



State of Indiana
Indiana Department of Correction

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**POLICY AND ADMINISTRATIVE
PROCEDURE**
Manual of Policies and Procedures

Title
RESEARCH AND STATISTICS

Legal References (includes but is not limited to)	Related Policies/Procedures (includes but is not limited to)	Replaces:
IC 4-1-6-8.6 IC 5-14-3 <i>et seq.</i> IC 11-8-2-5(a)(5), (8), (12) IC 11-8-2-9 IC 31-39-1-2 28 CFR Parts 20 & 22 45 CFR Part 46	00-04-102 01-04-101 01-04-104 03-02-104 04-03-102 04-05-101	00-04-201 (Eff. Date 3-1-2016 \ ED # 16-05)

I. PURPOSE:

The purpose of this policy and administrative procedure is to establish a centralized research process within the Department in order to develop accurate information for decision-making by staff relating to the achievement of departmental administrative and functional goals, for decision-making by the legislature and the executive branch of government, and the dissemination of information to outside sources for the purposes of furthering criminal justice research. These procedures shall ensure compliance with applicable Indiana and Federal statutes and rules.

II. POLICY STATEMENT:

The Department of Correction shall establish a centralized research and statistics program relating to committed adult and juvenile offenders. The program shall be based upon:

- A. Statutory mandates;
- B. Enhancement of custody and security for the protection of the public, staff and offenders;
- C. The perceived need for information in the effective planning and management of the Department;
- D. Budgeting and fiscal planning;
- E. Improvement of service delivery to committed adult and juvenile offenders; and,

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F. Evaluation of programs and offender management.

The Department shall encourage the coordination, development, and maintenance of data. Results of research and statistical analysis shall be available to persons or agencies requesting such information. Decisions concerning extra-agency and/or intra-departmental requests to conduct research involving departmental data shall be based upon:

- Perceived need and importance of the data for the Department’s use;
- Availability of staff and other departmental resources; and,
- Statutory, legislative or judicial mandates.

The Department shall ensure that compilation of research data and maintenance of statistical data is in accordance with approved or accepted standards of research and information management.

III. DEFINITIONS:

For the purpose of this policy and administrative procedure, the following definitions are presented:

- A. **AUDIT:** The Department’s process to verify that the procedures governing the research and statistics system are being adhered to by the facilities and divisions and are functioning as intended.
- B. **BEHAVIORAL RESEARCH:** The study of human behavior utilizing replicable scientific procedures.
- C. **BIO-MEDICAL RESEARCH:** The study of the effects on human subjects of biological, medical, pharmaceutical or physical variables utilizing replicable scientific procedures.
- D. **BUSINESS DAY:** Monday through Friday, excluding State holidays.
- E. **CRIMINAL HISTORY INFORMATION:** Information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictment(s), information, or other formal criminal charges, and any disposition arising there from, sentence(s), correctional supervision and release, not including identification information, such as fingerprint records, to the extent that such information does not indicate involvement of the individual in the criminal justice system.

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- F. DIVISION: The Division of Data Science and Analytics.
 - G. EVALUATION: The assessment of the effectiveness of a practice, procedure, or program.
 - H. EXECUTIVE DIRECTOR: The Executive Director of Data Science and Analytics Division within the Department.
 - I. JUVENILE DATA SYSTEM (JDS): The Department's computerized portion of the management information system designed to collect, store, process and disseminate data on juveniles adjudicated to the jurisdiction of the Department.
 - J. OFFENDER INFORMATION SYSTEM: The Department's computerized portion of the management information system designed to collect, store, process and disseminate data on adult offenders committed to the jurisdiction of the Department.
 - K. OFFENDER RECORDS (ADULT AND JUVENILE): Information concerning the individual's personal, delinquent or criminal, and medical history, behavior, and activities while in custody, including but not limited to: commitment papers, court orders, detainers, personal property receipts, visitor lists, photographs, fingerprints, type of custody, disciplinary infractions and actions taken, grievance reports, work assignments, program participation, and miscellaneous correspondence, but excluding fiscal documents.
 - L. PROGRAM: All academic education, prison industries and farms (Indiana Correctional Industries-ICI), general and special work, treatment, vocational training, and work/study/community transition release activities to which an offender may be assigned.
 - M. RESEARCH: The generation of knowledge concerning the criminal justice system based on replicable scientific procedures.
 - N. STATISTICS: The branch of mathematics dealing with the collection, analysis, interpretation, and presentation of numerical data.
- IV. SCOPE:

This policy and administrative procedure shall govern the manner in which research is requested and conducted by either staff or other persons or organizations. All research and

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statistics with a potential Department-wide impact shall be conducted by or in association with the Data Science and Analytics Division. It shall be the responsibility of the Executive Director to review and approve all research conducted within the Department and all statistics reported or published.

