Chicago Appleseed Center for Fair Courts: Guiding Principles for Ethical, Rigorous Research

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Author Note
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Abstract

Chicago Appleseed Center for Fair Courts believes methodologically rigorous and ethically sound research is at the cornerstone of equitable and fair legal systems. This document outlines the research standards which should be followed by any authors, co-authors, or researchers working on an assignment with, or on the behalf of, Chicago Appleseed Center for Fair Courts. These standards are set to protect research stakeholders and participants, to uphold the meaning and dignity of our research as it relates to justice and reform, and to ensure any research performed by Chicago Appleseed Center for Fair Courts works to improve the lives of those in the justice system and minimize any risk or harm which may result from research involving human subjects and legal system reform.

The following research protocol outlines our conceptual framework for approaching such research, including (i) research design, (ii) research methodology, (iii) ethics code, (iv) writing and (v) implementation strategy.
I. RESEARCH DESIGN

Aligning with a theoretical and conceptual framework

‘Law’ as a discipline and practice is often ‘in limbo’ between social science and the humanities. Legal researchers can therefore draw from both social science and the humanities in establishing sound research standards and developing theoretical frameworks within which research can be performed and understood. Due to the centrality of human subjects within legal system reform and research, the Chicago Appleseed Center for Fair Courts aligns its research practices with social science standards of the Social and Behavioral Sciences Institutional Review Board and the ethical principles and guidelines as summarized in the Belmont Report of the U.S. Department of Health and Human Services. The basic policy and procedures of these guiding institutions are outlined in the remainder of this report, with practical resources to support researchers throughout their research project. These guidelines do not include every possibility for ethical and methodological considerations researchers may face during dynamic projects, but rather act as a foundation to safeguard research stakeholders and maximize positive outcomes that follow Chicago Appleseed research.

Developing a research framework

We begin research projects by developing a broad range of questions, which identify knowledge gaps and narrow the scope of the project. While these questions vary from project to project, common questions across all projects include:

Identify Knowledge Gaps
What gaps exist in the knowledge of our general research topic that motivates this project?
What bodies of literature or resources are most relevant to these topics? Who has access to these materials and how can we leverage what has already been done?
Who are the stakeholders, at local, state and national levels?
Who is the target audience of this report?
Within what geographic scope is this project focused?
What data is still unknown or missing?

Plan for Inclusivity
How do gender, race, and socioeconomic status intersect with the research topic?
What are the differential impacts of our topic within marginalized gender and racial categories?
How can our project amplify the voices and experiences of traditionally excluded perspectives?
In what ways has this area of the court or legal system supported, or shown ignorance toward, these issues?

Consider Outputs and Outcomes
How will the projects’ data and findings influence the status quo?
What risks are involved for research stakeholders and participants?
What are the detailed outputs of this project and what are their desired outcomes? What kind of advocacy could we expect based on our findings (specific court policies, practices, or ordinances or legislative outcomes)?

**Identifying research aims and core research questions**

Once we identify knowledge gaps, plan for inclusivity and identify outputs and outcomes, we simplify our questions into (1) research aims and objectives (2) a core research question and (3) supplementary questions to guide the research process for the duration of the study.

**Research aims**

Research aims should be designated at the beginning of the research process. These are broad statements that will inform what literature should be considered for the literature review, which research stakeholders should be involved in the research process, what questions and methodologies should be pursued for the research, and finally what outputs and outcomes will follow data analysis and writing.

Example Research Aim:
To investigate the current state of electronic monitoring (EM) in the United States.

**Research objectives**

Research objectives follow research aims and provide more detail on the specific issues the research aims address. These objectives should be numbered and referenced in the methodology section of a later report or final writings.

Example:
Objective 1: To examine whether EM usage reduces jail time of defendant
Objective 2: To identify the harmful effects of EM usage on defendants
Objective 3: To provide recommendations for the improvement of EM technology to achieve the desired outcome of the court.

**Core research question**

The core research question should be very specific, making it clear (a) who is the focus of the research, (b) what data is being sought, (c) and within what geographic scope.

Example: How do community organizations perceive the benefits and constraints of electronic monitoring on participants in Chicago?
- Answers the ‘what’ of the research
- Answers on who the research will focus
- Situates these concepts within a geographic scope

**Supporting research questions**
Supplemental questions help frame and support the core question.
Example:

- What is the goal of the program as declared by the State? How is the goal measured, and by whom?
- How are participants constrained by electronic monitoring (EM), including the health, job and movement impacts participants experience on EM?
- Does EM impact people differently according to their gender identity, gender expression, or sexual orientation?
- Does EM have differential impacts according to race and ethnicity?

