

## CHAPTER 2

### ETHICS IN CRIMINAL JUSTICE RESEARCH

#### True/False

1. Polsky supports the view that the scientific role in research takes precedence over the citizen role in the short run . ( True)
2. In reality science itself is amoral, ethically neutral. (True)
3. There has been no attempt to develop a code of ethics in either criminology and criminal justice. (False)
4. Since HEW supports both physical and social sciences, their original guidelines applied equally to each. (True)
5. Weppner feels that a strict interpretation of the old HEW guidelines would have made street ethnography impossible. (True)
6. The text takes the point of view that some privacy invasion is inevitable in criminal justice research. (True)
7. NIJ has no regulations governing the research of those who have been contracted to perform research for it. (False)
8. Laws enacted by Congress grant the right of privileged communication to contracted HHS researchers in criminal proceedings. (True)
9. A code of ethics governing research practices must, if it is to be worthwhile, require strict abidance by all with no exceptions. (False)
10. Since until recently there has been no professional code of ethics governing research in criminal justice, it is safe to assume that most criminal justice researchers do not conduct themselves ethically in performing research. (False)
11. The text takes the point of view that deception is not permitted under any circumstances in research. (False)
12. The notion of reciprocity involves a mutual trust and obligation between researcher and subject. (True)

13. According to Klockars the researcher-subject model in biomedical research is analogous to criminal justice research. (False)
14. In order to conduct research with ethical responsibility, criminal justice researchers should limit their targets of research to volunteers. (False)
15. According to Soloway and Walters' examination of Pennsylvania statute, researchers would actually have had to assist, aid, or abet actual commission of a specific criminal act in order to be libel under statute. (True)
16. According to Soloway and Walters, once summoned to testify, researchers have no legal recourse but to divulge information or face a contempt citation. (True)
17. Federal procedures for prior review of human subjects research is evidence of failure of professional associations to have won public trust. (True)
18. The most important source of social science research regulation is the Department of Health and Human Services guidelines. (True)
19. Institutional Review Boards are formed and run by the federal government. (False)
20. The Belmont Report recommended the alteration of the HEW informed consent requirement in the case of field research. (True)
21. Under the HHS guidelines most research involving survey or interview procedures is exempt from regulation. (True)
22. Research involving the observation of public behavior is not exempt from HHS guidelines. (False)
23. The Department of Health and Human Services has not been responsive to the unique needs of social science research in regulating research conduct. (False)
24. NIJ uses its own entirely different guidelines than HHS for regulating research conduct. (False)

25. Subjects of NIJ research are protected by statute from the use of any research or statistical information identifiable to an individual. (True)
26. Shield laws are intended to protect researchers from being sued by subjects for malpractice. (False)
27. The new code of ethics of the Academy of Criminal Justice Sciences governs research in criminal justice. (True)
28. Confidentiality of government-sponsored research is guaranteed in the Omnibus Crime Control Act of 1973. (True)
29. Reynolds' research indicated that it is quite common for social science researchers to be subpoenaed to appear in court (False)
30. During and after World War II the U.S. military exposed their own soldiers to mustard gas and nuclear radiation as part of scientific experiments. (True)
31. While a number of examples were given in the text of unethical biomedical experiments, there have fortunately been no such examples in the social sciences. (False)
32. The primary danger in Milgram's "Obedience to Authority" experiment was that some subjects might get electrocuted. (False)
33. Zimbardo prematurely canceled his "simulated prison study" rather than risk harm to the participants. (True)
34. Humphreys in his "Tearoom Trade" study avoided ethical problems by seeking informed consent of the subjects. (False)
35. Project Camelot was a study of decision-making in the Kennedy Administration. (False)
36. Plagiarism is a type of fraud in which a writer presents the ideas or work of someone else as his or her own. (True)
37. Polsky advocates the point of view that in participant observation it is very important for researchers to take a moralistic stance. (False)
38. There is no official professional code of ethics governing research within the field of criminal justice itself. (True)

