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Ethical Considerations for Pandemic Prison Research

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Abstract

During these unprecedented times, as prison researchers, there is no question COVID-19 provides an opportunity to promote and rethink all elements of incarceration (e.g., function, purpose, who is housed, why) as well as its purpose within systems of justice. The intention of the current paper is to consider the ethical considerations of the COVID-19 pandemic in relation to prison research. Drawing on criminological and ethics literatures, I explore if the potential harms such research could pose, and the collateral consequences, comes at too great a cost or if the benefits of said research should be considered critical for managing the short- and long-term effects of the pandemic.

Keywords: Pandemic; prison; ethics; research; Canada

Introduction

In the era of COVID-19, communities ranging from academic, policymaking, and laypeople alike, are reconsidering not only how the virus spreads, but its impacts upon goods, services, markets, and mobilities, not to mention the political framing of state responses and the everyday practices of individuals, families, and communities. We are learning about how some state authorities make assumptions about what—even *who*—matters as they attempt to understand the shape and dynamic of the crisis while they create policies to advise, recommend, and enforce self-isolation, social/physical distancing, or quarantine altogether. In relation to this volume, the pandemic has also affected the form, operation, and very nature of criminal justice institutions. Indeed, one could even argue that the notion of the

prison itself is in a moment of crisis, and that the pandemic may cause researchers to question its very existence.[1] During these unprecedented times, as prison researchers, there is no question COVID-19 provides an opportunity to promote and rethink criminal justice and the prison as a research space.

Questions have emerged regarding how prison research can or will proceed in a pandemic society, and even if it should, for the time being, cease altogether. Is prison research necessary during this unpredictable time, or even essential in illuminating current conditions and experiences from the point of view of prisoners or staff? What are the implications or collateral consequences from engaging in pandemic prison research? Rather than present a false dichotomy, I question whether—and if so, how—prison research should continue while a vaccine is under preparation.

The intention of the current paper is to take a step back, so to speak, and evaluate the ethical considerations of the COVID-19 pandemic as it relates to prison research.[2] Here prison research is squarely research within prison walls, but this is only a segment of what can be considered "prison research." Of course, the language of ethics "raises questions of normative justification" (Sparks & Gacek, 2019, p. 381), but in this context, it refers mainly to "disagreement at the

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[1] Certainly, calls for prison abolition in Canada were prevalent pre-pandemic (see, for example, Dobchuk-Land, 2017; Piché & Larsen, 2012) coupled with calls to decarcerate Canadian prisons (Iftene, 2020; Roberts & Gabor, 2004; Webster & Doob, 2014; Webster et al., 2019). While a fulsome discussion of prison abolition or decarceration is beyond the scope of the paper, I acknowledge scholarly and activist efforts to progress socio-political discussions towards prison abolition and decarceration, and welcome future discussions based on my thoughts presented here.

[2] Two caveats are necessary at this point. First, insight into COVID-19 is in a constant state of flux, with new information about COVID-19 emerging daily. Therefore, while this paper was written in between late May and July 2020, and then revised in September and October 2020, some of the following information may neither be current nor relevant in a matter of days, weeks, or months upon publication. Second, much about COVID-19 remains unknown. In other words, exactly how the virus spreads, and both its mortality and reproductive rates remain unclear and contested. Notwithstanding, COVID-19 has characteristics that make it particularly dangerous and as a result Canada, relative to other countries around the world, has adopted significant measures in an attempt to curb the spread of COVID-19. While the paper does not examine measures the Canadian federal and provincial governments have undertaken to curb the spread, I recognize efforts are interconnected to whether and in what ways prison research is conducted.

level of declared principles about what should or should not be done" here and now in the name of research (Sparks & Gacek, 2019, p. 381). Ethical horizons in criminological research are always in a constant state of emergence (Adorjan & Ricciardelli, 2016), with ethical issues taking often unpredictable forms and decisions made in the field, leading to consequences for research participants, researchers and criminal justice practitioners alike. Yet living in a pandemic society demonstrates the need to continue to develop an "ethical imagination" related to conducting criminological research, especially in terms of research involving prisons, prisoners, and correctional staff (Adorjan, 2016; Ricciardelli & Adorjan, 2016). Post-pandemic, what might a better set of research ethics principles look like?

