 <p>CD-043700</p>	<p>NEW MEXICO CORRECTIONS DEPARTMENT</p> <p><i>"We commit to the safety and well-being of the people of New Mexico by doing the right thing, always."</i> Courage Responsibility Ethics Dedication - CREDibly serving the public safety of New Mexico</p>	
	<p>ISSUE DATE: 06/15/89</p> <p>EFFECTIVE DATE: 06/15/89</p>	<p>REVIEWED: 12/31/18</p> <p>REVISED: 03/05/15</p>
	<p>TITLE: Conducting Scientific Research</p>	

AUTHORITY:

Section 14-3-1 through 14-3-6 NMSA 1978, as amended.
 Policy *CD-010100*

REFERENCES:

- A. ACA Standards 2-CO-1F-07, 2-CO-1F-09 through 2-CO-1F-15, 2-CO-4E-01, *Standards for Administration of Correctional Agencies*, 2nd Edition.
- B. ACA Standards 4-4108 through 4-4113 and 4-4402, *Standards for Adult Correctional Institutions*, 4th Edition.
- C. ACA Standards 4-APPFS-3D-16, 4-APPFS-3D-34 thru 4-APPFS-3D-37, *Standards for Adult Probation and Parole Field Services*, 4th Edition.
- D. ACA Standards 1-CTA-1D-02, *Standards for Correctional Training Agencies*, 1st Edition.

PURPOSE:

To establish guidelines for research activities conducted in the New Mexico Corrections Department (NMCD) and regulate the use and dissemination of those research findings. [2-CO-1F-09] [2-CO-4E-01] [4-APPFS-3D-37] [4-4109] [4-4110]

APPLICABILITY:

All organizational units within the NMCD.

FORMS:

- A. **Model Statement of the Investigator** form (*CD-043701.1*)
- B. **Informed Consent Statement/Consent to Release Information** form (*CD-043701.2*)

ATTACHMENTS:

None

DEFINITIONS:

- A. Researcher: NMCD employee or consultant employed by the Corrections Department or outside professional conducting authorized scientific research.

- B. *Research Project*: The systematic collection of information about or from former or present inmates or staff members, requiring analysis of the data and the preparation of a report of findings. Routine statistical tabulations undertaken by employees for administrative purposes only and briefing reports and projects for NMCD use are not defined as research projects.
- C. *Secretary*: The Secretary of NMCD.


POLICY:

- A. The NMCD encourages, supports, and uses scientific research conducted both internally and by outside professionals that may lead to the improvement of operations and treatment of inmates as well as the conservation of resources and improved public safety. [2-CO-1F-11] [4-4108] [4-APPFS-3D-35]



David Jablonski, Secretary of Corrections
New Mexico Corrections Department

12/31/18
Date

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Policy *CD-043700*

PROCEDURES: [4-4402] [4-APPFS-3D-34]

The researcher must have bona fide credentials in the field pertinent to the research project and should conduct the research in full compliance with the standards of his or her profession.

A. Colleges and Universities:

Institutions of higher learning can provide qualified persons to serve as advisers for policies and programs, and to arrange special training conferences and learning seminars. Students can serve both as potential recruits and current workers. Field agency policy and procedure should provide for designated staff to initiate and maintain a liaison with these institutions.

The New Mexico Corrections Department (NMCD) shall cooperate and/or consult with colleges and universities to provide educational opportunities, internships and research.
[4-APPFS-3D-17]

B. Mental Health Research

Before implementation, all research projects shall be reviewed and approved in the following manner:

1. All research proposals shall first be submitted to the Behavioral Health Bureau Chief.
2. If approved by the Behavioral Health Bureau Chief, the proposal shall then be submitted to the Secretary of the Corrections Department for approval.
3. Once approved by the Behavioral Health Bureau Chief, the research proposal shall be subject to the procedures.

