



*"Service with Excellence
and Integrity"*

Arkansas Department of Community Correction

Two Union National Plaza Building
105 West Capitol, 2nd Floor
Little Rock, Arkansas 72201-5731
(501) 682-9510 Fax: (501) 682-9513

ADMINISTRATIVE DIRECTIVE: 13-10 RESEARCH AND PROGRAM EVALUATION

TO: DEPARTMENT OF COMMUNITY CORRECTION CENTER EMPLOYEES

FROM: SHEILA SHARP, DIRECTOR

SUPERSEDES: AD 06-11

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APPROVED: Signature on file EFFECTIVE: September 12, 2013

- I. APPLICABILITY.** This policy applies to all Department of Community Correction (DCC) employees and people outside the agency who request and conduct research.
- II. POLICY.** The Department of Community Correction supports programs of research, evaluation, statistics, audit, and planning, including studies and evaluation of the performance of various functions and activities of the department and studies addressing treatment of offenders and programs. Researchers must protect the privacy of individual employees, offenders, and other involved parties and their records. Researchers must comply with agency policy guidance and all legally acceptable practices concerning research activities. (4-ACRS-7D-12; 4-APPFS-3D-36, 3D-37)
- III. DEFINITION OF RECIDIVISM.** A criminal act that results in the rearrest, reconviction, or return to incarceration of a person with or without a new sentence during a three-year period following the person's release from custody. (Reference Arkansas law 5-4-101; ACA 4-APPFS-3D-38)
- IV. GUIDELINES.**
 - A.** The DCC Management will encourage, permit and use research and evaluation activities conducted by qualified individuals.
 - B.** All Employees will cooperate with approved research efforts and bring to the attention of management any research activity that may adversely affect offenders.

C. Research Plan Requirement. A research plan is required unless one of the following exceptions applies:

1. Employees Conducting Research. Research proposals are not required when employees perform research activities within the normal scope of their job duties.
2. Employees Conducting Program Evaluation. When employees collect data for DCC approved reports (such as the Residential Jurisdiction Population report) or approved business systems (such as eOMIS or AASIS), a research plan is not required.

D. Recidivism Studies and Reports. Researchers (including employees) conducting recidivism studies and reporting pursuant to Arkansas law, section 5-4-101 or 16-1-101, must comply with reporting requirements specified in the law.

E. Research Plan Development / Implementation.

1. Researchers must work with the Chief Deputy Director and other designated staff to decide what questions should be addressed, the data to be gathered, and how the data will be presented. Researchers must submit proposed research plans for review and approval/disapproval of the DCC using form AD 13-10 Form 1, Request to Conduct Research, and submit that form to the Chief Deputy Director. Research plans must meet or exceed the review criteria outlined in agency policy. Changes to an approved research plan must be pre-approved by the DCC. This includes any research design modifications or changes in scope, data collected, or the tools used in the collection of data. Researchers must follow approved plans. The Chief Deputy Director will request review and approval by the appropriate Deputy Director or Assistant Director. The DCC will consider comments/approvals, negotiate appropriate revisions, and will be the final approval authority for the plan.
2. The Department of Community Correction, Chief Deputy Director, is responsible for establishing standards for evaluation, any forms necessary for completion to submit with a request to conduct research and a review of the proposals. Proposals submitted for review must be evaluated on the following:
 - a. Soundness of research design and methodology, including sampling procedures
 - b. Duplication with other projects currently proposed or underway
 - c. Relevance of the proposal in relation to the goals and objectives of the department
 - d. Amount and type of assistance required from departmental personnel. Under no condition will DCC approve research requests that pose a significant burden on employees or significant costs that DCC would incur in assisting with the project.
 - e. Impact on offenders/clients and whether or not offenders will be paid to participate in the study and the amount of that compensation.

- f. Security of information and data collection system, to include verification (accuracy), access to, and protection of data. Any costs associated with system access, modification or collection of data shall be the responsibility of the researcher.
- g. Written description of the method for dissemination of research findings.
- h. A restatement or inclusion by reference of the information in this policy regarding protection of offenders involved in research projects. An equivalent statement may be acceptable.
- i. A statement that results will be published in a manner that protects the privacy and confidentiality of offenders and staff. Researchers must include a signed copy of the Non-Disclosure agreement, AD 13-10 Form 3, signed by all individuals who will have access to confidential data.
- j. For external researchers associated with an institution of higher education, any and all research tools and methodology must have been approved by that institution's Institutional Review Board (IRB) before any research is conducted and documentation of IRP approval must accompany the request to DCC.

F. Protection of Offenders Involved in Research Projects

1. Offender participation in research will be voluntary. Prior to participation in any research activity, researchers must obtain a completed Inform and Consent to Participate in Research, 13-10 Form 2, signed by each offender involved in the project. This form is not required when research is limited to review of offender records or general observations are made of offender activities where no record is made of a specific offender's activity.
2. The department will not conduct nor allow others to conduct medical, pharmacological, cosmetic, or other tests or experiments involving offenders, excluding individual treatment of an offender (based on need) by means of a specific medical procedure not generally available. If an offender's physician determines there is a need to treat the offender with a new medical procedure, it will be through an agreement between the offender and the physician with a full explanation of the positive and negative aspects of the treatment. Offenders may participate in other research activities only when the research does not place the participant at undue risk. (4-ACRS-4C-20)