This policy and administrative procedure is applicable only to those proposed research projects that affect decisions that may have a Department-wide impact or information being derived for extra-agency evaluation. The processes outlined in this policy and administrative procedure do not pertain to information gathered at a single facility solely for the benefit of internal operations at that facility. However, the results of such information may be submitted to the Executive Director for possible department-wide applicability. The Facility Head may develop similar procedures for the processing of information requests at the facility.

A request to interview staff for educational purposes does not constitute research for the purposes of this policy and administrative procedure. Such requests shall be approved in accordance with Policy and Administrative Procedure 00-03-101, "Distribution of Information." Any requests to conduct research utilizing data collected by Department staff shall be approved in accordance with these procedures.

V. ADMINISTRATION:

- A. The Division shall facilitate and coordinate research and statistics in accordance with this policy and administrative procedure and to ensure compliance with applicable statutes.
- B. The Commissioner or designee shall review and approve research requests and/or designs prior to their implementation.
- C. Each Facility Head and Division Director shall ensure the continuing compliance with this policy and administrative procedure.

VI. STANDARDS OF RESEARCH:

The decision to approve research whether conducted by the Department, external agencies, or individuals shall be based upon the perceived benefit to the Department. This determination shall rest with the review of the proposed research project by the Department's Data Science and Analytics Division.

The Department shall encourage research and shall work with institutions of higher learning, whenever practical, in the development and implementation of research projects.

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Research projects involving the use of youth or adult offenders in medical, pharmaceutical, or cosmetic experiments shall not be permitted. This policy and administrative procedure does permit the use of secondary data analysis of medical records. Individual participation of offenders in experimental medical treatments shall be permitted in accordance with Policy and Administrative Procedure 01-02-101, “The Development and Delivery of Health Care Services,” and Health Care Services Directive 1.16 (Adult and Youth), “Medical Research.” Facilities electing to perform such biomedical research shall be in compliance with all State and federal guidelines.

VII. APPLICATION FOR RESEARCH PROJECT:

A. Any requests to conduct an evaluation, research, or statistical project involving staff, offenders, or programs, whether originating inside or outside the Department, shall be referred to the Executive Director for review and approval prior to initiation of a research project. All internal research projects involving any outside organization must be approved in accordance with this policy and administrative procedure.

Any requests originated at or received by a facility shall be forwarded to the Facility Head for review. The Facility Head shall provide advice on the feasibility of the research, including demands on staff time and security. The Facility Head shall make a recommendation regarding the approval or disapproval of the request. The Facility Head shall forward the request and the recommendation to the Executive Director.

B. Upon receipt of the request, the Executive Director shall provide a copy of the guidelines for applying to conduct research within the Department to the applicant (see Attachment A). If the applicant is a staff member, the completed application shall be submitted through the appropriate chain of command to the Executive Director. If the applicant is not a staff member, completed application is to be submitted to the Executive Director.

VIII. REVIEW PROCESS:

The Executive Director and a review committee consisting of appropriate Department staff shall evaluate all requests for research. The initial screening of the application shall review the request to determine the following:

A. Benefit to the Department

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Benefit to the Department shall be considered, including whether the research will advance the mission of the Department or provide a better understanding of the status of corrections in the State of Indiana.

B. Degree of disruption to normal activities

Proposed research that will put an undue burden on the normal routine of daily activities shall not be accepted. The Department shall not provide services such as printing.

C. Methodology

Requests that do not meet accepted standards of research methodology shall be rejected.

The review committee's decision may be approval, denial, or request for additional information or clarification. As the Commissioner's designee, the Executive Director shall make the final decision regarding the research project based upon the committee's comments and any other pertinent information and shall sign the approval or denial of the request.

If an application is received and approved in which the researcher is offering a monetary payment as an incentive to participate in the research project, the monetary award shall be placed in the Inmate Recreation Fund of the facility where the participating youth or adult offender is housed. No monies shall be given directly to the youth or adult offender. Parolees may receive a monetary payment as an incentive for participation in an approved research project.

All requests for research that are rejected shall be returned to the party submitting the request indicating the reason the request was rejected. The party may make changes to the proposal and resubmit the request if desired.

IX. NOTIFICATION OF DECISION:

Within twenty-five (25) working days from the date the completed application is received in the office of the Executive Director, the Executive Director, or the Executive Director's designee, shall notify the applicant in writing of the results of the review.

X. REVIEW OF THE COMMITTEE'S DECISION:

If the Division's decision is unsatisfactory, all applicants may request an administrative

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review of the decision.

If the applicant is a Department employee or offender under the Department’s jurisdiction, such an applicant may submit a request for an administrative review together with supporting documents to the Commissioner through appropriate administrative channels. Each level may add comments to the request prior to forwarding the request to the next higher administrative level.

