

## **Conducting Research with Incarcerated Populations**

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Conducting research with incarcerated populations is challenging and requires a great deal of planning. This paper has applicability not only to research which is designed to study inmate populations but also to any panel study which has subjects who become incarcerated during the duration of the study. Many researchers find themselves in the position of having incarcerated subjects in their sample but having no idea of the necessary steps to gain access to those sample members. While not all of the principals may apply if only contacting a few people in prison or jail, these guidelines will provide a background with which to navigate the correctional approval system.

In particular, this paper examines considerations in the areas of instrument development, Institutional Review Board (IRB) issues, access, logistics and staffing. The earlier in a study that these issues are addressed, the better prepared researchers will be to work within correctional facilities.

The paper is based on lessons learned from the National Inmate Survey (NIS), a Bureau of Justice Statistics study which examined sexual victimization in prisons and jail. Over the course of 3 data collection periods, over 250,000 inmates were interviewed at 546 prisons, 926 jails and 25 special facilities (ICE, tribal and military) across the nation.

### **Instrument Development**

As with any study, the determination of mode should be made early in the research process. Unlike other studies, telephone or mail data collection may not be desirable because these methods are often monitored by correctional staff and can potentially cause confidentiality issues as well as decreasing truthful answers to sensitive topics. In addition, there is no guarantee that a mail survey is actually being completed by the sampled inmate.

Inmate educational levels are often low so it is necessary to gear questionnaires towards lower reading levels. While self-administered questionnaires are often preferred to gather data about sensitive topics, a printed questionnaire would be challenging for a person with a low reading level to complete. For the NIS, we used Audio Computer Assisted Self Interviewing (ACASI) for the sensitive questions. The inmate heard questions being read through headphones and selected the answers on a touch screen monitor. This provided an easy way for the inmate to respond to potentially stigmatizing topics without having to reveal the information to an interviewer.

If possible, it is valuable to conduct cognitive interviews to determine if the inmates can understand the questions. For example, in the NIS, we learned that inmates did not understand the term “heterosexual”. This necessitated the addition “also called straight” to the question.

### **IRB Issues**

45 CFR 46 subpart C indicates that inmates are considered to be a vulnerable population. As such, this requires extra considerations in conducting research. The IRB is required to have a prisoner representative on the board to consider the study. This person is often a member of the community and may or may not have any prior knowledge of

the research process. Researchers may find themselves in a position of having to explain the study in greater depth as a result.

As with any study, consent must be of the person's free choice. This can be somewhat more problematic with inmates than with the general population. Researchers need to clearly state in the consent form that participation in the study will have no bearing on the inmate's length of sentence or chances for parole. It is also important to ensure that corrections staff do not influence the inmate's choice on whether to participate or not. In the NIS, corrections staff were instructed to bring the inmate to the study area so that interviewers could explain the research to the inmate; officers were asked not to answer questions about the study because they did not have all of the information necessary to provide complete answers.

Another area of IRB concern is in the use of incentives. Small monetary incentives which would seem to be no more than a token in a household survey can potentially cause undue influence in a correctional facility where the inmate may have little or no money. Many correctional facilities will not allow cash as an incentive. Even non monetary incentives can potentially be used as currency in a jail or prison – the scarcity of the item may make it a desired commodity. For the NIS, 100 calorie packs of Chips Ahoy cookies were offered as an incentive. Interviewers stipulated that the cookies must be consumed prior to leaving the interviewing area and they collected the empty bags to prevent them from being used for other purposes (e.g. jamming a lock).

It is important to spell out in the consent form exactly what is and what is not confidential. For example, it is important to address what happens if the inmate expresses intent to hurt him/herself or another individual. By addressing the issue during the consent process, the inmate will understand that divulging this information could cause him to be reported to prison authorities. We had been concerned that putting this information into the consent form might make an inmate reticent to be open about other topics during the interview. On the contrary, during cognitive interviews, inmates told us that they had been reassured by us admitting that some information would not be kept confidential; they felt that if we were up front in telling them that, the other information would be protected.