The paper is structured as follows. I begin by focusing on research ethics, specially reflecting upon our ethics as researchers as we engage in prison research. I underscore how, as qualitative researchers, we strive to minimize the risk of harm caused to our participants, and question whether the scope of harm should shift to reflect our current pandemic society. I proceed by addressing the ethics of conducting research with prisoners and correctional staff, including access to prisons and research relationships; recruiting participants and voluntariness; and the question of consent and confidentiality when conducting pandemic prison research. Ethical research principles can guide us through reasons why, in certain circumstances, research is necessary and can be continued within a pandemic and why, in other situations, research should be amended or paused. I conclude the paper by reflecting on whether the pandemic will shift how we research the prison space, and the long-term ethical implications of prison research that could take effect when the pandemic subsides.

The Ethics of Prison Research

As a prison researcher, I believe prison research is insightful and rewarding. Yet these rewards do not come without their own set of obstacles. Many scholars have highlighted the difficulties in collecting qualitative data behind bars (including but not limited to

Cunha, 2014; Drake & Harvey, 2014; Phillips & Earle, 2010; Reiter, 2014; Wacquant, 2002). As Gibson-Light and Seim (2020) contend,

> [a]ll fieldwork, and all empirical labo[u]r for that matter, is a bit punishing. From designing a study to writing up the findings, implementing a research project can be mentally, emotionally, and physically exhausting. However, collecting participant observation and in-depth interview data within prisons and other penal institutions can be particularly grueling… Site accessibility is a common concern, with prisoners doubly walled-off by cement and bureaucracy. Added to this, there are unique challenges to gaining people's trust behind bars, and remaining reflexive amidst rigid distinctions in institutionalized statuses can be especially tricky. Witnessing carceral suffering can also take a toll on the researchers. (p. 667)

While the authors are careful not to conflate the "punishing" experiences of prison researchers with those of their participants, they recognize that there will always be challenges or limitations to conducting prison research (Gibson-Light & Seim, 2020). Yet in light of this, what are the challenges and limitations of conducting pandemic prison research?

With any social scientific study, the goal of ethics is to minimize risk of harm to participants and researchers throughout the entirety of the research process (Israel, 2016; Naylor, 2015; Sieber & Tolich, 2013). Included here are the ethical requirements tied to the social or health issues of the day. As a result, the pandemic requires discussions about how all research can proceed in ways that minimize risk of COVID-19 transmission for all researchers, participants, and greater society. For example, doing research inside a prison during COVID-19 is accompanied by the risk of contagion to the researcher, but also the researcher risks contagion to all prisoners and staff; thus, measures are necessary to minimize said risk. However, even when risk is minimized, the question remains: Is the research actually necessary to do? How do we ethically determine if the research is necessary?

As social scientists, we recognize that the "opportunity" to research is a privilege. We also acknowledge that research may be "necessary" to provide a deliverable for concerned audiences. Here, "opportunity" and "necessity" are broadly conceived. Recognizing that prison research can be construed as both "necessary" and an "opportunity," the heart of the matter remains in ethical considerations of *whether* prison research should be conducted while a pandemic ensues, and if so, *how* it should proceed. Indeed, we must question the tensions around how pandemic prison research can occur while minimizing harm potentiality.

