The Practice of Research in Criminology and Criminal Justice

Sixth Edition

Ronet D. Bachman
University of Delaware

Russell K. Schutt
University of Massachusetts Boston
LEARNING OBJECTIVES

1. Describe the design of the Milgram obedience experiments and some of the controversies surrounding their methods and results.

2. Identify three other research projects that helped to motivate the establishment of protections for human subjects.

3. Define the *Belmont Report’s* three ethical standards for the protection of human subjects.

4. Explain how an institutional review board operates and how it classifies research.

5. List current standards for the protection of human subjects in research.

6. Describe the ethical issues related to conducting research with children and prisoners.

Let’s begin with a thought experiment (or a trip down memory lane, depending on your earlier exposure to this example). One day as you are drinking coffee and reading the newspaper during your summer in California, you notice a small ad recruiting college students for a study at Stanford University. Feeling a bit bored with your part-time job waiting on tables and missing the campus environment you got used to in your previous year as a freshman, you go to the campus and complete an application.

Male college students needed for psychological study of prison life. $80 per day for 1–2 weeks beginning Aug. 14. For further information & applications, come to Room 248, Jordan Hall, Stanford U. (Zimbardo et al. 1973, 38)

After you arrive at the university, you are given an information form with more details about the research (“Prison Life Study”).

Intrigued, you decide to continue. First you are asked to complete a long questionnaire about your family background, physical and mental health history, and prior criminal involvement; answer a researcher’s questions in person; and sign a consent form. A few days later, you are informed that you and 20 other young men...
have been selected to participate in the experiment. You then return to the university to complete a battery of “psychological tests” and are told you will be picked up for the study the next day (Haney, Banks, and Zimbardo 1973).

The next morning, you hear a siren just before a squad car stops in front of your house. A police officer charges you with assault and battery, warns you of your constitutional rights, searches and handcuffs you, and drives you off to the police station. After fingerprinting and a short stay in a detention cell, you are blindfolded and driven to the “Stanford County Prison.” Upon arrival, you are stripped naked, skin-searched, deloused, and issued a uniform (a loosely fitting smock with an ID number printed on it), bedding, soap, and a towel. You don’t recognize anyone, but you notice that the other “prisoners” and the “guards” are college-age, apparently middle-class white men (and one Asian) like you (Haney et al. 1973; Zimbardo et al. 1973).

The prison warden welcomes you:

As you probably know, I’m your warden. All of you have shown that you are unable to function outside in the real world for one reason or another—that somehow you lack the responsibility of good citizens of this great country. We of this prison, your correctional staff, are going to help you learn what your responsibilities as citizens of this country are. . . . If you follow all of these rules and keep your hands clean, repent for your misdeeds and show a proper attitude of penitence, you and I will get along just fine. (Zimbardo et al. 1973, 38)

Prison Life Study: General Information

Purpose: A simulated prison will be established somewhere in the vicinity of Palo Alto, California, to study a number of problems of psychological and sociological relevance.

Paid volunteers will be randomly assigned to play the roles of either prisoners or guards for the duration of the study. This time period will vary somewhat from about 5 days to 2 weeks for any one volunteer—depending upon several factors, such as the “sentence” for the prisoner or the work effectiveness of the guards.

Payment will be $80 a day for performing various activities and work associated with the operation of our prison. Each volunteer must enter a contractual arrangement with the principal investigator (Dr. P. G. Zimbardo) agreeing to participate for the full duration of the study. It is obviously essential that no prisoner can leave once jailed, except through established procedures. In addition, guards must report for their 8-hour work shifts promptly and regularly since surveillance by the guards will be around-the-clock—three work shifts will be rotated or guards will be assigned a regular shift—day, evening, or early morning. Failure to fulfill this contract will result in a partial loss of salary accumulated—according to a prearranged schedule to be agreed upon. Food and accommodations for the prisoners will be provided which will meet minimal standard nutrition, health and sanitation requirements.

A warden and several prison staff will be housed in adjacent cell blocks, meals and bedding also provided for them. Medical and psychiatric facilities will be accessible should any of the participants desire or require such services. All participants will agree to having their behavior observed and to be interviewed and perhaps also taking psychological tests. Films of parts of the study will be taken, participants agreeing to allow them to be shown, assuming their content has information of scientific value.

[The information form then summarizes two of the “problems to be studied” and provides a few more details.]

Thanks for your interest in this study. We hope it will be possible for you to participate and to share your experiences with us.

Philip G. Zimbardo, PhD
Professor of Social Psychology
Stanford University
Among other behavioral restrictions, the rules stipulate that prisoners must remain silent during rest periods, during meals, and after lights out; that they must address each other only by their assigned ID numbers; that they must address guards as “Mr. Correctional Officer”; and that they may be punished for any infractions (Zimbardo et al. 1973).

You can tell that you are in the basement of a building. You are led down a corridor to a small cell (6’ x 9’) with three cots, where you are locked behind a steel-barred black door with two other prisoners (Exhibit 3.1). There is a small solitary confinement room across the hall for those who misbehave. There is little privacy, since you realize that the uniformed guards, behind their silver sunglasses, can always observe the prisoners. After you go to sleep, you are awakened by a whistle summoning you and the others for a roll call.

The next morning, you and the other eight prisoners must stand in line outside your cells and recite the rules until you remember all 17 of them. Prisoners must chant, “It’s a wonderful day, Mr. Correctional Officer.” Two prisoners who get out of line are put in solitary confinement. After a bit, the prisoners in Cell 1 decide to resist: They barricade their cell door and call on the prisoners in other cells to join in their resistance. As punishment, the guards pull the beds out from the other cells and spray some inmates with a fire extinguisher.

The guards succeed in enforcing control and become more authoritarian, while the prisoners become increasingly docile. Punishments are meted out for infractions of rules and sometimes for seemingly no reason at all; punishments include doing push-ups, being stripped naked, having legs chained, and being repeatedly wakened during the night. Would you join in the resistance? How would you react to this deprivation of your liberty by these authoritarian guards?

By the fifth day of the actual Stanford Prison Experiment, five student prisoners had to be released due to evident extreme stress (Zimbardo 2007). On the sixth day, Philip Zimbardo terminated the experiment. A prisoner subsequently reported,

The way we were made to degrade ourselves really brought us down and that’s why we all sat docile towards the end of the experiment. (Haney et al. 1973, 88)

One guard later recounted his experience:

I was surprised at myself . . . I made them call each other names and clean the toilets out with their bare hands. I practically considered the prisoners cattle, and I kept thinking: “I have to watch out for them in case they try something.” (Zimbardo et al. 1973, 174)

Exhibit 3.2 gives some idea of the difference in how the prisoners and guards behaved. What is most striking about this result is that all the guards and prisoners had been screened before the study began to ensure that they were physically and mentally healthy. The roles of guard and prisoner had been assigned randomly, by the toss of a coin, so the two groups were very similar when the study began. It seemed to be the “situation” that led to the deterioration of the mental state of the prisoners and the different behavior of the guards. Being a guard or a prisoner, with rules and physical arrangements reinforcing distinctive roles, changed their behavior.

Are you surprised by the outcome of the experiment? By the guard’s report of his unexpected, abusive behavior? By the prisoners’ ultimate submissiveness and the considerable psychic distress some felt? (We leave it to you to assess how you would have responded if you had been an actual research participant.)
Of course, our purpose in introducing this small “experiment” is not to focus attention on the prediction of behavior in prisons; instead, we want to introduce the topic of research ethics by encouraging you to think about research from the standpoint of the people who are the subjects of research. We will refer to Philip Zimbardo’s Stanford Prison Experiment throughout this chapter, since it is fair to say that this research ultimately had a profound influence on the way that social scientists think about research ethics as well as on the way that criminologists understand behavior in prisons. We will also refer to Stanley Milgram’s (1963) experiments on obedience to authority, since that research also pertains to criminal justice issues and has stimulated much debate about research ethics.