39. The code of ethics of the U.S. Department of Justice is the primary guideline utilized in criminal justice research. (False)
40. Shield laws protect researchers funded by the National Institute of Justice from having to reveal their confidential sources in a court of law. (True)
41. A major ethical concern regarding Milgram's experiment was the deceiving of subjects into believing they were physically harming other human beings. (True)
42. The text took the point of view that research such as that on mothers with aids in Africa is clearly unethical. (False)
43. Institutional Review Boards (IRBs) currently have very little influence on the conduct of research in American College's and Universities. (False)
44. In 1998, the Department of Health and Human Services concluded that Institutional Review Boards were overburdened, poorly staffed and subject to conflict of interest. (True)
45. Since the Belmont Report, most of the decisions regarding protection of human subjects in research is under the control of Institutional Review Boards. (True)
46. The "common rule" (of federal policy on human subjects) requires that informed consent include a statement as to how the researcher will maintain confidentiality. (True)
47. Rik Scarce, author of *Eco-Warriors* while threatened with incarceration for refusal to reveal subjects was never actually jailed. (False)
48. The Human Terrain System is a program in which the Defense Department uses social scientists to study civilian populations in hostile areas (True)
49. The Monster study involved training children to stutter. (True)
50. Zimbardo's "Lucifer effect" explores why good people will do evil things if demanded by the situation. (True)

## Multiple Choice

1. Which of the following is not contained in the HHS Guidelines on the Protection of Human Subjects?
  - a. a fair explanation of the procedure to be used
  - \*b. an offer of remuneration to any subject requesting it
  - c. a description of any benefits reasonably to be expected
  - d. an offer to answer any inquiries regarding procedure
  
2. Regulations regarding maintenance of confidentiality in criminal justice research:
  - \*a. are required of any NIJ-funded research
  - b. are solely the responsibility of the researcher
  - c. are not necessary
  - d. are required in exceptional cases
  
3. NIJ's Confidentiality of Research and Statistical Data (1979) does not require which of the following?
  - \*a. that all original data be destroyed once the final report is completed
  - b. upon completion of research, identifiers are either destroyed or separated and secured
  - c. identifiable data is immune from administrative or judicial process
  - d. identifiable data may be used for statistical purposes
  
4. Which of the following was not suggested in the text as appropriate in guiding ethical conduct in criminal justice research?
  - \*a. the adopted code should be rigidly adhered to by all in order to be effective
  - b. avoid procedures which may harm respondents
  - c. respect reciprocity
  - d. protect confidentiality and privacy
  
5. In performing research the text takes the point of view that the researcher's primary role is that of:
  - a. citizen
  - b. humanitarian
  - \*c. scientist
  - d. criminal justice practitioner

6. Which of the following was not described as one of the three forms that the regulation of ethically acceptable research conduct may take?
- \*a. enforcement by state and local police
  - b. codes of ethics and institutional review boards
  - c. procedures imposed by the federal government
  - d. legal regulation in the courts
- 7 Which of the following roles of the researcher was identified in the text as the researcher's primary role?
- a. criminal justice practitioner
  - \*b. scientist
  - c. citizen
  - d. academician
- 8 Which of the following was not identified as a key element in the "classic professionalism model"?
- a. knowledge
  - b. service
  - c. autonomy
  - \*d. cynicism
9. Since 1980 the most important source of guidance for ethical research in the U.S. has been:
- \*a. Health and Human Services
  - b. National Criminal Justice Reference Service
  - c. Criminal Justice Archive and Information Network
  - d. National Institute of Justice
10. Shield laws refer to:
- a. protection for respondents against unobtrusive measures
  - b. government immunity from research
  - \*c. state-guaranteed right to confidentiality for researchers
  - d. reciprocity
11. The new HHS guidelines regulating social science research was a frank recognition that:
- \*a. there has been little documented harm associated with such studies
  - b. there was abuse and need for more strict regulation
  - c. the social sciences were not prepared to regulate themselves
  - d. growing liability required legislation

12. Hagan's description of his inept handling of a participant observation study in Columbia, Maryland, "illustrated":
  - a. violation of reciprocity
  - \*b. violation of informed consent
  - c. violation of confidentiality
  - d. violation of objectivity
  
13. Longmire's survey of ASC members found that their major ethical problem in research was:
  - \*a. pressure to engage in undesired research
  - b. confidentiality problems
  - c. reciprocity
  - d. informed consent
  
14. Reynolds' review of research on subpoenaed social science researchers found:
  - a. an increase in such cases since 1980
  - b. dismissal of most cases due to lack of evidence
  - c. release under the Freedom of Information Act
  - \*d. less than a dozen such cases mostly involving newsmen
  
15. The group filing suit in the Ofshe case was:
  - a. Federal Government
  - \*b. Synanon
  - c. University of California, Berkeley
  - d. Hare Krishnas
  
16. The Belmont Report advocated:
  - a. elimination of Internal Review Boards
  - b. tighter federal regulation of research
  - \*c. alteration of informed consent in case of field research
  - d. elimination of federal regulation of research
  