C. Staff and Inmate Protocol

1. All inmate participants shall be informed of their rights to participate or not participate in research, of the potential risks, of the rights to confidentiality and informed consent. Such understanding shall be documented in writing, signed, witnessed and filed in the inmate's record.

2. Inmates are prohibited from participation in medical, pharmaceutical, or cosmetic experiments. This does not preclude offender participation in clinical trials that are approved by an institutional review board based on his/her need for a specific medical intervention. Institutions electing to perform scientific research will be in compliance with all state and federal guidelines. NMCD may permit voluntary participation in non-medical, non-pharmaceutical, and non-cosmetic testing only after a thorough review of the research design. [2-CO-1F-14] [2-CO-1F-13] [4-4113] [4-4402]

D. Proposal and Approval of Research Projects:

1. The researcher must submit a research proposal to the Office of the Secretary (for formats refer to Section C of this procedure).
2. The researcher must obtain written authorization from the Office of the Secretary before the research project may begin (refer to Section D of this procedure). The Secretary will notify the prospective researcher in writing of the decision to approve or disapprove within thirty (30) days of its submission. [2-CO-1F-12] [4-4112]

E. Justification and Conduct of Research Project: [4-4111] [4-APPFS-3D-35] [4-APPFS-3D-36] [4-APPFS-3D-37]

NMCD supports and shall engage in research activities. The following conditions must be met for all research projects: [2-CO-1F-10]

1. Design: The project will contribute to the advancement of knowledge in the field of corrections, provided that the purpose of the research is lawful and the research design is adequate and valid. [2-CO-1F-10]
2. Minimal Risk: The foreseeable consequences of the research project must not result in undue physical or emotional distress to the subject(s). The rights, health and human dignity of individuals involved will be respected.
3. Credentials: The researcher must have academic or job-related experience in the area of study or must be a student who is under the supervision of a researcher who has academic job-related experience.
4. Medical or Drug Experimentation: No research project will involve medical experimentation or drug testing. Standard medical techniques that measure physiological phenomena, such as blood pressure, but present no risk to the subject, may be employed.
5. Confidentiality: Research data will remain confidential. No research information that identifies an inmate or employee may be shared with any party other than Corrections Department research personnel unless the subject gives written consent. Researchers

also have the responsibility to adhere to all applicable State statutes and NMCD policies relating to privacy and public records.

6. Informed Consent:

a. *Subject Participation:*

- 1) Voluntary participation is fundamental to all research. Operational personnel shall assist research personnel in carrying out research and evaluation. Each voluntary participant, employee or inmate must be fully informed about the purpose of the study and the procedures to be followed.
- 2) The researcher must present an **Informed Consent Statement** form (*CD-043701.2*) and a cover sheet to each potential subject describing the nature of the research project. The cover sheet must include these five basic items:
[4-4110] [4-4113]
 - a) Notification that the person is free to withdraw consent and to discontinue participation in the research project or activity at any time without prejudice to the subject.
 - b) A statement identifying the researcher(s).
 - c) An explanation of the overall objective(s) of the study, the procedures to be followed and their purposes, and to the extent possible, the routine uses to which the research will be put.
 - d) An assurance of no unreasonable discomforts or risks and/or a description of any minor discomforts or risks; and
 - e) An offer to answer any inquiries concerning the procedures.
- 2) Privacy of offenders and other parties shall be maintained during all research.
[2-CO-1F-15]
- 3) Non-employees of the Corrections Department must obtain a signed **Informed Consent Statement** from each subject.
- 4) Employees of NMCD must add to the **Informed Consent Statement** a statement regarding the authority under which the research is being conducted.
- 5) Employees of NMCD must obtain a signed **Informed Consent Statement** when:
 - a) The activity of the subject involves something other than responding to an interview or a questionnaire; and/or

b) A record will be maintained with an individual identifier on it.

b. *Access to NMCD Records:*

- 1) Employees may have access to necessary records without consent of the subject.
- 2) Non-employees are restricted to information that is available under the Public Records Act (Section 14-3-1 to 14-3-16 NMSA 1978) and Corrections Department Policy.

c. *Consent Forms:*

Signed consent forms will be placed in a file designated for the specific research project at the institution(s) or organizational unit(s) where the research is conducted and will be accessible to the institutional warden and/or Secretary of NMCD, or designee.