Every criminal justice researcher needs to consider how to practice his or her discipline ethically. Whenever we interact with other people as social scientists, we must give paramount importance to the rational concerns and emotional needs
that shape their responses to our actions. It is here that ethical research practice begins, with the recognition that our research procedures involve people who deserve as much respect for their well-being as we do for ours.

### Historical Background

Concern with ethical practice in relation to people who are in some respect dependent, whether as patients or research subjects, is not a new idea. Ethical guidelines for medicine trace back to Hippocrates in 5 BC Greece (Hippocratic Oath, n.d.), and the American Medical Association (AMA) adopted the world's first formal professional ethics code in medicine in 1847 (AMA 2011). Yet the history of medical practice makes it clear that having an ethics code is not sufficient to ensure ethical practice, at least when there are clear incentives to do otherwise.

The formal procedures for the protection of participants in research we have today grew out of some widely publicized abuses. One defining event occurred in 1946, when the Nuremberg War Crime Trials exposed horrific medical experiments conducted by Nazi doctors and others in the name of "science." Almost 20 years later, Milgram's research on obedience also generated controversy about participant protections (Perry 2013). As late as 1972, Americans learned from news reports that researchers funded by the U.S. Public Health Service had followed 399 low-income African American men since the 1930s, collecting data to study the "natural" course of syphilis (Exhibit 3.3) (http://www.tuskegee.edu/about_us/centers_of_excellence/bioethics_center/about_the_usphs_syphilis_study.aspx). At the time the study began, there was no effective treatment for the disease, but the men were told they were being treated for "bad blood," whether they had syphilis or not. Participants received free medical exams, meals, and burial insurance but were not asked for their consent to be studied. What made this research study, known as the Tuskegee Syphilis Experiment, so shocking was that many participants were not informed of their illness and, even after penicillin was recognized as an effective treatment in 1945 and in large-scale use by 1947, the study participants were not treated. The research was ended only after the study was exposed. In 1973, congressional hearings began, and in 1974, an out-of-court settlement of $10 million was reached; it was not until 1997 that President Bill Clinton made an official apology (CDC 2009).

Of course, the United States is not the only country to have abused human subjects. For example, British military scientists exposed hundreds of Indian soldiers serving under the command of the British military to mustard gas during World War II to determine the how much gas was needed to produce death (Evans 2007).

These and other widely publicized abuses made it clear that formal review procedures were needed to protect research participants. The U.S. government created a National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research and charged it with developing guidelines (Kitchener and Kitchener 2009). The commission's 1979 Belmont Report (from the U.S. Department of Health, Education, and Welfare) established three basic ethical principles for the protection of human subjects (Exhibit 3.4):

- **Respect for persons:** treating persons as autonomous agents and protecting those with diminished autonomy;
- **Beneficence:** minimizing possible harms and maximizing benefits; and
- **Justice:** distributing benefits and risks of research fairly.
The Department of Health and Human Services and the Food and Drug Administration then translated these principles into specific regulations that were adopted in 1991 as the **Federal Policy for the Protection of Human Subjects**. This policy has shaped the course of social science research ever since, and you will have to take it into account as you design your own research investigations. Professional associations such as the Academy of Criminal Justice Sciences, university review boards, and ethics committees in other organizations also set standards for the treatment of human subjects by their members, employees, and students, although these standards are all designed to comply with the federal policy. This section introduces these regulations.

Federal regulations require that every institution that seeks federal funding for biomedical or behavioral research on human subjects have an **institutional review board (IRB)** that reviews research proposals. Other countries have similar entities, such as the United Kingdom’s research ethics committees (RECs) (Calvey 2014). IRBs at universities and other agencies apply ethical standards that are set by federal regulations but can be expanded or specified by the IRB itself (Sieber 1992). To promote adequate review of ethical issues, the regulations require that IRBs include members with diverse backgrounds. The **Office for Protection From Research Risks in the National Institutes of Health** monitors IRBs, with the exception of research involving drugs (which is the responsibility of the federal Food and Drug Administration).
The Academy of Criminal Justice Sciences (ACJS) and the American Society of Criminology (ASC), like most professional social science organizations, have adopted ethical guidelines for practicing criminologists that are more specific than the federal regulations. The ACJS Code of Ethics also establishes procedures for investigating and resolving complaints concerning the ethical conduct of the organization’s members. The Code of Ethics of the ACJS (2000) is available on the ACJS website (www.acjs.org). The ASC follows the American Sociological Association’s (ASA 1999) code of ethics, which is summarized on the ASA website (http://www.asanet.org/about/ethics.cfm).

### Ethical Principles

#### Achieving Valid Results

Commitment to achieving valid results is the necessary starting point for ethical research practice. Simply put, we have no business asking people to answer questions, submit to observations, or participate in experimental procedures if we are simply seeking to verify our preexisting prejudices or convince others to take action on behalf of our personal interests. It is the pursuit of objective knowledge about human behavior—the goal of validity—that motivates and justifies our investigations and gives us some claim to the right to influence others to participate in our research. Knowledge is the foundation of human progress as well as the basis for our expectation that we, as social scientists, can help people achieve a brighter future. If we approach our research projects objectively, setting aside our personal predilections in the service of learning a bit more about human behavior, we can honestly represent our actions as potentially contributing to the advancement of knowledge.

The details in Zimbardo’s articles and his recent book (2007) on the prison experiment make a compelling case for his commitment to achieving valid results—to learning how and why a prison-like situation influences behavior. In Zimbardo’s (2009) own words,

> Social-psychological studies were showing that human nature was more pliable than previously imagined and more responsive to situational pressures than we cared to acknowledge. . . . Missing from the body of social-science research at the time was the direct confrontation . . . of good people pitted against the forces inherent in bad situations. . . . I decided that what was needed was to create a situation in a controlled experimental setting in which we could array on one side a host of variables, such as . . . coercive rules, power differentials, anonymity. . . . On the other side, we lined up a collection of the “best and brightest” of young college men . . . I wanted to know who wins—good people or an evil situation—when they were brought into direct confrontation.

Zimbardo (Haney et al. 1973) devised his experiment so the situation would seem realistic to the participants and still allow careful measurement of important variables and observation of behavior at all times. Questionnaires and rating scales, interviews with participants as the research proceeded and after it was over, ongoing video and audio recording, and logs maintained by the guards all ensured that very little would escape the researcher’s gaze.

Zimbardo’s (Haney et al. 1973) attention to validity is also apparent in his design of the physical conditions and organizational procedures for the experiment. The “prison” was constructed in a basement without any windows so that participants would not have a sense of where they were. Their isolation was reinforced by the practice of placing
paper bags over their heads when they went with a guard to use the bathroom, which was in a corridor apart from the prison area. Meals were bland, and conditions were generally demeaning. This was a very different “situation” for the participants; it was no college dorm experience.

However, not all social scientists agree that Zimbardo’s approach achieved valid results. British psychologists Stephen Reicher and S. Alexander Haslam (2006) argue that guard behavior was not so consistent and that it was determined by the instructions Zimbardo gave the guards at the start of the experiment, rather than by becoming a guard in itself. For example, in another experiment, when guards were trained to respect prisoners, their behavior was less extreme (Lovibond, Mithiran, and Adams 1979).

In response to such criticism, Zimbardo (2007) has pointed to several replications of his basic experiment that support his conclusions—as well as to the evidence of patterns of abuse in the real world of prisons, including the behavior of guards who tormented prisoners at Abu Ghraib.

Do you agree with Zimbardo’s assumption that the effects of being a prisoner or guard could fruitfully be studied in a mock prison, with “pretend” prisoners? Do you find merit in the criticisms? Will your evaluation of the ethics of Zimbardo’s experiment be influenced by your answers to these questions? Should our ethical judgments differ when we are confident a study’s results provide valid information about important social processes?

