Appendix A: Frequently Asked Questions

1. **What is Research?**

   Research means a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge, as stated in 45 CRF 46.102(l).

2. **What is the Research Oversight Committee (ROC) Process?**

   The ROC process is a standardized and comprehensive approach for selecting and approving all California Department of Corrections and Rehabilitation (CDCR) research projects with all Divisions and Offices represented by voting cabinet-level executives.

3. **What is the Data Concierge Service (DCS) unit?**

   The DCS is a unit within the Office of Research that oversees and monitors data requests while ensuring that published data aligns with CDCR business rules and provides population data and demographic information serving both internal and external stakeholders.

4. **Who can assist the applicants with filling out the research application form or answering questions?**

   The Office of Research can help applicants fill out applications or answer questions. The Office of Research posts guidelines applicants must follow, available here. Applicants are encouraged to send their inquiries regarding the application form to the Office of Research via email at m_OR.ROCAT@cdcr.ca.gov.

5. **Why does CDCR request information about project funding and sponsorship in the application form?**

   CDCR requests information about project funding and sponsorship to facilitate research projects, ensure there are no conflicts of interest, and assist the Office of Research in collecting data for mandated reports.

6. **Why does CDCR require copies of grant/contract award documents relevant to the study, project, or program?**

   CDCR requires copies of grant/contract award documents relevant to the study, project, or program to verify funding sources, ensure transparency, identify potential conflicts of interest, and confirm that the proposed study aligns with CDCR's goals and ethical guidelines.

7. **Why does CDCR require research applicants to submit Curriculum Vitae (CV)s for all research team members?**

   CDCR requires CVs for all research team members (including CDCR staff members) to assess their qualifications, ensure they meet the necessary expertise for the proposed study, and maintain comprehensive records for oversight and compliance purposes.

8. What is an Institutional Review Board (IRB) and the IRB approval letter?

   The IRB is a committee that reviews research involving human subjects to ensure that the research is ethical and complies with regulations. An IRB approval letter is a formal document issued by an IRB that signifies a research study has been reviewed and approved to proceed, detailing the conditions of approval, and allowing researchers to begin recruiting human subjects for their study. IRB approval is required for all projects and full ROC approval cannot be issued until IRB approval is received.

9. How can an independent researcher obtain an IRB approval if they are not affiliated with an institution that has an IRB?

   Independent researchers or those not affiliated with an institution with an IRB can still obtain IRB approval through the Office for Human Research Protections (OHRP) website, which provides a list of registered IRB entities who can assist depending on your research scope, funding, and required compliance with federal regulations.

10. What does the Committee for Protection of Human Subject (CPHS) do and how can I submit my research project for review?

    CPHS reviews research projects involving human participants to ensure they are conducted ethically and with minimal risk to the subjects involved; with a focus on safeguarding the rights and welfare of human research participants. You can submit your research project for CPHS review on the following CPHS website Committee for the Protection of Human Subjects (CPHS)-CDII. Please note, CPHS does not serve as an IRB for researchers seeking to conduct research with CDCR. The ROC only requires approval for CPHS for research projects requesting administrative data.

11. How can I determine if my research is exempt from CPHS approval?

    An investigation involving human subjects may be considered research but still may be "*exempt*" from CPHS review under the federal Common Rule. Researchers must submit an "*Exempt Research Application*" for CPHS to make such a determination. Researchers should not make this determination on their own. Please note, research involving the use of protected state data cannot be considered exempt from CPHS review under the California Information Practices Act (CFR title 45, section 46.104).

12. Would it be acceptable for the project title to differ slightly from how it appears in related supporting documents?

    No. Project titles must be the same across all project documents, including but not limited to IRB and CPHS approval. Failure to do so will result in additional processing time and may result in application denial/rejection.

13. What reference should a researcher provide for their project when contacting the Office of Research?

    When contacting the Office of Research, all correspondence should reference the assigned ROC number and project title.

14. **Why does CDCR require copies of research instruments and data collection tools?**

    CDCR requires copies of research instruments and data collection tools to ensure they align with the study's objectives, comply with ethical standards, and adhere to institutional guidelines for conducting research. Research instruments and data collection tools are provided to ROC members as part of the application approval process.

15. **Why does CDCR require written Informed Consent Forms (ICF) for all study participants?**

    ICF is a Federal requirement in all research studies that involve Human Subjects. CDCR requires written ICF for all study participants to ensure that individuals fully understand the details of any medical procedure, research study, or other activity that involves their participation and/or personal information, allowing them to make an informed decision about whether to participate. Refer to the following websites for more detailed information:

    - Department of Health and Human Services: Office of Human Research Protections (45 CFR 46)
    - California State Law: The California Protection of Human Subjects in Medical Experimentation Act (California Health and Safety Code § 24170-24179.5)

16. **Why does CDCR require a fiduciary letter for students applying for research projects?**

    CDCR requires a fiduciary letter for students to confirm institutional sponsorship, ensure accountability for the research conducted, and verify that the applicant has the necessary institutional support to fulfill the project's obligations and adhere to ethical guidelines.

