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Chapter Title **GENERAL, POLICY, ACCREDITATION**		**Date of Issue** **10/11/12**
Subject **STATISTICAL REPORTING, RESEARCH & DEVELOPMENT APPROVAL AND CONDUCT OF RESEARCH ACTIVITIES**		**Effective Date** **10/25/12**

I. AUTHORITY

The Chairman of the Board is granted the authority to "direct the operations of the Board and fulfill the functions established by the act… including organizing, staffing, controlling, directing, and administering the work of the staff." **61 Pa.C.S. § 6112 (a)(1) & (a)(4).**

Background - This chapter deals with the Board's role in encouraging research activities, using generally accepted research methods and standards that contribute to new knowledge and, thereby, develop more efficient and effective operations, conservation of resources, and increased public safety.

The agency encourages research relevant to its programs.

II. PURPOSE

The purpose of this chapter is to set forth procedures governing all research activities involving offenders and/or staff in programs and facilities under the supervision of the Board.

The agency administrator reviews and approves all research projects prior to their implementation. The agency administrator approves a plan for the security and privacy of the information and data collection system, including verification, and access to and protection of the data. The plan ensures routine data protection. The method for dissemination of research findings is specified in writing.

III. APPLICABILITY

This procedure is applicable to all research activities involving offenders and/or staff in programs and facilities under the supervision of the Board.

IV. DEFINITIONS

Research/Research Activities: A project, paper or study designed primarily to produce new data, information and/or understanding of corrections, criminal justice, probation and parole management or other issues of relevance to the Board. Secondary data

sources (e.g. existing Board datasets) may supplement such research. Board staff, university students, faculty, and other external researchers may undertake research. Research is distinct from informational requests or informational surveys.

Researcher: The primary person/agency responsible for submitting the research proposal and overseeing completion of the project.

Academic Paper: A research project conducted by university faculty and/or students, which examine a topic of relevance to the Board. The objectives generally are to produce new data, information, and/or understanding to or of the Board while contributing to the educational goals and research agenda of the student/faculty member.

Board: The Pennsylvania Board of Probation and Parole.

Contracted Research: Research performed by a researcher under contract with the Board at the Board's request.

External Research: Research requested or initiated by individuals or organizations external to the Board.

Informational Request: A request for information made to any office of the Board by external parties. These parties include legislative offices, the media, the public, universities, other agencies, etc. The requested information can be any information about offenders, staff, operations, policies, or programs of the Board; however, the privacy of offenders and staff shall be respected (see Section VI).

Informational Survey: A data collection tool used to gather public information on the offender population and/or Board staff.

Internal Research: Research activities conducted by Board staff. Such research may be conducted solely internal to the Board or may be conducted in conjunction with other government agencies or research entities.

Research Review Committee (RRC): A committee chaired by the Manager, Research and Evaluation Section, Office of Statistical Reporting and Evidence-Based Program Evaluation (SREBPE). The standing membership shall include directors (or designee) of: Office of SREBPE; Office of Offender Re-Entry Coordinator; Office of General Counsel; Office of Probation and Parole Services; Office of Administrative Services; Office of Policy, Legislative Affairs and Communications; Office of the Board Secretary. The committee chair may appoint other persons to serve on the RRC, on an ad hoc basis, for reviewing specific proposals.

Statistical Reporting and Evidence-Based Program Evaluation (SREBPE): The office responsible for managing and coordinating research and statistical reporting for the Board, through its Research and Evaluation Section. SREBPE also maintains a variety of key databases on Board operations and offender populations, and provides Board members with analysis used in formulating policy and evaluating programs.

V. POLICY

It shall be the policy of the Board to support criminal justice and related research, conducted by researchers outside of the Board as well as those employed by the Board, to include activities directly affecting and directing ongoing planning activities as well as non-Board purposes (e.g., for individual academic or professional purposes).