Honesty and Openness

The scientific concern with validity requires in turn that scientists be open in disclosing their methods and honest in presenting their findings. In contrast, research distorted by political or personal pressures to find particular outcomes or to achieve the most marketable results is unlikely to be carried out in an honest and open fashion. To assess the validity of a researcher’s conclusions and the ethics of his or her procedures, you need to know exactly how the research was conducted. This means that articles or other reports must include a detailed methodology section, perhaps supplemented by appendices containing the research instruments or websites or an address where more information can be obtained.
Philip Zimbardo’s research reports seemed to present an honest and open account of his methods. His initial article (Haney et al. 1973) included a detailed description of study procedures, including the physical aspects of the prison, the instructions to participants, the uniforms used, the induction procedure, and the specific data collection methods and measures. Many more details, including forms and pictures, are available on Zimbardo’s website (www.prisonexperiment.org) and in his recent book (Zimbardo 2007).

The act of publication itself is a vital element in maintaining openness and honesty. Others can review and question study procedures and so generate an open dialogue with the researcher. Although Zimbardo disagreed sharply with his critics about many aspects of his experiment, their mutual commitment to public discourse in widely available publications resulted in a more comprehensive presentation of study procedures and a more thoughtful discourse about research ethics (Savin 1973; Zimbardo 1973). Almost 40 years later, this commentary continues to inform debates about research ethics (Reicher and Haslam 2006; Zimbardo 2007).

Openness about research procedures and results goes hand in hand with honesty in research design. Openness is also essential if researchers are to learn from the work of others. In spite of this need for openness, some researchers may hesitate to disclose their procedures or results to prevent others from building on their ideas and taking some of the credit. You might have heard of the long legal battle between a U.S. researcher, Dr. Robert Gallo, and a French researcher, Dr. Luc Montagnier, about how credit for discovering the AIDS virus should be allocated. Although a public dispute such as this one is unusual—even more unusual than its resolution through an agreement announced by then-president Ronald Reagan and then–prime minister Jacques Chirac (Altman 1987)—concerns with priority of discovery are common. Scientists are like other people in their desire to be first. Enforcing standards of honesty and encouraging openness about research are the best solutions to these problems (as exemplified by the chronology of discovery that Gallo and Montagnier jointly developed as part of the agreement).
Chapter 3  Research Ethics  69

Protecting Research Participants

The ACJS code’s standards concerning the treatment of human subjects include federal regulations and ethical guidelines emphasized by most professional social science organizations:

- Research should expose participants to no more than minimal risk of personal harm. (#16)
- Researchers should fully disclose the purposes of their research. (#13)
- Participation in research should be voluntary, and therefore subjects must give their informed consent to participate in the research. (#16)
- Confidentiality must be maintained for individual research participants unless it is voluntarily and explicitly waived. (#14, #18, #19)

Philip Zimbardo (2007) himself decided that his Stanford Prison Experiment was unethical because it violated the first two of these principles. Participants “did suffer considerable anguish . . . and [the experiment] resulted in such extreme stress and emotional turmoil that five of the sample of initially healthy young prisoners had to be released early” (pp. 233–34). The researchers did not disclose in advance the nature of the arrest or booking procedures at police headquarters, nor did they disclose to parents how bad the situation had become when the parents came to a visiting night. Nonetheless, Zimbardo (Zimbardo et al. 1973; Zimbardo 2007) argued that there was no long-lasting harm to participants and that there were some long-term social benefits from this research. In particular, debriefing participants—discussing their experiences and revealing the logic behind the experiment—and follow-up interviews enabled the participants to recover from the experience without lasting harm. Also, the experience led several participants in the experiment, including Zimbardo, to dedicate their careers to investigating and improving prison conditions. As a result, publicity about the experiment has also helped focus attention on problems in prison management.

Do you agree with Zimbardo’s conclusion that his experiment was not ethical? Do you think it should have been prevented from being conducted in the first place? Are you relieved to learn that current standards in the United States for the protection of human subjects in research would not allow his experiment to be conducted?

In contrast to Zimbardo, Stanley Milgram (1963) believed that his experiments on obedience to authority were ethical, so debate about this has been long-lasting. His experiments on obedience to authority raise most of the relevant issues we want to highlight here.

Milgram had recruited community members to participate in his experiment at Yale University. His research was stimulated by the success of Germany’s Nazi regime of the 1930s and 1940s in enlisting the participation of ordinary citizens in unconscionable acts of terror and genocide. Milgram set out to identify through laboratory experiments the conditions under which ordinary citizens will be obedient to authority figures’ instructions to inflict pain on others. He operationalized this obedience by asking subjects to deliver electric shocks (fake, of course) to “students” supposedly learning a memory task; the students were actually members of the research team who had been trained to play specific roles. The experimental procedure had four simple steps: (1) The research subject read a series of word pairs aloud to the student, pairs such as blue box, nice day, wild duck, and so on. (2) The subject then read aloud one of the first words from those pairs, along with a set of four words, one of which was the original second word paired with the first. For example, “blue: sky ink box lamp” might be read. (3) The “student” was directed to state the word that he thought was paired with the first word the research subject had read (“blue”). If he gave a correct response, he was complimented and the game continued. If he made a mistake, a switch was flipped on the console. The research subject assumed that this caused the student to feel a shock on his wrist. (4) After each mistake, the next switch was flipped on a console, progressing from left to right. There was a label corresponding to every fifth switch on the console, with the first mark labeled slight shock, the fifth mark labeled moderate shock, the tenth strong shock, and so on through very strong shock, intense shock, extreme intensity shock, and danger: severe shock. Subjects were told to increase the shocks over time, and many did so, even after the supposed “students,” behind a partition, began to cry out in (simulated)
The participants became very tense, and some resisted as the shocks increased to the (supposedly) lethal range, but many still complied with the authority in that situation and increased the shocks. Like Zimbardo, Milgram debriefed participants afterward and followed up later to check on their well-being. It seemed that none had suffered long-term harm.

As we discuss how the ACJS Code of Ethics standards apply to Milgram’s experiments, you will begin to realize that there is no simple answer to the question “What is (or isn’t) ethical research practice?” The issues are just too complicated, and the relevant principles too subject to different interpretations. But we do promise that by the time you finish this chapter, you will be aware of the major issues in research ethics and be able to make informed, defensible decisions about the ethical conduct of social science research.

**Avoid Harming Research Participants**

Although this standard may seem straightforward, it can be difficult to interpret in specific cases and harder yet to define in a way that is agreeable to all social scientists. Does it mean that subjects should not at all be harmed psychologically or physically? That they should feel no anxiety or distress whatsoever during the study or even after their involvement ends? Should the possibility of any harm, no matter how remote, deter research?

Before we address these questions with respect to Milgram’s experiments, consider this verbatim transcript of one Milgram’s sessions, which will give you an idea of what participants experienced (Milgram 1965):

- **150 volts delivered.** You want me to keep going?
- **165 volts delivered.** That guy is hollering in there. There’s a lot of them here. He’s liable to have a heart condition. You want me to go on?
- **180 volts delivered.** He can’t stand it! I’m not going to kill that man in there! You hear him hollering? He’s hollering. He can’t stand it. . . . I mean who is going to take responsibility if anything happens to that gentleman?
- [The experimenter accepts responsibility.] All right.
- **195 volts delivered.** You see he’s hollering. Hear that. Gee, I don’t know. [The experimenter says: “The experiment requires that you go on.”] I know it does, sir, but I mean—Hugh—he don’t know what he’s in for. He’s up to 195 volts.
- **210 volts delivered.**
- **225 volts delivered.**
- **240 volts delivered.** (p. 67)

This experimental manipulation generated “extraordinary tension” (Milgram 1963):
Subjects were observed to sweat, tremble, stutter, bite their lips, groan and dig their fingernails into their flesh. . . . Full-blown, uncontrollable seizures were observed for 3 subjects. [O]ne . . . seizure [was] so violently convulsive that it was necessary to call a halt to the experiment [for that individual]. (p. 375)

An observer (behind a one-way mirror) reported (Milgram 1963), “I observed a mature and initially poised businessman enter the laboratory smiling and confident. Within 20 minutes he was reduced to a twitching, stuttering wreck, who was rapidly approaching a point of nervous collapse” (p. 377).