7. Institution Rules: All researchers are required to observe the rules of the facility or office in which they work. Each institution will inform the researchers of these rules.
8. Reports: The research project director will furnish the Secretary of NMCD or a designee with progress reports at sufficiently frequent intervals (at least quarterly) so as to permit proper supervision of the task.

The final report, including an abstract, must be submitted to the Secretary of NMCD and to the warden of each institution mentioned in the final report.

9. Publication Rights: A researcher may publish the results of a study in professional journals and/or books. Such publications will contain an appropriate acknowledgment of NMCD's participation in the research, and will expressly disclaim the Corrections Department's approval or endorsement of the materials as an expression of the Corrections Department's views and/or policies. Researchers must provide the Secretary of NMCD with an advance copy of material accepted for publication. (Researchers are encouraged to furnish the copy prior to submission for publication).
[2-CO-1F-09] [4-APPFS-3D-17]
10. Agreement: Non-employees of NMCD must sign a written statement **Model Statement of the Investigator** form (*CD-043701.1*) agreeing to adhere to all provisions of this policy.
11. Master Index: A master index shall be available through the Criminal Management Information System (CMIS) identifying all inmates committed or assigned to NMCD.
[2-CO-1F-08]

F. Research Proposal Format and Content:

1. All research proposals that are submitted for approval shall include the following information.
2. The name, address, and curriculum vitae (including relevant research experience, capabilities, and a list of publications, if any) of the researcher or researchers.

The research proposal shall be organized as follows:

1. Summary Statement:

- a. *Name:* List full name and address of the Project Director and the researchers, and append their curriculum vitae.
- b. *Title of Project*
- c. *Abstract:* Provide a brief summary (200-500 words) of the purpose of the project, methods to be employed and anticipated results.
- d. *Project Duration:* Indicate proposed beginning and ending dates.
- e. *Subject:* Specify number of subjects, type (staff or inmates), and amount of time required of each participant. Indicate discomforts or risks involved as a result of participation in the research.

2. Comprehensive Statement:

- a. *Purpose:* Discuss in detail the problem areas and the purpose of the study.
- b. *Methodology:* Describe all research methods in detail, including what will be done, now, by whom, and to who.
- c. *Results:* Describe in detail the anticipated results, their significance and immediate or potential benefits.
- d. *Resources:* Describe the resources to be used including personnel, supplies and materials, equipment and other resources. Specify who (names where possible) will provide each type of resource, including any personnel and space requirements from the institutional programs and operations.
- e. *Project Continuation:* Indicate whether the Corrections Department's cooperation and participation will be needed after the proposed project is complete. Describe such further cooperation.
- f. *Relevant appropriate legal information:*
- g. *Appendices:* All relevant research materials such as curricula vitae, endorsements, Informed Consent Statements and questionnaires must be appended. If a special apparatus is to be employed, it must be described and the description attached to the proposal.

G. Administrative Review:

Accountability and progress of the research projects will be tracked through the following mechanisms:

1. Submission of Proposals: All proposals will be submitted as outlined above to the Secretary of NMCD.
2. Review of Proposals: Approval or disapproval will be determined by the Secretary of NMCD, or a designee.
3. Notification: The Secretary of NMCD or his or her designee will notify the prospective researcher in writing of the decision within thirty (30) days of its submission to NMCD.
4. Behavioral Health Bureau Chief: shall approve all Mental Health Research projects prior to receiving NMCD Secretary Approval.
5. Monitoring of Approved Research Projects:
 - a. Prior to implementing any major changes in the methodology, the researchers must submit these changes in writing to the Secretary of NMCD and await approval.
 - b. The warden will monitor all research conducted at his or her institution and immediately report any violations of research policy to the Secretary of the NMCD.
 - c. NMCD maintains the prerogative to suspend or terminate any project at any time if there is reason to believe that the project violates this research policy or that continuation of the project will be detrimental to the inmate population or the functioning of the staff or program. Any suspected violations of law will be referred to the Office of the Attorney General for possible prosecution.
 - d. The Warden shall use research conducted at his/her facility to improve upon corrections programming and conditions of confinement when applicable. [4-4109]