The IRB will also be concerned about risk to inmates. Does the very fact that the inmate participated in the study put them at greater risk than someone who did not participate? In the NIS, topics concerned sexual victimization by other inmates and correctional staff. The IRB was concerned that a perpetrator might see a victim being interviewed and assume that the victim might report them and potentially cause problems. As a safety measure, our IRB had the study put in place two questionnaires – one about victimization and one that did not ask about victimization (that version asked about alcohol and drug use the first two years and physical and mental health the 3<sup>rd</sup> year). Consent forms explicitly stated that there were two different versions of the questionnaire and nobody but the inmate would know which version they were getting because these questions were contained in the ACASI portion of the interview. That way if inmates were questioned about what they reported, they could state that they did not get the victimization questions. In addition, our IRB was concerned that the length of time that the interview took might lead other inmates to speculate that the person was or was not victimized (for example, if one inmate took an hour for the interview and another took 10 minutes, it might be perceived that the person who took longer was victimized). As a way of combating that perception, we set timers within the questionnaire. If the person had not been victimized and finished the victimization questions quickly, the

computer switched them over to the other questionnaire. That way, everyone took approximately 35 – 40 minutes regardless of which questionnaire they received or whether or not they reported victimization. Ultimately the IRB is concerned that risks involved to inmates for participation would be similar to risks that would be accepted by non-prison volunteers.

### Access Issues

One of the most labor intensive parts of a study involving inmates is gaining access to them. Jurisdiction over correctional facilities may exist at local, state, or federal level. Jails are often run at a local level and sometimes access can be gained by contacting the jail itself. However, state and federal prisons have layers of bureaucracy to navigate. It is generally necessary to begin at the state department of corrections and gain permission to contact individual state prisons from there. Federal prisons have their own procedures. However, it may be possible that when you gain permission for a state or federal prison, the approval may extend to more than one prison. Correctional systems at the federal or state level may have their own IRBs or research committees. These groups may only meet periodically so it is necessary to allow enough time in the approval process to gain permission to proceed to the next level. Ultimately even if the state entity has given permission, the superintendent of the local facility has final authority to approve or disapprove visiting the prison. In addition to these levels of bureaucracy, some facilities are run by private corporations and approval must be obtained through the corporate headquarters. This often proves to be as time consuming as working through various state bureaucracies.

### Facility Logistics

Once the study has gained permission to conduct research at a correctional facility, it is extremely helpful to have data collection details worked out in advance. Whenever possible, it is invaluable to have a liaison at the facility. This person can help smooth the way for interviewing staff and can make or break data collection at a facility. Since corrections staff work on shifts, it is helpful if you can also identify a backup liaison in case the primary person is not at the facility during data collection.

Prior to arriving at the facility to collect data, you should discuss your needs for space and privacy with the facility liaison. Prisons and jails often operate over capacity and it may take a bit of brainstorming to come up with an interviewing space that is private but also meets the facility's security needs of being able to observe the inmate. Various spaces that were used during the NIS included classrooms, offices, closed off hallways and gyms. In wide open spaces like the gym, interviewers brought trifold cardboard dividers to set up on tables to make the setting more private.

Also prior to arriving at the facility, it is important to discuss the individual components of the study. For example, are incentives allowed? Are laptop computers allowed? We found that requirements varied wildly – some facilities didn't care what was brought to the facility; others prohibited items such as highlighters, pens, and anything printed on card stock because of perceived risks and facility regulations. At the end of the discussion of allowed and prohibited items, we summarized everything we had agreed to and sent it to the facility so that there would be no misunderstandings later.

It is helpful to discuss in advance a plan for getting inmates to the designated interviewing area. Regulations vary from facility to facility – some allow inmates to

walk unescorted, others require an officer to bring the inmates. If you plan to interview both males and females, be aware that many facilities require that they not be in the area at the same time. So you may find that you have to send all of the females back to their housing units before the officers will bring male inmates. This is also the case for different security levels. Inmates are classified by security level and generally facilities will not permit inmates that are more than 1 security level higher than the other inmates to be in the area at the same time (for example, if security level 1 inmates are in the interviewing area, you will generally need to send them back to their housing units prior to level 3 or higher inmates being brought in).