Psychologist Diana Baumrind (1964) disagreed sharply with Milgram’s approach, concluding that the emotional disturbance subjects experienced was “potentially harmful because it could easily affect an alteration in the subject’s self-image or ability to trust adult authorities in the future” (p. 422). Stanley Milgram (1964) quickly countered.

As the experiment progressed there was no indication of injurious effects in the subjects; and as the subjects themselves strongly endorsed the experiment, the judgment I made was to continue the experiment. (p. 849)

When Milgram (1964) surveyed the subjects in a follow-up study, 83.7% endorsed the statement that they were “very glad” or “glad” “to have been in the experiment,” 15.1% were “neither sorry nor glad,” and just 1.3% were “sorry” or “very sorry” to have participated (p. 849). Interviews by a psychiatrist a year later found no evidence “of any traumatic reactions” (p. 197). Subsequently, Milgram (1974) argued that “the central moral justification for allowing my experiment is that it was judged acceptable by those who took part in it” (p. 21).

Milgram (1964) also attempted to minimize harm to subjects with postexperimental procedures “to assure that the subject would leave the laboratory in a state of well being” (p. 374). A friendly reconciliation was arranged between the subject and the victim, and an effort was made to reduce any tensions that arose as a result of the experiment.

In some cases, the “dehoaxing” (or “debriefing”) discussion was extensive, and all subjects were promised (and later received) a comprehensive report (Milgram 1964).

In a later article, Baumrind (1985) dismissed the value of the self-reported “lack of harm” of subjects who had been willing to participate in the experiment—and noted that 16% did not endorse the statement that they were “glad” they had participated in the experiment (p. 168). Baumrind (1985) also argued that research indicates most students who have participated in a deception experiment report a decreased trust in authorities as a result—a tangible harm in itself.

Many social scientists, ethicists, and others concluded that Milgram’s procedures had not harmed the subjects and so were justified for the knowledge they produced, but others sided with Baumrind’s criticisms (Miller 1986). What is your opinion at this point? Does Milgram’s debriefing process relieve your concerns? Are you as persuaded by the subjects’ own endorsement of the procedures as was Milgram?

Would you ban such experiments because of the potential for harm to subjects? Does the fact that Zimbardo’s and Milgram’s experiments seemed to yield significant insights into the effect of a social situation on human behavior—insights that could be used to improve prisons or perhaps lessen the likelihood of another holocaust—make any difference (Reynolds 1979)? Do you believe that this benefit outweighs the foreseeable risks?

**Obtain Informed Consent**

The requirement of informed consent is also more difficult to define than it first appears. To be informed, consent must be given by the persons who are competent to consent, have consented voluntarily, are fully informed about the research, and have comprehended what they have been told (Reynolds 1979). Yet well-intentioned researchers may not foresee all the potential problems and so may not point them out in advance to potential participants (Baumrind 1985). Milgram (1974) reported that he and his colleagues were surprised by the subjects’ willingness to carry out such severe shocks. In Zimbardo’s prison simulation study, all the participants signed consent forms, but they were not “fully informed” in advance about potential risks. The researchers themselves did not realize that the study participants would experience so much stress so quickly, that some prisoners would have to be released for severe negative reactions within the first few days, or that even those who were not severely stressed would soon be begging to be released from
the mock prison. But on the other hand, are you concerned that real harm “could result from not doing research on destructive obedience” and other troubling human behavior (Miller 1986, 138)?

Obtaining informed consent creates additional challenges for researchers. The researcher’s actions and body language should help convey his verbal assurance that consent is voluntary. The language of the consent form must be clear and understandable to the research participants yet sufficiently long and detailed to explain what will actually happen in the research. Examples A (Exhibit 3.6) and B (Exhibit 3.7) illustrate two different approaches to these trade-offs.

**Exhibit 3.6  Consent Form A**

**INFORMED CONSENT**


**PURPOSE:** You are one of approximately 300 people being asked to participate in a research project conducted by the Center for Drug and Alcohol Studies at the University of Delaware. You were part of the original study of offenders in Delaware leaving prison in the 1990s, and we want to find out how things in your life have changed since that time. The overall purpose of this research is to help us understand what factors lead to changes in criminal activity and drug use over time.

**PROCEDURES:** If you agree to take part in this study, you will be asked to complete a survey, which will last approximately 60 to 90 minutes. We will ask you to provide us with some contact information so that we can locate you again if we are able to do another follow up study in the future. You will be asked about your employment, family history, criminal involvement, health history, drug use, and how these have changed over time. We will use this information, as well as information that you have previously provided or which is publicly available. We will not ask you for the names of anyone, or the specific dates or specific places of any of your activities. The interviews will be tape-recorded, but you will not be identified by name on the tape. The tapes will be stored in a locked cabinet until they can be transcribed to an electronic word processor. After the tapes have been transcribed and checked for accuracy they will be destroyed. Anonymous transcribed data will be kept indefinitely – no audio data will be kept.

**RISKS:** There are some risks to participating in this study. You may experience distress or discomfort when asked questions about your drug use, criminal history, and other experiences. Should this occur, you may choose not to answer such questions. If emotional distress occurs, our staff will make referrals to services you may need, including counseling, and drug abuse treatment and support services.

The risk that confidentiality could be broken is a concern, but it is very unlikely to occur. You will not be identified on the audiotape of the interview. We request that you not mention names of other people or places, but if this happens, those names will be deleted from the audiotape prior to transcription. All study materials are kept in locked file cabinets. Only three members of [the] research team will have access to study materials.

**BENEFITS:** You will have the opportunity to participate in an important research project, which may lead to the better understanding of what factors both help and prevent an individual’s recovery from drug use and criminal activity.

**COMPENSATION:** You will receive $100 to compensate you for your time and travel costs for this interview.

**CONFIDENTIALITY:** Your records will be kept confidential. They will be kept under lock and key and will not be shared with anyone without your written permission. Your name will not appear on any data file or research report.

A Privacy Certificate has been approved by the U.S. Department of Justice. The data will be protected from being revealed to non-research interests by court subpoena in any federal, state, or local civil, criminal, administrative, legislative or other proceedings.

You should understand that a Privacy Certificate does not prevent you or a member of your family from voluntarily releasing information about yourself or your involvement in this research. If you give anyone written consent to receive research information, then we may not use the Certificate to withhold that information.
Chapter 3  Research Ethics  73

The Privacy Certificate does not prevent research staff from voluntary disclosures to authorities if we learn that you intend to harm yourself or someone else. These incidents would be reported as required by state and federal law. However, we will not ask you questions about these areas.

Because this research is paid for by the National Institute of Justice, staff of this research office may review copies of your records, but they also are required to keep that information confidential.

RIGHT TO QUIT THE STUDY: Participation in this research project is voluntary and you have the right to leave the study at any time. The researchers and their assistants have the right to remove you from this study if needed.

You may ask and will receive answers to any questions concerning this study. If you have any questions about this study, you may contact Ronet Bachman or Daniel O’Connell at (302) 831-6107. If you have any questions about your rights as a research participant you may contact the Chairperson of the University of Delaware’s Human Subjects Review Board at (302) 831-2136.

CONSENT TO BE INTERVIEWED
I have read and understand this form (or it has been read to me), and I agree to participate in the in-depth interview portion of this research project.

___________________________________________________________________
PARTICIPANT SIGNATURE  DATE

___________________________________________________________________
SIGNATURE OF WITNESS/INTERVIEWER  DATE

CONSENT TO BE CONTACTED IN FUTURE
I have read and understand this form (or it has been read to me), and I agree to be recontacted in the future as part of this research project.

___________________________________________________________________
PARTICIPANT SIGNATURE  DATE

___________________________________________________________________
SIGNATURE OF WITNESS/INTERVIEWER  DATE

Ronet Bachman, PhD
Principal Investigator
University of Delaware
Telephone: (302) 831-6107

Consent form A was approved by the University of Delaware IRB for in-depth interviews with former inmates about their experiences after release from prison.