The Board shall support research activities only when requirements do not compromise the security or operations of Board facilities, programs, or information systems; or the safety, security, or privacy of its staff or individuals under its care or supervision. Research involving inmates, community-supervised offenders or staff must meet professional and scientific standards and comply with state and federal research guidelines.

The Board further encourages close cooperation between Board staff and research personnel on research design; establishing research priorities; and assisting in experimental design, data collection, assessment, and evaluation. The research review process ensures that the proposed research is feasible and does not present undue burden to the institutions. To maximize the use of Board resources, the potential benefits of the research to the Board or the field of academic study is considered in the review process, along with any costs of the research to the Board.

VI. PROCEDURE

A. General Requirements

1. Research Approval

   All research proposals which are not initiated by the chairperson shall be subject to review by the RRC. Research projects shall only be implemented after the RRC has reviewed and approved the proposal. Research must allow up to 60 days for RRC decision-making.

2. Privacy and Confidentiality

   The privacy of offenders and staff shall be respected. Researchers shall ensure that individual confidentiality is not compromised, including subject contact information for any research follow-up. Offenders and staff shall not be individually identified in any research project. Aggregate identifiers, however, such as age, race, sex, offense category, etc., may be utilized.

3. Existing Data

   The Board may provide access to existing Board data for the purpose of research, evaluation, and statistical analysis while ensuring that confidentiality and security will not be compromised. Researchers shall only utilize such data for RRC-approved research, and copies of all such data shall be destroyed upon completion of Research.

4. Prohibitions

The use or employment of offenders or staff as subjects in any medical experiments, cosmetic experiments, or pharmaceutical testing is prohibited.

5. Voluntary Participation

   Participation in research activities by Board offenders and/or staff shall be granted on a voluntary basis. The researcher also must secure signed consent waivers from offenders and/or staff members before beginning the research. The consent form shall indicate the offender's or employee's voluntary participation in the research study and his/her agreement to permit the researcher to review confidential records or data as specifically cited on the consent form. Researchers are not to provide compensation or other rewards to offenders or staff for their participation in research, unless special permission is granted by the RRC.

6. Board Disclosure

   In general, any information offenders or staff disclose to the researcher will not be disclosed to the Board, except where the researcher believes the individual is a threat to his/her own health or safety, the health or safety of another person, or to the security or orderly operation of any state correctional institution (SCI), community corrections center or facility (CCC/F) or district office, especially where an offender has expressed an intention to harm self or others. This exception must be clearly stated on the consent form.

7. Staff Research

   Board staff conducting research for their own personal academic gain shall submit a written agreement to the RRC indicating that such research shall not be conducted during regular working hours. In accordance with the Governor's Code of Conduct and the Board Code of Conduct, an employee is not permitted to conduct research for his/her own personal pecuniary gain.

B. Procedure for Obtaining Approval to Conduct Research

1. Forms and Format

   Research proposals shall be submitted in the format outlined in the Request for Approval of Research Proposal, with the Policy Compliance Agreement signed and included in the submission.

2. Research Review

   Research proposals submitted to the Board shall be distributed to the RRC for review. The RRC shall be convened, either formally through scheduled meetings or informally through distribution of submitted requests, on an as-needed basis to review submitted research proposals. The committee shall be authorized to approve or disapprove all research proposals which do not address Board policies and/or which will not significantly enhance the literature regarding probation/parole and management thereof.

3. Review Criteria

   The following evaluation criteria, at minimum, may be considered by the RRC when evaluating Research proposals:

   a. Confidentiality of Board staff or offender participants shall be assured;

   b. Proposed research shall not adversely impact the security and safety of the Board, its facilities, and staff;

   c. Board resources and the efforts required to perform the research shall be fiscally and operationally feasible;

   d. Staff and offender participants shall be sought on a voluntary basis;

   e. Researchers are sufficiently qualified, including academic preparation and previous research background; and,

   f. Research proposals shall offer a clear and complete discussion of objectives, significance, previous research, methods, analysis, and expected outcomes. Researchers should explain any deviations from generally accepted practices.

