Compliance Agreement"	Attached