Consent form B is the one used by Philip Zimbardo. It is brief and to the point, leaving out many of the details that current standards for the protection of human subjects require. Zimbardo’s consent form also released the researchers from any liability for problems arising out of the research. (Such a statement is no longer allowed.)

In As in Milgram’s (1963) study, experimental researchers whose research design requires some type of subject deception try to minimize disclosure of experimental details by withholding some information before the experiment begins but then debriefing subjects at the end. In the debriefing, the researcher explains to the subjects what happened in the experiment and why and responds to their questions. A carefully designed debriefing procedure can help the research participants learn from the experimental research and grapple constructively with feelings elicited by the realization that they were deceived (Sieber 1992). However, even though debriefing can be viewed as a substitute, in some cases, for securing fully informed consent prior to the experiment, debriefed subjects who disclose the nature of the experiment to other participants can contaminate subsequent

Debriefing: A researcher’s informing subjects after an experiment about the experiment’s purposes and methods and evaluating subjects’ personal reactions to the experiment.
results (Adair, Dushenko, and Lindsay 1985). Apparently for this reason, Milgram provided little information in his "debriefing" to participants in most of his experiments. It was only in the last two months of his study that he began to provide more information, while still asking participants not to reveal the true nature of the experimental procedures until after the study was completely over (Perry 2013). Unfortunately, if the debriefing process is delayed, the ability to lessen any harm resulting from the deception is also reduced.

If you were to serve on your university’s IRB, would you allow this research to be conducted? Can students who are asked to participate in research by their professor be considered able to give informed consent? Do you consider informed consent to be meaningful if the true purpose or nature of an experimental manipulation is not revealed?

The process and even possibility of obtaining informed consent must take into account the capacity of prospective participants to give informed consent. Children cannot legally give consent to participate in research; instead, they must in most circumstances be given the opportunity to give or withhold their assent to participate in research, usually by a verbal response to an explanation of the research. In addition, a child’s legal guardian must give written, informed consent to have the child participate in research (Sieber 1992). There are also special protections for other
populations that are likely to be vulnerable to coercion—prisoners, pregnant women, mentally disabled persons, and educationally or economically disadvantaged persons. Would you allow research on prisoners, whose ability to give informed consent can be questioned? What special protections do you think would be appropriate?

**Avoid Deception in Research, Except in Limited Circumstances**

Deception occurs when subjects are misled about research procedures to determine how they would react to the treatment if they were not research subjects. Deception is a critical component of many social psychology experiments, in part because of the difficulty of simulating real-world stresses and dilemmas in a laboratory setting. The goal is to get subjects “to accept as true what is false or to give a false impression” (Korn 1997, 4). In Milgram’s (1963) experiment, for example, deception seemed necessary because the subjects could not be permitted to administer real electric shocks to the “student,” yet it would not have made sense to order the subjects to do something that they didn’t find to be so troubling. Milgram (1992) insisted that the deception was absolutely essential. The results of many other social psychological experiments would be worthless if subjects understood what was really happening to them while the experiment was in progress. The real question: Is this sufficient justification to allow the use of deception?

Gary Marshall and Philip Zimbardo (1979) sought to determine the physiological basis of emotion by injecting student volunteers with adrenaline so that their heart rate and sweating would increase and then placing them in a room with a student “stooge” who acted silly. But the students were told that they were being injected with a vitamin supplement to test its effect on visual acuity (Korn 1997). Piliavin and Piliavin (1972) staged fake seizures on subway trains to study helpfulness (Korn 1997). Would you vote to allow such deceptive practices in research if you were a member of your university’s IRB? What about less dramatic instances of deception in laboratory experiments with students like yourself? Do you react differently to the debriefing by Milgram compared to that by Zimbardo?

What scientific or educational or applied “value” would make deception justifiable, even if there is some potential for harm? Who determines whether a nondeceptive intervention is “equally effective” (Miller 1986, 103)? Diana Baumrind (1985) suggested that personal “introspection” would have been sufficient to test Milgram’s hypothesis and has argued subsequently that intentional deception in research violates the ethical principles of self-determination, protection of others, and maintenance of trust between people and so can never be justified. How much risk, discomfort, or unpleasantness might be seen as affecting willingness to participate? When should a postexperimental “attempt to correct any misconception” due to deception be deemed sufficient?

**Maintain Privacy and Confidentiality**

Maintaining privacy and confidentiality is another key ethical standard for protecting research participants, and the researcher’s commitment to that standard should be included in the informed consent agreement (Sieber 1992). Procedures to protect each subject’s privacy, such as locking records and creating special identifying codes, must be created to minimize the risk of access by unauthorized persons. However, statements about confidentiality should be realistic: Laws allow research records to be subpoenaed and may require reporting child abuse; a researcher may feel compelled to release information if a health- or life-threatening situation arises and participants need to be alerted. Also, the standard of confidentiality does not apply to observation in public places and information available in public records.

There are two exceptions to some of these constraints: The National Institute of Justice can issue a **Privacy Certificate**, and the National Institutes of Health can issue a **Certificate of Confidentiality**. Both of these documents protect researchers from being legally required to disclose confidential information. Researchers who are focusing on high-risk populations or behaviors, such as crime, substance abuse, sexual activity, or genetic information, can request such documents to protect their participants from legal disclosure.

---

**Deception:** Used in social experiments to create more “realistic” treatments in which the true purpose of the research is not disclosed to participants, often within the confines of a laboratory.

**Privacy Certificate:** NIJ document that protects researchers from being legally required to disclose confidential information.

**Certificate of Confidentiality:** NIH document that protects researchers from being legally required to disclose confidential information.
a certificate. Suspicions of child abuse or neglect must still be reported, and in some states researchers may still be required to report such crimes as elder abuse (Arwood and Panicker 2007).

The Health Insurance Portability and Accountability Act (HIPAA) passed by Congress in 1996 created much more stringent regulations for the protection of health care data. As implemented by the U.S. Department of Health and Human Services in 2000 (and revised in 2002), the HIPAA Final Privacy Rule applies to oral, written, and electronic information that “relates to the past, present or future physical or mental health or condition of an individual.” The HIPAA rule requires that researchers have valid authorization for any use or disclosure of “protected health information” (PHI) from a health care provider. Waivers of authorization can be granted in special circumstances (Cava, Cushman, and Goodman 2007).

Clearly, there are many factors that members of an IRB must weight when deciding whether to approve a study involving human subjects. Exhibit 3.8 shows a portion of the complex flowchart developed by the U.S. Department of Health and Human Services to help researchers decide what type of review will be needed for their research plans. Any research involving deception requires formal human subjects review.

### Consider Uses of Research So That Benefits Outweigh Risks

As you can see, scientists must consider the uses to which their research is put. Although many scientists believe that personal values should be left outside the laboratory, some feel that it is proper—even necessary—for scientists to concern themselves with the way their research is used.

Milgram made it clear that he was concerned about the phenomenon of obedience precisely because of its implications for people’s welfare. As you have already learned, his first article (Milgram 1963) highlighted the atrocities committed under the Nazis by citizens and soldiers who were “just following orders.” In his more comprehensive book on the obedience experiments (Milgram 1974), he also argued that his findings shed light on the atrocities committed in the Vietnam War at My Lai, slavery, the destruction of the American Indian population, and the internment of Japanese Americans during World War II. Milgram makes no explicit attempt to “tell us what to do” about this problem. In fact, as a dispassionate social scientist, Milgram (1974) tells us, “what the present study [did was] to give the dilemma [of obedience to authority] contemporary form by treating it as subject matter for experimental inquiry, and with the aim of understanding rather than judging it from a moral standpoint” (p. xi). His research highlighted the extent of obedience to authority and identified multiple factors that could be manipulated to lessen blind obedience, and Burger’s (2009) replication has unfortunately shown that people are no less willing to engage in such behavior now than they were then.