4. Student Research

   Requests from undergraduate and graduate college students to conduct research studies will be accepted ongoing for approval, contingent on providing sufficient notice as outlined herein.

5. Research Recommendation

   Upon evaluating a research proposal, the RRC shall issue a recommendation, in writing, on a Research Proposal Review Form, including ratings on research overview, research design, expected outcomes and significance of findings and applicant qualifications. Research rejections will include an additional analysis for researcher feedback. The final recommendation shall be forwarded to the RRC Chair for final review and approval. The committee's decision regarding each research proposal shall be forwarded to the researcher within sixty (60) days of receiving the proposal.

6. Proposal Rejection

   The RRC reserves the right to reject proposals that are poorly constructed, inadequately articulated, or which cast doubt upon the qualifications of the researcher. If a proposal is rejected by the RRC, the researcher may be given an opportunity to address the issues and concerns of the committee and resubmit an improved proposal. The number of times a researcher can resubmit a proposal is limited to three (3) attempts.

7. Offender Proposals

   To ensure the rights and welfare of human research participants are protected and the privacy and confidentiality of participant responses are maintained, all proposals submitted by offenders residing in a SCI or CCC/F requesting

permission to conduct survey research or informational requests will be rejected.

C. Research Conditions

1. General

The RRC shall have the authority to impose conditions on the proposed research design and/or methodology if it deems that such restrictions are necessary considering Board resources, security concerns or confidentiality issues. In the event that such conditions are required, the researcher will receive written conditions regarding the research design and/or methodology upon receiving approval notification.

2. Experimentation Medical or cosmetic experimentation or pharmaceutical testing or any procedures the RRC considers invasive may not be conducted on staff or offenders. This applies to any offender under Board supervision regardless of the location of the offender, i.e. in a state, county or other facility.

3. Informed Consent:

Except as provided elsewhere in this policy, no researcher may involve a human being as a subject in research covered by this policy unless the researcher has obtained the legally effective informed consent of the subject or the subject's legally authorized representative. A researcher shall seek such consent only under circumstances that provide the prospective subject or the representative sufficient opportunity to consider whether or not to participate and that minimize the possibility of coercion or undue influence. The information that is given to the subject or the representative shall be in language understandable to the subject or the representative. No informed consent, whether oral or written, may include any exculpatory language through which the subject or the representative is made to waive or appear to waive any of the subject's legal rights, or releases or appears to release the researcher, the sponsor, the institution or its agents from liability for negligence.

a. Basic elements of informed consent: In seeking informed consent the following information shall be provided to each subject:

1) A statement that the study involves research, an explanation of the purposes of the research and the expected duration of the subject's participation, a description of the procedures to be followed, and identification of any procedures which are experimental;

2) A description of any reasonably foreseeable risks or discomforts to the subject;

3) A description of any benefits to the subject or to others which may reasonably be expected from the research;

4) A disclosure of appropriate alternative procedures or courses of treatment, if any, that might be advantageous to the subject;

5) A statement describing the extent, if any, to which confidentiality of records identifying the subject will be maintained;

6) For research involving more than minimal risk, an explanation as to whether any compensation and an explanation as to whether any medical treatments are available if injury occurs and, if so, what they consist of, or where further information may be obtained;

7) An explanation of whom to contact for answers to pertinent questions about the research and subjects' rights, and whom to contact in the event of a research-related injury to the subject; and

8) A statement that participation is voluntary, refusal to participate will involve no penalty or loss of benefits to which the subject is otherwise entitled, and the subject may discontinue participation at any time without penalty or loss of benefits to which the subject is otherwise entitled.

b. Additional elements of informed consent: When appropriate, one or more of the following elements of information shall also be provided to each subject:

1) A statement that the particular treatment or procedure may involve risks to the subject (or to the embryo or fetus, if the subject is or may become pregnant) which are currently unforeseeable;

2) Anticipated circumstances under which the subject's participation may be terminated by the researcher without regard to the subject's consent;

3) Any additional costs to the subject that may result from participation in the research;

4) The consequences of a subject's decision to withdraw from the research and procedures for orderly termination of participation by the subject;

5) A statement that significant new findings developed during the course of the research which may relate to the subject's willingness to continue participation will be provided to the subject; and

6) The approximate number of subjects involved in the study.