Table 1: Commonly Used Terms Related to Research Aims
(Thomas and Hodges, 2010:2)

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
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<tbody>
<tr>
<td>Research aim</td>
<td>A statement indicating the general aim or purpose of a research project. Usually a research project will have only one broad aim.</td>
</tr>
<tr>
<td>Research objectives</td>
<td>Specific statements indicating the key issues to be focused on in a research project. Usually a research project will have several specific research objectives</td>
</tr>
<tr>
<td>Research questions</td>
<td>An alternative to research objectives, where the key issues to be focused on in a research project are stated in the form of questions</td>
</tr>
<tr>
<td>Research hypotheses</td>
<td>A prediction of a relationship between two or more variables, usually predicting the effect of an independent variable on a dependent variable. The independent variable is the variable assumed to have causal influence on the outcome of interest, which is the dependent variable</td>
</tr>
</tbody>
</table>

Performing a thorough literature review
The literature review serves to understand the main and supporting research which has been done in the past on the identified topic, people groups and geographic area. This not only serves as a foundation for future research, but also further identifies what knowledge gaps exist and how research will serve the legal community by filling these gaps. Both academic and grey (i.e. non-profit, private or government publications) literature can be considered, with an eye toward publications which may be one-sided, unfairly biased, or motivated by skewed agendas.

Methods and ethics considerations
Promoting inclusive, equitable research across each of our research projects begins with rooting out biases and ethical dilemmas in the research design phase. We believe it is important to (1) identify stakeholder agendas and acknowledge the influence these agendas have on research expectations and findings (2) acknowledge what biases may exist within the research team which could prevent the project from seeing people, legal professionals and the legal system clearly (3) address ethical and methodological
limitations based on researcher positionality, resource constraints, and the protection of human subjects.

**Outputs and outcomes**
Finally, research design involves understanding what the project’s research outputs will be (i.e. a report, policy brief, seminar series etc.) and what desired outcomes follow the research outputs. Though these were thought of at the beginning of the project, these outputs and outcomes are further refined once the research questions and literature review has been done. Outputs and outcomes should be as specific as possible.

**Outputs**
Outputs are the actual work that will be produced as a product of the research. Outputs might include a long form document, policy brief, implementation meetings scheduled with policy makers etc. These should be listed for each project.

**Outcomes**
Outcomes are the hoped for consequences of the research outputs. Such as X legislation passed or X demographic impacted in a certain way, awareness increased among relevant stakeholders, etc. Outputs and outcomes should be listed for each project with an advocacy plan in place on how outputs will lead to desired outcomes.

II. RESEARCH METHODS

Once the research design is established, research methods state how the desired data will be collected and analyzed to produce insights. Both qualitative (descriptive) and quantitative (numeric) methods should be considered based on the research aims and desired output.

**Target audience and participant identification**
When choosing what data to collect for a research project, researchers should consider all the data needed in order to thoroughly answer research questions, keeping in mind the target audience of the report and all the target participants who may be required to gather the data needed. An understanding of the target audience will frame the level of technical detail, or breadth, necessary to produce a compelling report. Unless otherwise specified, Appleseed aims to make findings accessible to community members and other non-lawyers and non-data scientists. Further, a range of target participants should be considered in order to collect the necessary amount of nuance, complexity and perspectives to answer core and supporting research questions. Participants may include individuals, participants in a legal process, community organizations, government officials, private companies, lawyers, and more. Importantly, access to certain groups may be restricted or take time to secure. These considerations should be taken at the onset of research.
**Data Collection and Analysis**

**Qualitative**
Descriptive data which is commonly gathered through semi-structured or in-depth interviews, surveys, focus groups, diary methods, and more. Qualitative data is helpful for sharing nuanced and dynamic perspectives, experiences or ideas. While qualitative data can require more time and resources for data collection, it is extremely valuable for exploring the non-linear social, political and economic aspects of society. We utilize thematic coding to analyze qualitative data, drawing out emerging themes and grouping themes across interviews or focus groups. Computer-assisted qualitative data analysis software (CAQDAS) can be utilized for larger data sets, including softwares such as NVivo and Atlas.ti.

**Quantitative**
Numeric data which is either continuous or discrete. Quantitative data can offer research scope and high level insights, revealing patterns in behavior or programming and possible projections for the future. Quantitative data can be limited in its ability to understand individual experiences, however, it is useful for understanding the bigger picture of a certain system or situation. Quantitative data can also be limited in its ability to detect gender or racial descrimination. Quantitative analysis includes running regressions and statistical analyses.

**Data Handling**
We value the protection and privacy of every participant and organization we perform research with. Therefore, we work to uphold the highest standards of data handling, protection and privacy. All data is only accessible by our immediate research team and kept on secure corporate accounts with SmartSheets and Google Drive. We protect data by backing it up in two online systems, as well as through hard copies on researcher hard drives for the duration of the study. We receive participant consent for interview and data collection, and anonymize all participants who wish to be anonymized, ensuring names, organizations, addresses, birth dates, and any other recognizable information be changed to protect their identities (University of Chicago, 2021).