Philip Zimbardo also made it clear that he was concerned about the phenomenon of situational influence on behavior precisely because of its implications for people’s welfare. As you have already learned, his first article (Haney et al. 1973) highlighted abuses in the treatment of prisoners. In his more comprehensive book, Zimbardo (2007) also used his findings to shed light on the atrocities committed at Abu Ghraib, and he made clear policy recommendations for prison reforms.

The evaluation research by Lawrence Sherman and Richard Berk (1984) on the police response to domestic violence provides an interesting cautionary tale about the uses of science. As you recall from Chapter 2, the results of this field experiment indicated that those who were arrested were less likely to subsequently commit violent acts against their partners. Sherman (1993) explicitly cautioned police departments not to adopt mandatory arrest policies based solely on the results of the Minneapolis experiment, but the results were publicized in the mass media and encouraged many jurisdictions to change their policies (Binder and Meeker 1993; Lempert 1989). Although we now know that the original finding of a deterrent effect of arrest did not hold up in other cities where the experiment was repeated, Sherman (1992) later suggested that implementing mandatory arrest policies might have prevented some subsequent cases of spouse abuse. JoAnn Miller’s (2003) analysis of victims’ experiences and perceptions concerning their safety after the mandatory arrest experiment in Dade County, Florida, found that victims reported less violence if their abuser had been arrested (and/or assigned to a police-based counseling program called “Safe Streets”) (Exhibit 3.9). Should this Dade County finding be publicized in the popular press so it can be used to improve police policies? What about the results of the other replication studies? The answers to such questions are never easy.
Exhibit 3.8

From Chart 2

Does the research involve only
the use of educational
tests, survey procedures,
interview procedures,
or observation of public
behavior?

YES

Does the research involve
children to whom 45 CFR
part 45, subpart D applies?

YES

Is the information obtained recorded in such a manner that human subjects can be identified, directly or through identifiers linked to the subjects; and could any disclosure of the human subjects’ responses outside the research reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects’ financial standing, employability, or reputation?

YES

Research is not exempt under 45 CFR 46.101(b)(2).

However, the 45 CFR 46.101(b)(3) exemption might apply.

NO

Research is not exempt under 45 CFR 46.101(b)(2) or (b)(3).

NO

Go to Chart 8

NO

Research is exempt under 45 CFR 46.101(b)(3) from all 45 CFR part 46 requirements.

YES

Research is exempt under 45 CFR 46.101(b)(2) exemption from 45 CFR part 46 requirements.

Are the human subjects elected or appointed public officials or candidates for public office?

(Applies to senior officials, such as mayor or school superintendent, rather than a police officer or teacher.)

YES

Does any Federal statute require without exception that the confidentiality of personally identifiable information will be maintained throughout the research and thereafter?

YES

Research is exempt under 45 CFR 46.101(b)(2) exemption from 45 CFR part 46 requirements.

NO

Does the research involve survey procedures, interview procedures, or observation of public behavior where the investigator participates in the activities being observed?

[as CFR 46.101(b)]

YES

Research is exempt under 45 CFR 46.101(b)(3) from all 45 CFR part 46 requirements.

NO

Research is not exempt under 45 CFR 46.101(b)(2).

Social scientists who conduct research on behalf of specific organizations may face additional difficulties when the organization, instead of the researcher, controls the final report and the publicity it receives. If organizational leaders decide that particular research results are unwelcome, the researcher's desire to have findings used appropriately and reported fully can conflict with contractual obligations. Researchers can often anticipate such dilemmas in advance and resolve them when the contract for research is negotiated—or simply decline a particular research opportunity altogether. But often, such problems come up only after a report has been drafted, or the problems are ignored by a researcher who needs to have a job or needs to maintain particular personal relationships. These possibilities cannot be avoided entirely, but because of them, it is always important to acknowledge the source of research funding in reports and to consider carefully the sources of funding for research reports written by others.

The potential of withholding a beneficial treatment from some subjects also is a cause for ethical concern. The Sherman and Berk (1984) experiment required the random assignment of subjects to treatment conditions and thus had the potential of causing harm to the victims of domestic violence whose batterers were not arrested. The justification for the study design, however, is quite persuasive: The researchers didn't know prior to the experiment which response to a domestic violence complaint would be most likely to deter future incidents (Sherman 1992). The experiment provided clear evidence about the value of arrest, so it can be argued that the benefits outweighed the risks.

### Research Involving Special Populations: Children and Prisoners

As you might imagine, there are special protections for certain segments of the population, including children and individuals under some form of correctional supervision. Regardless of the study being conducted, research relying on either children or prisoners usually requires a full review by an institutional IRB.

**Research With Children:** By regulatory definition, persons under 18 years old are considered to be children, and, as such, they have not attained the legal age for consent to treatments and procedures involved in research. Generally, IRBs analyze the same considerations for children as they would for other research participants, including whether the research benefits gained are worth the risks involved. The issue of “informed consent,” however, must be handled differently, as children cannot legally provide their own consent to participate in a study. To conduct research on children, “active” parental consent usually is required before the child can be approached directly about the research. In active consent, parents or guardians of a child being asked to participate in a study must sign a consent form. As you might imagine, adding this...
requirement to a research project can dramatically reduce participation, because many parents simply do not bother to respond to mailed consent forms. For example, Sloboda and colleagues (2009) used an active consent procedure for gaining parental consent along with student assent: Parents and students both had to sign forms before the student could participate. The result was that only 58% of the 34,000 eligible seventh-grade students were enrolled in the study.

When Tricia Leakey and her colleagues (2004) were conducting research on a smoking prevention effort for middle school students, they were creative in getting parental consent forms returned. When the project began in the seventh grade, the researchers gave students project information and a consent card to take home to their parents. A pizza party was then held in every class where at least 90% of the students returned a signed consent card. In subsequent follow-ups, in the eighth grade, a reminder letter was sent to parents whose children had previously participated. Classes with high participation rates also received a candy thank you. As Exhibit 3.10 shows, the result was a very high rate of participation.

IRBs sometimes allow the use of a “passive consent” procedure—students can participate as long as their parents do not return a form indicating their lack of consent—and this can result in much higher rates of participation. In fact, based on Article 12 of the 1989 United Nations Convention on the Rights of the Child (UNCROC), which acknowledged that children are people who have a right to be heard, there has been an increased push for children to have their voices heard in research. Janis Carroll-Lind, James Chapman, and Juliana Raskauskas in New Zealand (2011) attempted just that when they surveyed children aged 9 to 13 years about their experiences with violence. They utilized a passive consent procedure that facilitated the right of children to report on their experiences of violence. To defend their use of this method, they stated,

The Ethics Committee carefully weighed and gave credence to the issue of children’s rights to protection and acknowledged and confirmed Article 12 of the UNCROC that grants children the right to speak on matters that concern them. Active consent could have compromised both of these rights. The view was held that protecting the rights of children was more important than parental rights to privacy regarding abuse in the home. (p. 7)

**Research With Prisoners:** Because individuals under the supervision of a correctional system are under constraints that could affect their ability to voluntarily consent to participate in research, there are also special

### Exhibit 3.10

Parental Consent Response Rates and Outcomes

<table>
<thead>
<tr>
<th>Survey</th>
<th>Population Sizea</th>
<th>Consent to Parentsb</th>
<th>Consent Returnedc</th>
<th>Refused Consentd</th>
<th>Consent to Participate</th>
<th>Student Assent “Yes”e</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seventh-grade baselinef</td>
<td>4,741</td>
<td>4,728</td>
<td>89.5% (n = 4,231)</td>
<td>7.3% (n = 310)</td>
<td>92.7% (n = 3,921)</td>
<td>99.4% (n = 3,716)</td>
</tr>
<tr>
<td>Eighth-grade baselineg</td>
<td>4,222</td>
<td>421</td>
<td>58.0% (n = 244)</td>
<td>11.9% (n = 29)</td>
<td>88.1% (n = 215)</td>
<td>99.0% (n = 3,235)</td>
</tr>
<tr>
<td>Eighth-grade follow-upg</td>
<td>3,703</td>
<td>177</td>
<td>41.8% (n = 74)</td>
<td>5.4% (n = 4)</td>
<td>94.6% (n = 70)</td>
<td>98.7% (n = 2,999)</td>
</tr>
</tbody>
</table>


**Note:** Parents who had refused participation at the previous survey point were again contacted for permission at the next survey point.

