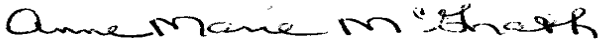
 Department of Corrections and Community Supervision DIRECTIVE	TITLE Research Studies and Surveys		NO. 0403
			DATE 03/19/2024
SUPERSEDES DIR #0403 Dtd. 01/05/22	DISTRIBUTION A	PAGES PAGE 1 OF 4	DATE LAST REVISED
REFERENCES (Include but are not limited to) See Section II	APPROVING AUTHORITY 		

I. PURPOSE: It is the Department of Corrections and Community Supervision’s (DOCCS) policy to promote research in the field of corrections and community supervision and to support professional studies of Departmental operations. Research involving administrative data, staff, and Departmental operations will be authorized and conducted in accordance with the guidelines and procedures contained in this directive. The Division of Program Planning, Research & Evaluation will have the primary responsibility to oversee/monitor/guide research involving data and/or the participation of incarcerated individuals, releasees, and staff in focus groups, surveys, questionnaires, interviews, and/or observations, regardless of purpose.

II. REFERENCES

ACA Expected Practices

- 5-ACI-1F-08, 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-09
- 2-CO-1F-02, 2-CO-1F-09, 2-CO-1F-10, 2-CO-1F-11, 2-CO-1F-12, 2-CO-1F-13, 2-CO-1F-14, 2-CO-1F-15, 2-CO-4E-01
- 2-1064, 2-1065, 2-1066, 2-1067, 2-1068, 2-1069
- 4-APPFS-3D-10, 4-APPFS-3D-16, 4-APPFS-3D-34, 4-APPFS-3D-35, 4-APPFS-3D-37

III. POLICY

A. Medical or Cosmetic Experimentation and Pharmaceutical Testing: Medical or cosmetic experimentation and pharmaceutical testing may not be conducted on incarcerated individuals. Incarcerated individuals may not be used as subjects for any non-therapeutic medical experimentation, including the use of unestablished drugs and unapproved medical techniques. This applies to any incarcerated individual in the custody of the Department regardless of the location of that incarcerated individual (e.g., in a State facility, jail, State institution, or other facility). It is not intended that this policy in any way limit the use of accepted diagnostic and therapeutic measures, nor the collection of data relative to the use of such measures, when performed for bona fide medical indications under acceptable medical supervision.

This does not preclude the use of U.S. Department of Health and Human Services approved clinical trials, including diagnostic and therapeutic measures that may be warranted for the diagnosis or treatment of a specific incarcerated individual when recommended by the responsible physician and approved by the facility Medical Director.

Such measures must have the prior full informed written consent of the affected individual and must be conducted under conditions approved by the U.S. Department of Health and Human Services and the DOCCS Deputy Commissioner/Chief Medical Officer.

- B. Undergraduate and Graduate Students: Requests from high school and undergraduate college students to conduct research studies will not be approved. Research proposals from graduate students will be reviewed in the order received. The timeline for review is dependent upon available DOCCS staff resources.
- C. Guidelines for Approval: Approval of requests to conduct research studies will be based on the following guidelines:
1. The research is requested and will be conducted by professional researchers, college faculty, or graduate students engaged in their master's or doctorate studies.
 2. An acceptable research design for the proposed study is submitted.
 3. The proposed study promises to have some value for the Department.
 4. The study will not disrupt Department routine or interfere with personnel carrying out their duties.
 5. Interviews of individuals under DOCCS jurisdiction or staff will be done on a strictly voluntary basis.
 6. Individuals participating in the study will not be identified in any findings, publications, reports, or other publicly available materials.
 7. The researcher agrees to submit for review a draft of any written product, such as reports, findings, publications, presentations, and/or any other form of publication at least two weeks in advance of that product's publication or release to the public domain. This review will be concerned only with factual errors or misinterpretations of Departmental data, policies, or procedures, and not with the findings or conclusions reached by the author.