G. Review, Approval, and Dissemination of Research Results

1. Prior to publication or dissemination, researchers must submit a draft of internal/external research results to the Chief Deputy Director and obtain the Director's approval
2. The Chief Deputy Director will ensure that all research project results are reviewed by appropriate Deputy Directors and others and will forward reviewed results to the director with a recommendation to approve, disapprove, or approve with specific revisions.
3. Researchers are responsible for the dissemination of their findings to the public and shall provide copies of their reports upon request to any person or entity requesting a copy.
4. Researchers shall provide at least four (4) copies of any publication derived from the research to the Department of Community Correction for retention and internal distribution.
5. The Information Technology Administrator will work with staff and researchers to conduct a cost and feasibility assessment of the request and report results to the Chief Deputy Director. With approval, the Information Technology Administrator will develop and implement appropriate computerized data gathering systems to facilitate data collection, analysis, controlling data gathering costs.
6. Managers/Directors Use of Research Results. Managers and Deputy Directors must make appropriate use of research results and program evaluation data. Uses for such information include analyzing the department's present activities as a basis for decision making and policy development.

V. FORMS.

DCC AD 13-10 Form 1 Request to Conduct Research

DCC AD 13-10 Form 2 Informed Consent to Participate in Research

DCC AD 13-10 Form 3 Non-Disclosure Agreement

Arkansas Department of Community Correction

REQUEST TO CONDUCT RESEARCH

TO: Department of Community Correction
Attn: Chief Deputy Director
Two Union National Plaza Building
105 West Capitol, 2nd Floor
Little Rock, Arkansas 72201-5731
(501) 682-9510
Fax (501) 682-9513

FROM: _____

RE: _____

DATE: _____

I request your consideration and approval to conduct research of information within the Arkansas Department of Community Correction (DCC) as described below and in any attachments. This research is on behalf of the following agency/organization:

Printed Name of Requestor Title Agency Name

Researcher: On a separate sheet, describe the types of records and information you wish to access and the nature of the research activity, purpose, and procedures to be followed. Provide copies of any Institutional Review Board authorizations for tools and/or methodology to be used in the project. Also provide a list of individuals the researcher anticipates will work on the project and their social security numbers, if access to DCC offender records or residential facilities is required. Add attachments if needed.

I will manage and protect your agency information according to the terms in the attached Non-Disclosure Agreement (AD 13-10 Form 3).

Signature of Requestor Date Requestor Printed Name

Researcher's Request:

THE SECTION BELOW THIS LINE IS FOR DCC USE

Request Approved Request Denied

Signature of DCC Director/Deputy/ Assistant Director Date

Arkansas Department of Community Correction
INFORMED CONSENT TO PARTICIPATE IN RESEARCH

Title of Research Project: _____

Name, Title and Address of Researcher: _____

Date Project Begins: _____ Expiration Date (if applicable): _____

Purpose: _____

Procedures: _____

Benefits: _____

Right to Withdraw: _____

Confidentiality: Any information obtained in connection with this research will be used in a manner that protects your privacy and maintains the confidentiality of your records.

PARTICIPANT'S CONSENT: I have been satisfactorily informed of the above described research project and have read and understood the description provided herein. I understand that my participation in this research project is voluntary and I am free to stop participating at any time, without any consequences, even after signing this form.

Printed Name of Offender

Offender Signature

Offender Number

Date Signed

DCC AD 13-10 Form 2

**Arkansas Department of Community Correction
NON-DISCLOSURE AGREEMENT**

This agreement is entered into between the Arkansas Department of Community Correction (DCC), hereinafter referred to as the Agency, and:

Herein after referred to as the Researcher, whereby the DCC agrees to provide information or access to information for research, evaluation, or statistical activities to the researcher.

1. The Researcher will not use Agency information to the detriment of the Agency or the subjects of the research, or for any purpose other than those stated in the research plan, and will abide by the confidentiality, and security, and dissemination provisions of the Agency.
2. The Agency will provide access to offender records or other information as requested in the approved research request. The agency reserves the right to suspend immediately furnishing information under this agreement and to require the return of information already furnished when any rules, policy, procedure or law is violated or appears to be violated.
3. The Researcher will use secure destruction methods for any copies of source documents obtained when they are no longer needed for the purpose for which they were provided.
4. The Researcher will allow only the persons identified in the Research Request access to confidential Agency information and will not disseminate, further disclose, nor allow the persons listed to further disseminate or disclose the information.
5. The Researcher will implement procedures that will effectively protect Agency and offender information from unauthorized access, alteration, or destruction.
6. The Researcher will abide by the laws and regulations of this State, the agency, and the federal government and any present or future rules, policies, or procedures adopted by the same, to the extent they are applicable to information provided under this agreement. This includes complying with accepted professional and scientific ethics and issues of legal consent and release of information. The Researcher agrees to be subject to any civil or criminal penalties applicable to the use of confidential information accessed under this agreement under Arkansas or federal law.
7. If the agreement is to provide offender record information on a continuing basis, the Agency reserves the right to immediately suspend furnishing information under this agreement should any rule, policy, procedure, regulation, or law be violated or appear to the Agency to be violated.
8. The Researcher agrees to indemnify and save harmless the State of Arkansas, the Agency, other signatory agencies and their employees from and against any and all causes of actions, demands, suits, and other proceedings of whatsoever nature; against all liability to others, including any liabilities or damages by reason of or arising out of any files, arrest, or imprisonment or any cause of action whatsoever; and against any loss, cost, expense, and damage resulting there from, arising out of or involving any negligence on the part of Recipient in the exercise of enjoyment of this agreement.
9. The Agency or researcher may, upon written notice, terminate this agreement at any time.

Researcher's Company Name	Phone No.	Address
Signature of Research Representative	Date	Printed Name of Research Representative
Signature of DCC Director/Deputy/Assistant Director	Date	