*Number of students who were enrolled in the program varies over time depending on classroom enrollment and teacher participation rates.

*Number of consent forms that were handed out at each time period to new students.

*Out of the total number of consent forms distributed.

*Out of the total number of consent forms returned.

*Out of all students who had parental consent and were present on the day of the survey.

*Project staff explained and distributed consent on site.

*Teachers explained and distributed consent.
protections for these populations. The U.S. Department of Health and Human Services (DHHS) has imposed strict limits on the involvement of prisoners as research subjects unless the research is material to their lives as prisoners. The term prisoner is defined by DHHS (McGough 2015) as follows:

A prisoner means any individual involuntarily confined or detained in a penal institution. The term is intended to encompass individuals sentenced to such an institution under criminal or civil statute, individuals detained in other facilities by virtue of statutes or commitment procedures which provide alternatives to criminal prosecution or incarceration in a penal institution, and individuals detained pending arraignment, trial, or sentencing. (p. 2)

Included are those in hospitals or alcohol and drug treatment facilities under court order. Individuals in work-release programs and in at-home detention programs also qualify as prisoners. The definition applies to minors as well as to adults.

Although regulations restrict participation of prisoners to research that is material to their lives, this actually includes a great deal of research. For example, they can participate in research examining many issues, including but not limited to the following: research on the possible causes, possible effects, and processes of incarceration and of criminal behavior; research on conditions particularly affecting prisoners as a class, such as diseases like hepatitis and substance abuse; and research that has the intent of improving their health and well-being.

Voluntary consent is an important issue with research involving prisoners. IRBs ensure that the decision to take part in research can have no effect on an inmate’s future treatment and/or parole decision. The use of incentives for prisoners is also judged differently than the use of incentives for the general population. For example, while a $10 incentive to participate may not seem like a lot to someone not in prison, the maximum wage in many state prisons is only $1 per day, so a $10 incentive is a great deal indeed! In research one of the authors just completed on factors related to desistance from substance abuse and crime, former inmates who were not currently under correctional supervision were given $100 to travel to the research office for a three-hour interview, and those who were still in prison were provided $20 in their prison spending accounts for a comparable interview (Bachman et al. 2013). The IRB in this case deemed that giving current inmates $100 (as former inmates were given) would unduly influence them to participate in the study, since this amount was comparable to five month’s pay in prison.

In sum, research involving children or prisoners represents special cases for IRBs to consider when evaluating the benefits and potential harms of a study. Typically, when proposals come before IRBs that involve these special populations, special representatives ensure their rights are protected.

### Case Study

**Sexual Solicitation of Adolescents and Milgram Revisited**

After reading this chapter, you may think that the ethical dilemmas from the past have been remedied by the new regulations and oversights. However, research organizations and IRBs around the world have to make decisions every day about whether the benefits of research outweigh the risks imposed to human subjects. For researchers interested in examining criminal, deviant, or otherwise hidden subcultures, obtaining informed consent is often a dubious enterprise. In addition, the growth of the World Wide Web has provided new frontiers for observing and engaging in online communications in such forums as blogs and online chat rooms. In fact, David Calvey has described the cyber world as “a covert playground, where social researchers typically ‘lurk’ in order to explore this area” (Calvey 2014, 546). This research has generated renewed debate about informed consent and deception. Of course, some researchers contend that covert research that does not obtain voluntary consent is necessary and justified, because the information would otherwise be closed to research, or because alerting participants that they are being studied would change their behavior or put researchers at risk (Pearson 2009). A few contemporary case studies will illuminate these ethical dilemmas well.

The first research example comes from studies examining chat rooms and pedophilia. Research indicates that sexual or romantic relationships between adults and adolescents sometimes are initiated in Internet chat rooms. In fact,
reality television shows like *To Catch a Predator* impersonate underage people to solicit male adults over the Internet. Of course, many police organizations including the FBI utilize such methods, and investigative journalists, like those who developed *To Catch a Predator*, do not have to go through an IRB for permission.

But what about researchers who do? To more fully understand these chat room solicitations, Emilia Bergen and her colleagues (2013) examined how adult male chat room visitors reacted to children and adolescents (they were adults posing as children) in three chat rooms. They wanted to determine whether the age of the child affected whether the adults continued to engage in sexual conversation or pursued a meeting after finding out the ages of the impersonated children. The impersonators pretended to be either 10, 12, 14, 16, or 18 years of age. The researchers hypothesized that the older the impersonated child was, the more likely it was that adult males would express sexual interest and suggest meeting offline. All chat rooms were free and did not require registration, and one had a homosexual orientation while the other two were heterosexual in nature. Results indicated that the adult males were more likely to engage in sexual conversation and that face-to-face meetings were more likely to be suggested for impersonators who were 16 or older. Moreover, almost half of the adult males (46%) stopped the conversation after they learned that the impersonator was 10 or 12. However, quite disturbingly, one in five adult males continued sexual conversations even when impersonators divulged their age to be under 13. This research confirmed previous research findings that sexual predators are more likely to solicit older adolescents; however, it revealed that there is a nontrivial percentage of predators who are not deterred from soliciting children as young as 10 years of age.

Was this knowledge worth the lack of informed consent and deception in the research? Bergen and her colleagues (2013) were aware of the ethical dilemmas but concluded that

> the value of the results from the present study would be higher than the possible harm. . . . Also, it should be noted, that we had no means (nor any interest in) gaining any information that could lead to a positive identification of those engaging in conversation, thus ensuring absolute anonymity in the study. (p. 108)

Do you agree?

You may also be surprised to learn that a few IRBs have allowed both Milgram’s obedience experiment and Zimbardo’s prison experiment to be replicated with the addition of more human subject protections. For example, Jerry Burger replicated Milgram’s experiment with several modifications (Burger 2009). In Burger’s experiment, the following protections were implemented: (1) No subject was allowed to go beyond the 150-volt mark, (2) a two-step screening process was used to exclude any individuals who might have a negative reaction to the experience, (3) participants were told at least three times that they could withdraw from the study at any time and still receive their $50 for participation, (4) participants were monitored by a clinical psychologist to identify excessive stress, and (5) participants were told immediately after the experiment that the “learner” had received no shocks. After all of these safeguards were implemented, the IRB at Santa Clara University, where Dr. Burger is a faculty member, approved the project. It is somewhat troubling that results indicated that obedience rates in this 2006 replication were only slightly lower than those Milgram found. In fact, the majority of both men and women continued after the limit of 150 volts was reached. Burger illuminated the importance of his findings by concluding, “Although one must be cautious when making the leap from laboratory studies to complex social behaviors like genocide, understanding the social psychological factors that contribute to people acting in unexpected and unsettling ways is important” (Burger 2009, 10). If you had been serving on an IRB, would you have determined that the benefits of this study outweighed the potential costs?

### Conclusion

The extent to which ethical issues are a problem for researchers and their subjects varies dramatically with the type of research design. Survey research, in particular, creates few ethical problems. In fact, researchers from the Survey Research Center at the University of Michigan’s Institute for Social Research interviewed a representative national sample of adults and found that 68% of those who had participated in a survey were somewhat or very interested in participating in another; the more times respondents had been interviewed, the more willing they were to participate.
again. Presumably, they would have felt differently if they had been treated unethically (Reynolds 1979). On the other hand, some experimental studies in the social sciences that have put people in uncomfortable or embarrassing situations have generated vociferous complaints and years of debate about ethics (Reynolds 1979; Sjoberg 1967).