17. **When does fiduciary responsibility become important to student researchers?**

    Students below the academic doctoral level are accepted but are required to identify and acknowledge a fiduciary entity responsible for funding the proposed research project. These students may not be the data custodian, the primary contact for the proposed study, or the signatory for the academic institution where the student is enrolled. Students are required to provide an academic support letter and a fiduciary letter from the academic institution stating the institution will be responsible for conducting the research study if approved.

18. **Why does CDCR require a letter of support from the principal academic advisor for students applying for research projects?**

    CDCR requires a letter of support from the principal academic advisor to ensure that the student has academic backing, appropriate mentorship, and institutional support for their research project. This also confirms that the project aligns with academic and ethical standards.

19. **Can an individual below the doctoral level be the Principal Investigator for a study?**

    No, academic students are not permitted to apply independently and/or serve as the sole Principal Investigator (PI) to conduct research with CDCR. An academic student may apply as a Co-PI with their university academic advisor serving as the PI for the study. Multiple Co-PIs are permissible on a specific application. High school students may not apply as PI or co-PI. Students who do not meet the above criteria are encouraged to explore data available publicly or accessible through the CDCR Public Records Act Process.

20. If an entity contracted with CDCR conducts research or program evaluations and plans to publish findings for public access, is Office of Research approval required?

    Yes, any research or program evaluation conducted within CDCR facilities or using CDCR data (e.g. interviews, surveys, focus groups, etc.) intended for public release must obtain the Office of Research approval before the research begins.

21. Is it necessary for a CDCR research application to disclose all potential conflicts of interest?

    Yes, a complete CDCR research application must disclose and address any potential conflicts of interest, particularly if they involve personal interests that could conflict with professional responsibilities. The application should clearly outline the relationship between the research organization and the organization responsible for delivering the program. If the application involves program evaluation, it must clearly differentiate between the roles of the research staff and program staff. Additionally, the application must detail any potential conflicts related to the research rationale, study design, data collection, analysis, and reporting, along with the steps taken to mitigate these conflicts. Declaring a conflict of interest doesn't necessarily mean the rejection of the proposed project.

22. Can applicants evaluate their own program?

    No. Applicants are not permitted to evaluate their own program(s) for research purposes. The entity responsible for implementing and conducting the program must obtain the services of an independent third-party research entity to ensure the use of independent rigorous systematic approach to gather, track, and report on performance/efficacy to measure outcomes for external program evaluation purposes.

23. How long does it typically take for the Office of Research (OR) to review and process a research application packet prior to presenting to the ROC for approval?

    The review time depends on several factors, including, but not limited to, the available resources, the complexity of the proposed study, the accuracy and clarity of the information provided, the applicant response time to questions or requests from the Office of Research, and the completeness of the application packet. Applications are reviewed on a first-come, first-served basis.

24. What is CDCR administrative data?

    CDCR administrative data refers to the structured information collected and maintained by CDCR for operational, management, and research purposes. This data includes records related to incarcerated individuals, parolees, facility operations, staffing, rehabilitation programs, disciplinary actions, and other correctional system metrics. It is used for decision-making, policy development, performance monitoring, and research to improve correctional outcomes.

25. What administrative data is available to a researcher to add thoroughness to the study?

    CDCR collects administrative data as part of ongoing operations; this information is available to support their study. It is the responsibility of the researcher in preparing their application to describe the categories of data relevant to the aims/objectives of the study.

26. What type of administrative data may the researcher request, and what do they mean?

The Office of Research provides raw administrative data in three main categories based on the level of personal identification they contain:

A. **Identifiable Data:** Data that include direct personal identifiers, (e.g., full name, CDCR number, Social Security number, or date of birth), making it possible to directly identify an individual. Examples, including but not limited to, a dataset showing:
   - Personally Identifiable Information (PII): Name, date of birth, Social Security number, CDCR number, and any other unique identifiers.
   - Location and Housing Information: Current or past incarceration locations, housing unit assignments, or transfers.
   - Health and Medical Records: Any data related to medical history, mental health records, disabilities, or treatments received while incarcerated.
   - Disciplinary and Legal Records: Information on disciplinary actions, charges, convictions, release dates, parole status, or probation details.
   - Communication and Visit Records: Logs of phone calls, emails, or visits with external individuals.