If the applicant is a non-Department employee, exclusive of an offender(s) under the Department’s jurisdiction, the applicant may submit a request for an administrative review together with supporting documents to the Commissioner.

XI. AGREEMENT OF SECURITY AND CONFIDENTIALITY:

If an approved application includes a request for criminal history information, a copy of Attachment B, “Agreement of Security and Confidentiality,” shall be completed including applicant’s signature. This form shall be included in the application packet.

XII. NOTIFICATION OF STAFF:

Subsequent to the application approval, the Executive Director shall notify any involved Deputy Commissioner and the Facility Head or Division Director responsible for the facility, program, or division in which the research project is to take place that approval has been granted. These individuals shall receive a copy of the application and the letter of approval.

XIII. CONDUCTING THE RESEARCH:

Following the approval of the research, the researcher shall contact the Deputy Commissioner, Division Director, or Facility Head responsible for the facility, program, or division in which the project is to occur prior to the anticipated project start date.

The researcher is responsible for securing a completed Attachment C , “Subject’s Agreement to Participate/Consent to Disclose Information,” or comparable form from each subject, if required, prior to the involvement of the subject in the project.

All staff shall be expected to assist the researcher and other research personnel, as necessary, in carrying out the approved research project.

The Executive Director, or the Executive Director’s designee, shall monitor the activities of each research or statistical project. Problems which arise and which cannot be readily

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resolved by the researcher and the responsible staff shall be referred to the Executive Director.

XIV. REPORTING AND USE OF FINDINGS:

The person(s) or agency that conducts the research shall provide the Department a copy of the Final Report/Research Finding. The copy shall be submitted to the Executive Director via email or mail.

Upon request, a summary of the project and its results and conclusions shall be presented to the Executive Staff.

The results of departmental research or statistical projects may be used in the planning and decision making for Department administration, operations, and programs.

XV. CONFIDENTIALITY AND RELEASE OF INFORMATION:

The release of information pertaining to a research project within the Department shall be in accordance with all applicable statutes, rules, and departmental policies and procedures. Generally, the results of research conducted within the Department either by staff or others shall be considered public information and shall be available for review and copying.

In certain cases where the data collected during a research project contains personal information regarding staff or offenders, the data collected may be considered confidential information. Only that information that has been determined to be public information in Policy and Administrative Procedure 01-04-104, "The Establishment, Maintenance and Disposition of Offender Records," shall be released either as a part of the results of a research project or separately.

In cases where the releasing of the results of a research project may have a negative impact upon the operation of the Department or upon public safety and security, the Commissioner may designate any part or the entire research project as confidential in accordance with applicable statutes.

XVI. PRESENTATION OF PAPERS AND PUBLICATIONS OF ARTICLES BY STAFF AND OFFENDERS OF THE DEPARTMENT:

In compliance with professional and research standards, the dissemination and publication of information from approved projects shall be encouraged so that the field of corrections can fully benefit from the information.

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Presentations and publication of articles by Department staff persons or offenders under the Department’s supervision concerning departmental research and projects shall have prior approval by the Executive Director.

XVII. VIOLATION OF THE PROCEDURES:

A person(s), agency, or study shall be subject to the Department’s procedures and rules. Permission to conduct the current study and any further research may be discontinued for violation of Department procedures, rules, security requirements, or for violation of applicable Indiana and/or federal statutes and rules.

Violation(s) of the procedures or rules with regard to offender information may subject the violator to civil or criminal liability.

XVIII. INTERNAL COLLECTION, ANALYSIS, AND DISSEMINATION OF STATISTICAL DATA:

In order to centralize data collection, and minimize duplication of effort, requests for statistical data pertaining to offenders in the Department beyond that which is contained (stored) in the Department’s offender information system, juvenile data system, and the Department’s Oracle applications, whether originating from within or outside the Department, shall be directed to the Executive Director for review and response. If the requested data is not available from the Data Science and Analytics Division, the requester may be referred to the appropriate source.

All requests for data contained in the Department’s offender information system, juvenile data system, and Oracle Applications by persons without authorized access to such systems, shall be directed to the Executive Director for review and response. Requests for data from a court, law enforcement agency, the General Assembly, State agencies, or criminal justices agencies shall be provided under the supervision of the Executive Director.

Each Facility Head and Division Director shall coordinate their respective area to ensure accurate and timely responses to regular and/or special requests for data submission.

Facility Head’s action:

- A. Appoint an employee responsible for local research and statistics, such appointment may vary from project to project, as needed;
- B. Appoint a minimum of one (1) primary and one (1) back-up employee to collect

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and report data as instructed by the Executive Director;

- C. Ensure that the appointees are currently employed and appoint replacements as necessary; and,
- D. Inform the Executive Director of the names and job titles of the current appointees.