Ethical Research Conduct in Canada

Since 1998, Canadian academic researchers who are funded by one of three governing funding bodies—Social Science and Humanities Research Council, Canadian Institute for Health Research, and National Science Research Council—must abide by and adhere to a single research ethics policy known as the *Tri-Council Policy Statement: Ethical Conduct for Research Involving Human Subjects* (Canadian Institutes of Health Research, Natural Sciences and Engineering Research Council of Canada, and Social Sciences and Humanities Research Council of Canada, 2014) [herein the *TCPS2*]. The policy sets out three core principles for conducting ethical research with humans:

1. Respect for persons: the dual moral obligations to respect autonomy and to protect those with developing, impaired or diminished autonomy. […] Respecting autonomy means giving due deference to a person's judgment and ensuring that the person is free to choose without interference. (*TCPS2,* 2014, p. 6)

2. Concern for welfare: researchers (…) are to provide participants with enough information to be able to adequately assess risks and potential benefits associated with their participation in the research. To do so, researchers and REBs [Research Ethics Boards] must ensure that participants are not exposed to unnecessary risks. Researchers and REBs

must attempt to minimize the risks associated with answering any given research question. They should attempt to achieve the most favourable balance of risks and potential benefits in a research proposal. (*TCPS2,* 2014, p. 8)

3. Just research: the obligation of researchers to treat people fairly and equitably, with respect and concern. (*TCPS2,* 2014, p. 8)

These principles instruct researchers to use and develop risk mitigation strategies that are consistent with the level of vulnerability of the participant and protect against or reduce exposure to various harms (i.e., physical, emotional, social, psychological, and financial). Per the *TCPS2,* "[p]eople or groups whose circumstances cause them to be vulnerable or marginalized [of whom the *TCPS2* references children and prisoners] may need to be afforded special attention in order to be treated justly in research" (*TCPS2,* 2014 p. 8). For example, Welch (2003, p. 234) indicates that increasingly prisoners have been treated or are reduced to "raw materials" in the corrections industry and its continued commercialization (such treatment or reduction is similarly witnessed in prison research historically involving the use of prisoners; see Owen [1998] and Israel [2016] for different accounts regarding the potentially oppressive nature of the prison). Certainly, this suggests a warranted degree of concern for the ethical implications of reducing these individuals in this way, exacerbating feelings towards their dignity, integrity, and self-worth. This is crucial to consider because the awareness of potential ethical issues and challenges reveals an urgency to uphold these three core principles.

To strike a balance between potential harms and the benefits of research, every university in Canada has a REB that complies with the *TCPS2,* overseeing research ethics and evaluating whether this balance is upheld (Haggerty, 2004). Before federal research funds are released, ethics approval must be granted by the respective REB; researchers who fail to comply with university ethics protocols risk consequences such as further discipline or termination from their respective universities. Given that prisons are sites of social science

inquiry, ethics are central to prison and punishment research. Yet, as Gacek and Ricciardelli (forthcoming) remind us, REB approval should not be considered synonymous with being awarded access to prisoner or prison staff populations. An REB "is not the correctional institution's board; it is a separate entity that guides research. The correctional institution's board must be governed by a different mandate, that of protecting the confidentiality and safety of those in custody and the staff" (Gacek & Ricciardelli, forthcoming). Thus, "the ability of an institution to approve or reject applications for conducting research with prisoners or staff may, on the one hand, appear to operate as shapers of prison knowledge, but on the other hand, may be tied to confidentiality and security as per their organizational mandate" (Gacek & Ricciardelli, forthcoming).

Ethics are important in research, especially as "'doing ethics' cannot be separated from 'doing research'" (Reed, 2010, p. 3.1). While a goal of qualitative prison research is often said to "give voice" to participants (Roberts & Gabor, 2004; Roberts & Indermaur, 2008; Naylor, 2015), a balancing act exists to carefully mitigate risk and harm of those participants willing to share their experiences. Conducting and reporting the research "demonstrates respect for the value of their views as citizens and human beings" (Naylor, 2015, p. 80); a particularly impactful statement given the galling longstanding and historical breaches of ethical protocols with prisoners (see Israel, 2016).[3]