B. **Re-identifiable Data:** Data that does not contain direct identifiers but includes unique codes or pseudonyms that allow the data to be linked back to individuals if necessary. Re-identification is possible through a secure key maintained by the data holder. An example includes, but is not limited to, a dataset where each person is assigned a unique study ID instead of a name, but the Office retains a secure file linking the ID to the individual, or total number of individuals in a specific housing unit without specific dates or movements. However, if the housing information includes specifics like unit assignments, movement history, or small population subsets (e.g., Only two individuals were housed in X unit on Y date), it could potentially be re-identified when combined with other publicly available or internal data.

C. **De-identified Data:** Data that has been stripped of all direct and indirect identifiers, making it impossible to trace back to any individual. An example, includes but is not limited to, a dataset with demographic and behavioral information, but no names, ID numbers, or any variables that could reasonably identify someone, and aggregated data.

Each type of data has different access requirements and levels of data protection, in accordance with privacy regulations and departmental policy.

27. What are the key aspects of de-Identifiable data?

The key aspects of de-identifiable data are:

1) Removal of Direct Identifiers: Eliminating names, CDCR numbers, Social Security numbers, addresses, and other explicit identifiers.
2) Aggregation: Presenting data in broader categories (e.g., total counts instead of individual records).
3) Generalization: Replacing specific details with ranges or groups (e.g., reporting age as 30-40 instead of 34).
4) Suppression: Omitting small data subsets that could lead to re-identification (e.g., if only one person fits certain criteria).

5) Masking or Randomization: Altering certain variables so they cannot be linked back to specific individuals.

28. **Is there any CDCR administrative data that is not permitted for release to external entities for research purposes?**

    Yes. There is administrative data that CDCR cannot share with external entities. These data include, but are not limited to, any data not owned by CDCR (e.g., Department of Justice (DOJ) owned data such as Criminal Identification and Information (CII) number, supervised individual's arrest record, and recidivism), Social Security Numbers (SSN), complete date of birth (or day and month of birth year), and Health Insurance Portability and Accountability Act (HIPAA)-covered health care data.

    - For requesting health-related data through CCHCS, please contact the Data Advisory Committee (DAC) of CCHCS: m_TGOGovernance@cdcr.ca.gov.
    - If you are seeking DOJ government records via the Public Records Act (PRA), please visit https://oag.ca.gov/consumers/general/pra to learn more.
    - If you are seeking de-identified public criminal justice data, please visit the DOJ Open Justice Data Portal for direct access to data: https://openjustice.doj.ca.gov/data.
    - For requesting arrest records, please contact Record Review Unit and/or Foreign Adoptions: recordreview@doj.ca.gov.
    - For all other DOJ data requests, please follow the link: Data Request Process | State of California- Department of Justice- Office of the Attorney General.

29. **What is CDCR's California Incarcerated Records and Information Search (CIRIS)?**

    CDCR provides this tool as a public service to promote public safety and welfare while giving access to selected incarcerated person's information. This website is provided as an informational service only and does not constitute and should not be relied upon, as an official record of CDCR. Due to daily population changes, the data may contain errors or omissions, and may not reflect CDCR number, current location, commitment county, admitted date, or parole eligible date of any individual.

30. **Can I re-submit my application if it is rejected?**

    No. However, you may submit a new application. Please consider when submitting a new application, the reasons for the denial of your original application.

31. **Can I make changes to my application after submission or after executing the DSA?**

    You will have an opportunity to revise your application before it is reviewed and voted on by the ROC. However, if the application is approved and you wish to make changes afterwards, you must submit a formal amendment request. All official modification requests should be sent to m_OR.ROCAT@cdcr.ca.gov. The revised application must clearly highlight all proposed changes, and the amendment will be presented to the ROC for further review and a new decision. Substantial changes that may alter the scope of the project must be reflected in updated IRB and CPHS approvals.

32. How often does the ROC meet to review research applications?

    The ROC currently meets bi-monthly. However, please regularly check the ROC meeting schedule on CDCR website for any updates or changes.

33. What is the difference between a "Public Records Act" (PRA) request and a request for data for research purposes?

    A PRA request must conform to the requirements and limitations of the California Public Records Act and are managed by the OR's DCS unit. External requests for data for research purposes must be approved through the ROC process.

34. What is a CDCR criminal history background check, and why is it required for researchers?

    CDCR criminal history background check is a process to verify the criminal history of individuals seeking access to CDCR facilities, systems, administrative data, or sensitive information. This check ensures that anyone working within or interacting with the department – such as researchers, contractors, or employees – does not pose a security risk to staff, incarcerated people, or sensitive data. It is required to ensure facility security, protection of confidential information, complying with CDCR policies, and minimizing safety risks.

35. Who is required to go through the criminal history background process?

    Any research staff person who is not an employee of CDCR and is requesting access to CDCR facilities, and/or processing/analyzing individual-level administrative data owned by CDCR must clear a criminal history background check prior to initiating work. CDCR is required to hold current criminal history background check results, even if the applicant recently cleared a previous criminal history background check for another study (or purpose).