All proposals will be reviewed by the Commissioner for project suitability.

- D. Departmental Dissemination: The Department reserves the right to disseminate any findings, within the Department or to other State agencies, if deemed necessary or helpful.

IV. PROCEDURE

- A. Application for Permission to Conduct Research
1. The application shall be submitted to the Director of Program Planning, Research & Evaluation for the Department of Corrections and Community Supervision, 1220 Washington Avenue, Albany, NY 12226-2050. Materials submitted via email must be sent to: DOCCSResearch@doccs.ny.gov, to the attention of the Director.
 2. The application shall include the following information:
 - a. Title of study.
 - b. Names, addresses, and telephone numbers 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 with a mandate to perform research, certifying that the research proposal is for a valid scientific, educational, or other public purpose.

If the applicant is associated with an institution or an accredited university that has an Institutional Review Board (IRB), the applicant must submit documentation showing that the IRB has approved the project or documentation indicating intent to obtain IRB approval subsequent to collaboration with the Department. External IRB approval does not guarantee Departmental approval.
 - d. A summary of the goals of the study and the justification for the research.
 - e. A detailed research design including the following elements:
 - (1) The Departmental resources and personnel that may be needed for the study.
 - (2) The criteria and procedures for selection of participants or records for the research.
 - (3) The procedures for data collection and copies of research instruments to be used including interview schedules, questionnaires, data collection forms, and tests.
 - (4) The security procedures to protect the privacy of participants and confidentiality of Department records.
 3. If the study requires the direct involvement between the researcher and individuals under DOCCS' jurisdiction or Department staff, such as by participating in interviews or completing questionnaires, the researcher must consent to and provide information necessary for processing a criminal history inquiry and disclose any prior misdemeanor and felony convictions. If a criminal history inquiry is required, associated costs will be borne by the researcher. If on probation or parole, the researcher must provide a letter from their supervising Officer(s) giving permission to conduct the research. The Director may ask the appropriate program and/or Executive staff to review the proposal and to submit a recommendation for approval or disapproval.
 4. The Director shall ensure that all researchers are informed of Department policy concerning research. [Form #0403A](#), "Research Agreement," shall be signed by the researcher. The Director shall indicate approval of the research project by signing [Form #0403A](#) and returning a copy to the researcher.
- B. Conduct of Research
1. The researcher shall explain the goals and methods of the study to all potential participants; a written summary shall be provided to each potential participant. All participants and potential participants' confinement, supervision, or employment status shall be informed that their participation in the research is purely voluntary and will not affect the terms or length of their confinement or community supervision.

2. The researcher shall obtain signed consent, [Form #0403B](#), "Research/Survey Consent Form," from all individuals who are scheduled to participate in the research. [Form #0403B](#) must be completed and signed by every participant and copies must be submitted to Program Planning, Research & Evaluation. DOCCS may approve different institutional consent forms if the proposed consent forms are submitted with the research project proposal package.

NOTE: The researcher must be cognizant of the need to provide foreign language assistance to those non-English speaking individuals who are to be included in the research project.

3. Any data collected during the course of the research shall be used only in the manner described to the potential participants prior to their entry into the study. Data collected and/or provided by the Department may be subject to Non-Disclosure Agreements, Data Use Agreements, and/or data destruction and certification thereof. Data collected shall not be used in any subsequent research projects without written permission from DOCCS.
4. No employee of the Department or incarcerated individual shall receive compensation, remuneration, or payment of any kind for participation in the research study. A minimal stipend for individuals under community supervision participating in a study may be approved.

C. Violations of Research Regulations

1. Permission to conduct the current study and any further research may be discontinued for any violations of these policies and regulations regarding outside research, or of any other applicable Department policies and regulations in the course of conducting the research.
2. Violations of the regulations (see [Form #0403A](#)) with regard to criminal record information may subject the violator to civil or criminal liability.