17. The new HHS guidelines did not:
  - \*a. apply only to social science research
  - b. apply only to HHS-funded research
  - c. exclude most field studies
  - d. continue Institutional Review Boards
  
18. Which of the following was not discussed as an example of a social science study with ethical problems?
  - a. Obedience to Authority Study
  - b. The Simulated Prison Study
  - \*c. Kansas City Experiment
  - d. Tearoom Trade

19. What did Project Camelot deal with?
  - \*a. student and peasant insurgency movements in Chile
  - b. Sandinista election fraud in Nicaragua
  - c. decision-making in the Kennedy administration
  - d. homosexual behavior in public restrooms
  
20. Which of the following lack a fully recognized state right to confidentiality?
  - a. physicians
  - b. lawyers
  - \*c. social researchers
  - d. clergy
  
21. Research screening committees set up in colleges and universities to oversee the ethical propriety of research are:
  - a. College Senates
  - b. Faculty Policies Committees
  - c. Rank and Tenure Committees
  - \*d. Institutional Review Boards
  
22. Tierney's study of *Darkness in El Dorado* dealt with:
  - a. Mistreatment of orphan stutterers
  - b. Schizophrenic youth being encouraged to discontinue their medication
  - c. The death of a graduate student in the Himalayas
  - \*d. Unethical treatment of the Yanomami tribe in Brazil
  
23. Which of the following was not a basic principle of the Belmont Report (the National Commission for the Protection of Human Subjects):
  - \*a. principle of equanimity
  - b. principle of respect for persons
  - c. principle of beneficence
  - d. principle of justice

#### Identification Items

List any three paradoxes of the informed consent requirement as applied to the practice of fieldwork

The Belmont Report

List any three elements of a proposed code of ethics for criminal justice research

Risk/Benefit Ratio in Protection of Human Subjects

HHS Guidelines

Institutional Review Boards

Shield Laws

Informed Consent

Confidentiality

Reciprocity



## Completion

1. \_\_\_\_\_ are research screening committees set up in colleges and universities to oversee the ethical propriety of research. (Institutional Review Boards)
2. The Department of \_\_\_\_\_ guidelines are the most widely followed regulations for social science research in the U.S. (Health and Human Services)
3. \_\_\_\_\_ laws constitute a governmental immunity from prosecution, a state-guaranteed right to confidentiality for researchers if they are subpoenaed. (Shield laws)
4. In Project \_\_\_\_\_ U.S. researchers studied student and peasant insurgency movements in Chile. (Camelot)
5. \_\_\_\_\_ is a type of fraud in which a writer presents the ideas or work of someone else as his or her own. (Plagiarism)
6. \_\_\_\_\_ is the requirement that any information obtained in research is to be treated as private and not revealed in any manner that would identify or harm subjects. (Confidentiality)
7. Ethical guidelines of the Department of \_\_\_\_\_ provide a model for most other federal agencies with respect to informed consent and protection of human subjects in social and biomedical research. (HHS--Health and Human Services)
8. \_\_\_\_\_ is a term for aliases used in research reports to protect the identity of respondents. (Pseudonyms)
9. \_\_\_\_\_ refers to a system of mutual obligation between subjects and researchers. (Reciprocity)

## Discussion Questions

1. What are the various roles that the criminal justice researcher must play? How do these relate to ethical issues in the conduct of criminal justice research? Do you agree that the researcher's primary role is that of scientist? Explain.
2. What is the current status of a "code of professional ethics" governing the conduct of criminal justice research?
3. What problems for criminal justice field research are raised by federal grant requirements of "informed consent" of subjects?
4. Discuss the issue of confidentiality and protection of subjects in criminal justice research. What legal liability and/or protections are attached to criminal justice research?
5. According to the text, what are some basic elements of a code of ethics for criminal justice research?
6. Should any type of deception in criminal justice research be avoided? Where does one draw the line?
7. What does the term reciprocity entail in criminal justice research?
8. How might ethical problems in criminal justice research be avoided?
9. What hazards as well as victories were won by researchers in the Brajuha, Ofshe, and Hutchinson cases?
10. Discuss and give examples of what the text calls "Ethical 'Horror' Stories." What attempts have been made to prevent a repeat of such incidents?
11. Is informed consent necessary in all field research? Discuss and give some examples of where you think it is or is not necessary.
12. What ethical issues are raised by the project testing AZT on pregnant mothers with AIDS in Third World countries?