David Jablonski, Secretary of Corrections
New Mexico Corrections Department

12/31/18

Date

NEW MEXICO CORRECTIONS DEPARTMENT
Model Statement of the Investigator

This is to certify that I have been informed of the requirements for commencing research in the New Mexico Corrections Department. I further certify that I have read, in its entirety, the Corrections Department Policy Statement on Research and I will fully comply with all the provisions of this policy statement. If any materials are copyrighted as the result of my project, I grant the Corrections Department a royalty-free, non-exclusive and irrevocable license to reproduce, publish, and translate and to otherwise use and authorize others to publish and use such materials.

Signature of Project Director

Date

Title of Project: _____

NEW MEXICO CORRECTIONS DEPARTMENT
Informed Consent Statement/Consent to Release Information

I, _____ understand the purpose of the study entitled:

(CHECK APPROPRIATE CONSENT STATEMENT (S))

_____ I consent to participate in the study. My participation is voluntary. I understand that all research information will be handled in the strictest confidence and that my participation will not be individually identifiable in any reports. I further understand that there is no penalty or prejudice of any kind for not participating in the study.

_____ I consent to the release of information in my records to the researchers for the purpose of the study. I understand that the information in my records will be handled in the strictest of confidence and that my participation will not be individually identifiable in any reports. My consent is voluntary; I understand that there is no penalty or prejudice of any kind for not consenting to the release of my records.


_____ I consent to participate in the study and to the release of information in my records and I understand that I will or may be identified by name. My consent is voluntary.

Signature NMCD No. Date

Witness Date

Witness Date

NOTE: *This form will accompany a cover sheet prepared by the researcher and which contains an explanation of who is collecting the data, for what purpose and should discuss the other items presented in the Research Policy Statement. The researcher may also add any other information he/she wishes to convey to the subject.*

 <p>CD-043702</p>	<p>NEW MEXICO CORRECTIONS DEPARTMENT</p> <p><i>"We commit to the safety and well-being of the people of New Mexico by doing the right thing, always."</i> Courage Responsibility Ethics Dedication - CREDibly serving the public safety of New Mexico</p>	
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	<p>TITLE: Conducting Scientific Research-Mental Health</p>	

AUTHORITY:

Policy *CD-043700*

PROCEDURES:

- A. NMCD will support and engage in research activities relevant to programming. **[2-CO-1F-10]**
- B. The Warden shall encourage and use research conducted by outside professionals. **[4-4109]**
- C. Operational personnel shall assist scientific research personnel in carrying out research and evaluation. **[4-4110]**
- D. The Director of Probation and Parole and designated staff shall participate with scientific researchers in deciding what questions should be addressed, what data should be gathered, and how that data should be presented. **[4-APPFS-3D-36]**
- E. NMCD shall follow all professional, state and federal guidelines on the conduct, use and dissemination of research information. **[4-4111]**
- F. The Department shall cooperate with other governmental agencies in research activities, information gathering, exchange, and standardization. **[2-CO-1F-07] [4-APPFS-3D-34] [1-CTA-1D-02]**
- G. The Secretary or designee reviews and approves all research projects prior to their implementation; 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; and the method for dissemination of research findings is specified in writing. **[2-CO-1F-12] [4-4112] [4-APPFS-3D-37]**
- H. The privacy of participants will be maintained during all research activities. **[2-CO-1F-15]**



David Jablonski, Secretary of Corrections
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