D. Research Distribution

1. Report Submission

Upon completion of the research project, the researcher shall submit a final report to the RRC Chair. Copies will be distributed to other members of the RRC.

2. External Research Distribution

The Board may choose to duplicate and distribute completed research projects to Board staff at their discretion.

3. Internal Research Distribution

   Research conducted solely with Board resources shall remain the property of the Board. The dissemination and use of such research shall be at the discretion of the Chairman.

E. Public Dissemination of Research Findings

1. External Research

   If there is intent to publish the findings from any external research, the RRC shall be advised, in writing, by the researcher at least thirty (30) days prior to submission for publication, of the journals or other sources in which publication will be sought. The Board will not discourage the publication of any approved external research project, but does retain the right to review and comment on the research prior to its publication. The RRC shall coordinate any written response on the research and shall forward the response to the researcher.

2. Internal Research

   Findings from internal research shall only be disseminated in accordance with the Right to Know Law.

F. Other Research Activities

1. Contracted Research

   All research generated by the Board with external entities will require an executed contract between the parties outlining the scope and conditions of research services to be rendered. As available, the Board will seek funding support from public and private sources to assist the Board to undertake internal research activities.

2. Existing Data

   Academic papers and informational surveys which require the dissemination of already existing information shall not be considered research as defined under this procedure. Specific data requests that are received by the Board under the Right to Know Law will be forwarded to the Office of Policy, Legislative Affairs and Communications (OPLAC) for review and comment.

3. Marketing Surveys

   Generally, the Board declines to participate in informational surveys for marketing purposes. Under no circumstances are Board staff permitted to accept any form of payment or other incentives for responding to surveys or

inquiries. Any payments or other incentives sent by individuals or organizations in advance as a means of encouraging a response to a survey or inquiry shall be returned immediately by the employee to the sender, with instruction to refrain from sending payments or other incentives in the future.

4. Informational Request Criteria

   Criteria for responding to informational requests and surveys, at minimum, are as follows:

   a. Surveys should be done in a professional manner, making it easy for the Board to respond. The Board does not make a commitment to respond to surveys that are poorly constructed, confusing or burdensome;

   b. The timeline of the survey must be reasonable. Completion of the survey or inquiry must fit within overall Board research priorities and needs;

   c. If a survey asks for a complex compilation of data which does not presently exist, the Board reserves the right to decline to respond, depending upon current workloads and priorities; and,

   d. Where the researcher is not responsive to questions or requests for clarification about the survey, the Board reserves the right to decline to complete the survey or inquiry.

VII. SUSPENSION DURING AN EMERGENCY

This procedure may be suspended during an emergency at the sole discretion of the Chairman.

VIII. RIGHTS UNDER THIS PROCEDURE

This procedure creates no rights under law.

IX. RELEASE OF INFORMATION AND DISTRIBUTION OF PROCEDURE

This procedure does not contain information that impacts the security of Board staff or parolees and may therefore be released to the public.

This procedure is to be distributed to all Board staff.

X. CROSS REFERENCES

A. Statutes

1. Federal

   None

2. State

   a. Pa. Const. Art. IV, § 9

b. 18 Pa. C.S.A. Section 9122(b)(3)(i), as added by the Act of November 26, 2008, No 134, P.L.1670, effective January 26, 2009

c. 61 Pa. C.S.A. § 6142

B. Board Policies

C. American Correctional Association/APPA

D. Management Directives