36. How long does it take to complete the criminal history background check?

    A background investigation can be completed in approximately 90 days; some more complex investigations may exceed the 90-day timeframe.

37. What should I be aware of when applying to study Division of Rehabilitative Programs (DRP) grant programs?

    DRP grant programs are not uniformly awarded across all institutions. Grant programs are contracted services, generally, for 2-3 years in duration and may not continue at the same institutions upon completion of their contract (e.g., they may be awarded a contract at a new institution or simply not be selected again at their current one). Therefore, it is possible the grant contract may expire before your project is approved, during project implementation or prior to the end of your study period. For more information, please refer to the Grant Programs- Division of Rehabilitative Programs (DRP) website.

38. What are the in-prison credit earning programs and how can an incarcerated individual earn these credits?

    Under Proposition 57, CDCR has incentivized incarcerated people to take responsibility for their own rehabilitation by providing credit-earning opportunities for sustained good behavior, as well as in-prison program and activities participation. For more information, please refer to the CDCR In-Prison Credit-Earning Opportunities website.

39. How long does it take to begin a study after receiving a ROC approval letter?

    The timeframe depends on completing the criminal history background check for all research team members, the Data Request Input Form (DRIF), and the Data Sharing Agreement (DSA) processes.

40. How can researchers contact CDCR institutions to collect data?

    Researchers are not permitted to contact CDCR institutions directly. All communication for data collection or coordination with institutions must go through the Office of Research. This ensures proper authorization, consistency, and adherence to CDCR protocols.

41. Do I need to re-submit my application if I want to make changes to the research team staff information?

    No, changing research team staff information does not require the researcher to resubmit the application. It requires the researcher to submit a request by email that includes the new research team staff contact information and their CVs to m_OR.ROCAT@cdcr.ca.gov to generate an amended DSA.

42. What is Attachment B of the DSA, and how should I fill it out?

    Attachment B is an Excel spreadsheet and a section of the DSA. It is also included in DRIF, section 5, that outlines the requested data elements and other details related to the requested data set. Applicants are encouraged to complete it to the best of their knowledge. The Office of Research will review the submission and follow up with the applicant if any additional information is needed. For assistance, applicants can contact the Office of Research at m_OR.ROCAT@cdcr.ca.gov.

43. Who is the data custodian in the DRIF/DSA?

    The data custodian is a member of the data requestor's organization who is responsible for the observance of all conditions of data use and for establishment and maintenance of security arrangements to prevent unauthorized use or disclosure of the data. The data custodian information must be included in section 2 of the DRIF and can serve as the signatory person for the agreement.

44. Who is the notification contact person in the DRIF/DSA?

    The notification contact person is a research team staff who is the designated signatory, authorized to sign on behalf of the organization and enter the organization into a legally binding contract.

45. Who is the requestor's signatory in the DRIF/DSA?

    The requestor's signatory is a person who is the designated signatory, authorized to sign on behalf of the organization and enter the organization into a legally binding contract.

46. **Is a CDCR DSA needed for all proposed studies involving incarcerated people under CDCR jurisdiction?**

    Yes. An executed DSA is required for all research studies and data requests involving incarcerated people under CDCR jurisdiction independent of the type of data collection. CDCR either owns or co-owns with the researcher/research entity all data used and/or generated as part of a ROC approved research study. The applicant must have a completed and signed DSA between the researcher's organization and CDCR before the applicant can begin a research study (or any aspects of the study).

47. **What happens if I don't submit the required supporting documents for the research application on time?**

    Delays in submitting supporting documents will delay the ROC application approval process and may result in an administrative denial of the project.

48. **Can a researcher request an extension to the DSA?**

    Yes. Researchers may request an extension to their DSA by submitting a formal request to the Office of Research via email at m_OR.ROCAT@cdcr.ca.gov at least six weeks prior to the agreement's expiration date. The request must include a project status report and a justification for the extension. Depending on the nature of the request and the expiration dates of prior approvals, researchers may also be required to submit updated IRB and CPHS approval letters and other supporting documents.

49. **How do researchers obtain approval to publish findings from research conducted with CDCR data?**

    CDCR requires researchers to provide a draft of their findings for review prior to publication to ensure that no contextual information impacts the safety or security of the institution or the department. Any state-funded research findings made available to the public must meet publication conditions outlined in California Government Code § 13989.6.

50. **Are researchers required to provide outcome reports of their finished research projects to CDCR?**

    Yes. annual progress reports are due each year for ongoing projects. Upon completion, all completed projects must provide final reports, outcome findings, etc. to CDCR. This completed research report is what officially closes out a project file. CDCR includes this information in a legislative mandated ROC Biennial Report.