The evaluation of ethical issues in a research project should be based on a realistic assessment of the overall potential for harm and benefit to research subjects rather than an apparent inconsistency between any particular aspect of a research plan and a specific ethical guideline. For example, full disclosure of “what is really going on” in an experimental study is unnecessary if subjects are unlikely to be harmed. Nevertheless, researchers should make every effort to foresee all possible risks and to weigh the possible benefits of the research against these risks. They should consult with individuals with different perspectives to develop a realistic risk-benefit assessment, and they should try to maximize the benefits to, as well as minimize the risks for, subjects of the research (Sieber 1992).

Ultimately, these decisions about ethical procedures are not just up to you, as a researcher, to make. Your university’s IRB sets the human subjects protection standards for your institution and will require that researchers—even, in most cases, students—submit their research proposal to the IRB for review. So we leave you with the instruction to review the human subjects guidelines of the ACJS or other professional association in your field, consult your university’s procedures for the conduct of research with human subjects, and then proceed accordingly.

---

**Key Terms**

Academy of Criminal Justice Sciences (ACJS) Code of Ethics 66
Belmont Report 64
Beneficence 64
Certificate of Confidentiality 75
Debriefing 73
Deception 75
Federal Policy for the Protection of Human Subjects 65
Institutional review board (IRB) 65
Justice (in research) 64
Nuremberg War Crime Trials 64
Office for Protection From Research Risks in the National Institutes of Health 65
Philip Zimbardo’s Stanford Prison Experiment 63
Privacy Certificate 75
Respect for persons 64
Stanley Milgram’s experiments on obedience to authority 63
Tuskegee syphilis experiment 64

---

**Highlights**

- Philip Zimbardo’s prison simulation study and Stanley Milgram’s obedience experiments led to intensive debate about the extent to which deception could be tolerated in social science research and about how harm to subjects should be evaluated.
- Egregious violations of human rights by researchers, including scientists in Nazi Germany and researchers in the Tuskegee syphilis study, led to the adoption of federal ethical standards for research on human subjects.
- The 1979 Belmont Report developed by a national commission established three basic ethical standards for the protection of human subjects: respect for persons, beneficence, and justice.
- The Department of Health and Human Services adopted in 1991 a Federal Policy for the Protection of Human Subjects. This policy requires that every institution seeking federal funding for biomedical or behavioral research on human subjects have an institutional review board to exercise oversight.
- The ACJS standards for the protection of human subjects require avoiding harm, obtaining informed consent, avoiding deception except in limited circumstances, and maintaining privacy and confidentiality.
- Scientific research should maintain high standards for validity and be conducted and reported in an honest and open fashion.
- Effective debriefing of subjects after an experiment can help reduce the risk of harm due to the use of deception in the experiment.
- Regulations protect special populations, including children and prisoners, whose voluntary consent is sometimes difficult to ensure.
Exercises

1. Should criminologists be permitted to conduct replications of Zimbardo’s prison simulation? Of Milgram’s obedience experiments? Can you justify such research as permissible within the current ACJS ethical standards? If not, do you believe that these standards should be altered so as to permit this type of research?

2. How do you evaluate the current ACJS ethical code? Is it too strict, too lenient, or just about right? Are the enforcement provisions adequate? What provisions could be strengthened?

3. Why does unethical research occur? Is it inherent in science? Does it reflect “human nature”? What makes ethical research more or less likely?

4. Does debriefing solve the problem of subject deception? How much must researchers reveal after the experiment is over as well as before it begins?

5. What policy would you recommend that researchers such as Sherman and Berk (1984) follow in reporting the results of their research? Should social scientists try to correct misinformation in the popular press about their research, or should they just focus on what is published in academic journals? Should researchers speak to audiences like police conventions in order to influence policies related to their research results?

6. Investigate the standards and operations of your university’s IRB. Interview one IRB member and one researcher whose research has been reviewed by the IRB (after receiving the appropriate permissions!). How well do typical IRB meetings work to identify the ethical issues in proposed research? Do researchers feel that their proposals are treated fairly? Why or why not?

7. Now go to the book’s study site at edge.sagepub.com/bachmanprccj6e and choose the Learning From Journal Articles option. Read one article based on research involving human subjects. What ethical issues did the research pose, and how were they resolved? Does it seem that subjects were appropriately protected?

Developing a Research Proposal

Now it’s time to consider the potential ethical issues in your proposed study and the research philosophy that will guide your research. The following exercises involve very critical decisions for your research.

1. List the elements in your research plans that an IRB might consider to be relevant to the protection of human subjects. Rate each element from 1 to 5, where 1 indicates no more than a minor ethical issue, and 5 indicates a major ethical problem that probably cannot be resolved.

2. Write one page for the application to the IRB that explains how you will ensure that your research adheres to each relevant ASA standard.

3. Draft a consent form to be administered to your subjects when they enroll in your research. Use underlining and margin notes to indicate where each standard for informed consent statements is met.

Web Exercises

1. The Collaborative Institutional Training Initiative (CITI) offers an extensive online training course in the basics of human subjects protection issues. Go to the public access CITI site at www.citiprogram.org/ccrpage.asp?affiliation=100 and complete the course in social and behavioral research. Write a short summary of what you have learned.

2. Philip Zimbardo provides extensive documentation about the Stanford Prison Experiment at www.prisonexperiment.org. Read several documents that you find on this website and write a short report about them.

3. Read the entire ACJS Code of Ethics at www.acjs.org. Discuss the meaning of each research standard.
Section I Foundations for Social Research

SPSS or Excel Exercises

Data for Exercise

<table>
<thead>
<tr>
<th>Dataset</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013 YRBS.sav</td>
<td>The 2013 YRBS, short for Youth Risk Behavior Survey, is a national study of high school students. It focuses on gauging various behaviors and experiences of the adolescent population, including substance use and some victimization.</td>
</tr>
</tbody>
</table>

Variables for Exercise

<table>
<thead>
<tr>
<th>Variable Name</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>state</td>
<td>The state in which the respondent lives</td>
</tr>
<tr>
<td>schoolname</td>
<td>The name of the school the respondent went to</td>
</tr>
<tr>
<td>qn23</td>
<td>Dichotomy based on how respondents answer a question about whether they have been forced to have sex on a date in the past year, where 1 = yes and 0 = no</td>
</tr>
<tr>
<td>qn49</td>
<td>Dichotomy based on whether respondent smoked marijuana in the past month, where 1 = yes and 0 = no</td>
</tr>
</tbody>
</table>

This time we’ll be using the YRBS 2013 subsample, which is a survey of high school students all around the United States. This survey was given to students in a classroom filled with their peers under the supervision of a trained survey administrator.

1. Let’s say we’d like to see if individuals from different schools and states have higher or lower rates of sexual victimization. First, make a frequency table (analyze->descriptives->frequencies) of the variables state and schoolname. What do you see? Why do you think that the results look this way? How does this apply to what you’ve been reading about research ethics?

2. Calculate a frequency table for the variable qn23, forced to have sex on a date.
   a. First, what sort of ethical considerations need to be made when asking a question like this? Bear in mind that this survey was given to students in a classroom filled with their peers under the supervision of a trained survey administrator. Consider, for instance, what the participant must be told before the survey, the setting the survey occurs in, and how datasets will be released to researchers.
   b. What does this frequency table tell us about the incidence of sexual assault in the country?
   c. Consider the questions in Part 2a (above) again. Do you think the results in Part 2b might have been different if those ethical considerations hadn’t been made? If you do, how so?
   d. What about in the case of qn49—used marijuana in the past month?

3. Make a cross-tabulation of the relationship between gender and qn23. This is process explained in detail in the SPSS exercises for Chapter 2.
   a. How would a positivist interpret these results? A postpositivist?
   b. What do you think an interpretivist would say to both the positivist and postpositivist?

STUDENT STUDY SITE

SAGE edge™

WANT A BETTER GRADE?

Get the tools you need to sharpen your study skills. Access practice quizzes, eFlashcards, video, and multimedia at edge.sagepub.com/bachmanprccj6e.