If you are attempting to interview inmates in special populations (e.g. disciplinary segregation), it is important to work out a plan for how you will reach those inmates. In some facilities, we were able to have the inmates brought to the interviewing area (often at separate times from the general population). In other cases, interviewers were permitted to go to the special housing areas and conduct interviews there.

Prisons and jails are highly regulated time-wise. We found it very helpful to find out when meal times and count times are and determine whether interviewing could continue during those times. If not, it is necessary to allow enough time to have inmates return to their housing units prior to count. Do not assume that just because the facility has given permission to interview from 10 AM – 4 PM that there will be 6 solid hours of interviewing time. Interviewers may be able to interview until 11:15, release the inmates for lunch and then not see anyone until after 1 PM when lunch is over and count has cleared.

It is likely that the IRB will mandate that provisions are put into place for dealing with distressed respondents. Discuss this with facility staff in advance of coming to the prison. Some prisons have social workers or other mental health professionals available on site. In other places, the plan for referring a distressed respondent may just be notifying a correctional officer. During the course of the NIS, we had several facilities that had no mental health resources available at all. In those cases, we contracted with a professional from the community who could be available if the necessity arose. We found during the NIS that there were very few inmates who appeared to be distressed as a result of the study; many who asked for referrals used it as a vehicle to gain access to mental health staff to talk about medications or legal issues.

### Staffing

As with other research, interviewer staffing can make or break the study. Since most people do not have direct experience with correctional facilities, it is important to lay out the study requirements as clearly as possible. If the interviewer will be in the same room with the inmate with no physical barrier, the interviewer should be made aware of this during the recruitment process. Downplaying requirements of the study is not advised as interviewers may quit after training. In the NIS, we detailed the job requirements and working condition on a job description and required each interviewer to sign the form prior to being hired. We also suggested that the interviewer talk the requirements over with family members prior to committing to the study. We sometimes found that, while the interviewer thought she could handle the study, spouses or children objected and caused the interviewer to resign from the study.

Many facilities have their own background clearance processes. These may range from a process as simple as submitting the interviewers' date of birth and drivers license

number to multiple page background check forms that may need to be notarized. We clearly indicated to all prospective interviewers that the facilities would have their own clearance process and passing the standard background check to be an interviewer would not guarantee that they would pass the possibly more rigorous facility check. We believe that some prospective interviewers who had problematic backgrounds probably self-selected out of the study when they realized how stringent the background process would be.

#### Dealing with distressed interviewers

Interviewing in prisons in jails can be very stressful. Interviewers may be exposed to unpleasant conditions and potentially upsetting situations. We found it helpful for our field supervisors to periodically check in with interviewing staff to make sure they were handling stress appropriately. In a few rare occasions, we offered phone consultations with a mental health professional to help the interviewers process their experiences. Despite the sometimes stressful conditions, we had an extremely high rate of interviewers returning from one data collection cycle to another.

#### Conclusion

Conducting interviews within correctional facilities can be challenging but it is possible. The more the researcher plans in advance, the better off the study will be. Above all, allow plenty of time to conduct the research. The clearance processes to enter the facility and background checks for interviewers take time and the facility may not feel the same sense of urgency as the research team to expedite the process. Data collection itself also takes more time than may be expected due to time to locate the inmate and transport him to the interviewer as well as long periods of down times for meals and counts. For planning purposes, it is important to be conservative on how lengthy these processes may be.

Another important item to remember is that each facility has its own set of rules. Procedures that are acceptable in one facility may be strictly prohibited in another. One of the most important attributes of a successful project staff is the ability to stay flexible and be creative in working with correctional staff.

Finally, it is extremely helpful to involve the IRB early. Since their guidelines may have major ramifications for the research study (e.g. requiring a second questionnaire), it is important to find this out as far in advance as possible.