XIX. DISTRIBUTION OF INFORMATION TO EXTRA-AGENCY ENTITIES:

A. Unrestricted Information available to the public

1. Most requested information:

- a. Offender Name;
- b. Offender DOC number;
- c. Age/Date of Birth;
- d. Court information;
- e. Warrants/Detainers;
- f. Sentencing Information;
- g. Intake/Reception Date;
- h. Projected Release Date (PRD);
- i. Earliest Possible Release Date (EPRD);
- j. Maximum Release Date (MRD);
- k. Date received at specific facility;
- l. Current and past status of:
 - 1) Program status; and,
 - 2) Work Assignments
- m. Conduct Summary; and,
- n. Location.

2. All other information not listed below.

B. Restricted Information:

- 1. Offender or designated agent;
- 2. Criminal Justice/Courts/Law Enforcement Agencies
- 3. Governmental Agencies:

- a. Indiana Family and Social Services Administration (FSSA);

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- b. Internal Revenue Service (IRS);
- c. Prosecutor's offices;
- d. Public Defenders;
- e. Social Security Administration;
- f. United State Postal Service (USPS);
- g. Department of Public Welfare;
- h. Office of the Attorney General;
- i. Department of Rehabilitation Services (Health Care staff providing services for offenders in custody);
- k. Governor and Governor's staff;
- l. Parole/Clemency Board; and,
- m. Department employees who require information in the performance of their lawful duties.

4. Researchers in accordance with this policy and administrative procedure.
5. All other persons/agencies require approval of the Commissioner.

C. Classified Information

Most Common requests are Social Security Number and juvenile records

1. Courts;
2. Facility Heads;
3. Researchers (in accordance with this policy and administrative procedure; and,
4. Others, as approved by the Commissioner.

XX. APPLICATION FOR UNRESTRICTED INFORMATION:

Requests for unrestricted information, as outlined above, shall be submitted to the Executive Director or Analyst via email or letter. Since unrestricted information does not require a special approval, the information shall be submitted in a reasonable time to the requestor in a manner amenable to the requestor (email, hard copies, etc.).

XXI. APPLICATION FOR RESTRICTED INFORMATION:

A. Request procedure

1. Any requests to conduct an evaluation, research, or statistical project involving staff, offenders, or programs; whether originating inside or outside the Department, shall be forwarded to the Executive Director for

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review and authorization prior to the initiation of a research project. All internal research projects involving any outside organization must be approved in accordance with this policy and administrative procedure.

2. The requestor shall complete and submit to the Executive Director the Non-Disclosure Agreement and the Agreement of Security and Confidentiality forms (Attachments D and B).
3. The Executive Director shall review and approve or deny the request within seven (7) business days.

B. Approval of Request

1. The Executive Director shall inform the requestor of the approval or denial;
2. If data can be retrieved from existing data, the Division shall complete the request within seven (7) business days; and,
3. If the data cannot be retrieved from existing data, the Division shall work with the requestor to reasonably meet the requestor's time frame.

C. Data shall be forwarded to the requestor in a manner amenable to the requestor.

XXII. APPLICATION FOR CLASSIFIED INFORMATION:

A. Request Process

1. Any requests to conduct an evaluation, research, or statistical project involving staff, offenders, or programs, whether originating inside or outside the Department, shall be referred to the Executive Director for review and authorization prior to initiation of a research project. All internal research projects involving any outside organization(s) must be approved in accordance with this policy and administrative procedure.
2. The requestor must complete and submit an application (Attachment A) and the Non-Disclosure Agreement (Attachment D) to the Executive Director.
3. The Executive Director shall review the request within seven (7) business days.

B. Request Approval

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1. After review of the application the Executive Director shall inform the requestor of the approval or denial.
2. If data can be retrieved from existing data, the Division shall complete the request within seven (7) business days.
3. If data cannot be retrieved from existing data, the Division shall work with the requestor to reasonable meet the requestor's time frame.

C. Data Submission

Data shall be submitted to the requestor in a manner amenable to the requestor (e.g., email or hard copy).

XXIII. STAFF TRAINING:

Each Facility Head and Division Director is responsible for initial and continuing local staff training pertaining to this policy and administrative procedure. Training assistance may be requested from the Executive Director and/or the Executive Director of Staff Development and Training.

The Executive Director or designee may conduct combined meetings periodically for locally appointed staff concerned with research and statistics as set forth in this policy and administrative procedure. The purpose of the meetings shall be to review this policy and administrative procedure and update staff concerning data collection and reporting.

XXIV. APPLICABILITY:

This policy and administrative procedure is applicable to all Department facilities and staff, and all persons or organizations wishing to conduct research projects involving the Department.

Robert E. Carter, Jr.
Commissioner

Date