We also draw our principles from the ones developed by the Chicago Data Collaborative, of which we are founding members. We apply the same standards to our internal data as we do to data shared with other Data Collaborative Members. This includes:

1. Preservation of Raw Data - All raw data shall be maintained in its unmodified form
2. Preservation of Documentation - Appleseed will retain any documentation that accompanied raw data, as well as any Appleseed-created documentation related to the data, including FOIA requests.
3. Appleseed will retain any intermediate materials that document data transformation, including Jupyter or R Notebooks, for any data work that is anywhere in the process of being published or publicly shared.
4. Any data made available to the public shall be sanitized of identifiable information or discussion of events of such specificity that a reader could reasonably deduce any private individuals' identity through third party searches.

III. ETHICS CODE

Chicago Appleseed is a volunteer-led, collaborative nonprofit organization advocating for fair, accessible, and anti-racist courts in Chicago, Cook County, and across the state of Illinois. At our core, we learn about and explore challenges within the legal and criminal justice system which differentially impact marginalized groups based on their economic status, gender, and race. Our vision is to implement and advocate for anti-racist solutions to systematic injustices, based on rigorous and fair research.

To implement principles of equality, fairness, and rigor in our research, we abide by a series of ethical standards which guide each internal research decision and external interaction.

An ethics checklist must be ‘approved’ before research can begin in order to protect vulnerable research participants. An ethics checklist should be completed for every research project. It is used to identify whether a full application for ethics review needs to be submitted. Consideration of the vulnerability of participants has been demonstrated through tables such as the example in the Appendix Table 2. Before completing a checklist please refer to the appropriate Research Organisations (ROs) Code of Practice on ethical standards for research involving human participants. The principal investigator or (where the principal investigator is a student) the supervisor, is responsible for exercising appropriate professional judgment in determining the ethics review required. An appropriate checklist should be completed before potential participants are approached to take part in any research. Click here to view and complete Chicago Appleseed’s full Ethics Review checklist.

Research is subject to ongoing third-party review, to check against any ethical dilemmas regarding research stakeholders, participants or methodological practices, and ensure no harm is done. All Chicago Appleseed research should be subject to ethics review by (a) the Pro Bono Committee of the Chicago Appleseed Board of Directors and/or (b) the co-chairs of the supervising Collaboration for Justice Committee. Future iterations of the third-party review or projects involving federal institutions should consider Institutional Review Board (IRB) verification (see: UChicago Social and Behavioral Sciences IRB in University of Chicago, 2021).

Consent is given at every stage of the research process. We ensure participants are aware of how their contributions will be used, and how anonymity will be maintained, in our final report and any correlated publications. Participants are able to leave interviews, focus groups, or the entire study at any time of the research process. Participants must have given informed consent in order for
researchers to proceed, such as is demonstrated through Cornell’s Research Services [Consent Forms](https://www.cornell.edu/offices/research-services/consent) (CRS, 2021) or the DHHS [Informed Consent Checklist](https://www.hhs.gov/ohrp/regulations-guidance/informed-consent-checklist/index.html) (DHHS, 1998).

Researchers should further acknowledge their own limitations. We strive to assess, at all times, how our positionality may influence data or create forms of bias over collection, analysis, and findings. This will be mitigated through the above considerations, including a risk assessment and third party review.

IV. WRITING

In order to maintain a high degree of report quality, we utilize APA formatting. Formatting not only helps to create consistency across each of our researchers and published reports, it also provides a clear structure for formatting and citations so the content of the piece can be the focus of researchers’ attention. We follow the most recent standard of APA Guidelines (i.e. APA 7), released in October 2019. We strive to ensure all work is cited properly following APA guidelines, which are listed clearly by the Purdue University Online Writing Lab on the APA Formatting Guide.

V. IMPLEMENTATION AND ADVOCACY

How do outputs translate into desired outcomes for maximized research impact? An implementation strategy functions to connect the outputs and outcomes discussed in the research design phase.

**Stakeholder Calls to Action**

Relevant stakeholders in the research and implementation process should be identified, with calls to action based on research findings.

**Research Publication**

**Event Publication**

**Panel of Speakers (Virtual or In-Person)**

**Academic or Organizational Partnership**

**Policy Briefs**

**Shorter Publications for Sharing**

VI. Signature
Your signature acknowledges you have read these research standards and agree to abide by methods and ethical requirements.

x ________________________________  ________________ (date)

Appendix

Project Overview Template

Research Checklist Template

Ethics Review Checklist

Resource List

