



**STATE OF MONTANA
DEPARTMENT OF CORRECTIONS
POLICY DIRECTIVE**

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| Policy No. DOC 4.5.39 | Subject: OFFENDER PARTICIPATION IN RESEARCH PROJECTS |
| Chapter 4: FACILITY/PROGRAM SERVICES | Page 1 of 2 and Attachment |
| Section 5: Clinical Services | Effective Date: Dec. 1, 1996 |
| Department Director Signature: /s/ Brian Gookin | Revised: 4/19/2021 |
| Medical Director Signature: /s/ Dr. Paul Rees | |
| Clinical Services Division Administrator Signature: /s/ Connie Winner | |

I. POLICY

The Department of Corrections will not allow offenders in its care, custody, or under its supervision to participate in any medical, pharmaceutical, or cosmetic research project without the express permission of the Department director; if approved, offenders will not be compensated, remunerated, or paid for participation.

II. APPLICABILITY

All divisions, facilities, and programs Department-owned and contracted, as specified in contract.

III. DEFINITIONS

None

IV. DEPARTMENT DIRECTIVES

A. Project Requirements

1. Individuals or agencies who submit research proposals involving offenders will complete the [Request of Offender Participation in Research Projects](#) form.
2. The Department director will:
 - a. review all research proposals that require offender involvement;
 - b. provide written permission before such projects are implemented;
 - c. specify the limits and conditions under which any such project may be conducted; and
 - d. provide the steps to be taken to preserve the offender's rights.
3. When offenders are participations in community-based research protocol, they are admitted to the facility with procedures for:
 - a. continuation of participation; and
 - b. consultation with community researchers so that withdrawal from the research protocol is done without harming the health or mental health of the offender.
4. Any research conducted on juvenile offenders should meet the standards for design and control, and the juvenile (or legal guardian where required by jurisdictional law) must have given informed consent.

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V. CLOSING

Questions concerning this policy should be directed to the Clinical Services Division Administrator.

VI. REFERENCES

- A. [53-1-201](#), MCA; [53-1-206](#), MCA
- B. DOC Policies [1.1.3, Organization and Responsibility](#)
- C. P-G-06, *National Commission on Correctional for Health Services in Prisons 2008*
- D. [45 CFR 46](#), *Code of Federal Regulations*
- E. MH-I-05; *National Commission on Correctional Mental Health Services in Correctional Facilities, 2015*
- F. Y-I-05; *National Commission on Correctional Health Services in Juvenile Detention and Confinement Facilities, 2015*

VII. ATTACHMENT

[Request for Offender Participation in Research Project PDF](#)