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[3] As Israel (2016) reminds us, one need only recall Zimbardo's Stanford-based experiment into the effects of the prison setting, where the experiment was abandoned after six days when the students assigned as "guards" subjected students assigned as "prisoners" to physical and psychological abuse. Zimbardo has spent a considerable part of his subsequent career exploring why things went so wrong (Zimbardo, 2007; Zimbardo et al., 1999). Yet the study, per Israel (2016, p. 69) is "regularly trotted out together with Milgram's (1974) and Humphreys' (1970) as one of an unholy trinity of classical cases of unethical research that occurred without the free and informed consent of research participants in the social sciences, and that are routinely deployed as justification for our current systems of research ethics review in the social sciences" (see also Sieber & Tolich, 2013). While Zimbardo's prison was not a real prison, "the mistreatment of students at Stanford University receives more prominence among social scientists than *a long history of abuse of real prisoners in the name of scientific research*" (Israel, 2016, p. 69, italics added). For example, Israel's 2016 work examines how the requirements to obtain prisoner consent in social science research have been systematically evaded within prison-based research in the United States, interrogating how responses to scandal "have led to the overprotection of institutions at the expense of prisoners' ability to

Yet the contribution of prisoners' time and opinions to research also creates ethical challenges. In the following subsections I outline the challenges qualitative researchers face when conducting prison research. I center on three methodological and ethical challenges in prison research: negotiating access to prisons and to participants; recruitment and voluntariness; and consent and confidentiality. I reflect upon how the tensions around ethical obligations can be met, if they can be met, in pandemic prison research.

Access to Prisons and Research Relationships

Ethics are part of an ongoing process that is always subject to negotiation; indeed, as Boden and colleagues (2009, p. 733) assert, "decisions about ethical behaviours are inherently local, specific, contextual, processual and contestable." In a similar vein, Sparks and Gacek (2019) focus on the philosophies and ethics underpinning particular punishments and the privatization process happening in prisons. Drawing upon Garland (1990), the authors suggest that "if penal practices always conjoin the mentalities and sensibilities of their time in particular ways, they thereby generate shifting stances on what can be construed as *ethically acceptable*. It is on this basis that we arrive at judgements as to which forms of punishments feel appropriate, just, or just plain cruel and unusual" (Sparks & Gacek, 2019, p. 383, italics added). As a result, decisions about researchers' ethical behaviours and what constitutes particular forms of behaviour as ethically "acceptable" are similarly bound up and in the socio-political and cultural constructs of the day. It is also widely recognized that prison research raises ethical challenges, where "[m]ost obvious is the power imbalance between prisoners as the researched parties, and the researchers" (Naylor, 2015, p. 82). These and other issues about protecting prison participants (and maintaining the safety of prisoners, correctional officers [COs], and researchers) are usually the focus of both university and correctional institutional ethics processes.

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exercise autonomy, access justice, and benefit from the research process" (p. 70; see also Reiter, 2009, 2014).

In addition to this power imbalance, what is less commonly discussed is the power imbalance in some cases between researchers and correctional departments themselves (Naylor, 2015). As researchers, we depend on these agencies for access, and for this purpose, especially junior scholars as researchers, need to establish their own credibility as prison researchers and their capacity to offer and disseminate findings from the research. In certain cases, the power imbalance can be influenced through issues of organizations desiring research to reflect well upon them, or organizations requiring a memorandum of understanding (MOU) that pre-empts the possibility of reporting negative findings. As Arriola (2006, p. 138) suggests, "many correctional administrators may not see research as a priority and not want researchers 'poking around' for fear that they may discover something less flattering." Analogously, the researcher must be able to balance prison access while maintaining their independence and integrity, as well as establish and manage expectations about their research (Jewkes, 2012; Sutton, 2011). These various goals will influence the outcomes of the research and subsequent deliverables derived from the research.

Notwithstanding, correctional institutional ethics processes do play a gatekeeper role. As examined elsewhere (Gacek & Ricciardelli, forthcoming), in certain circumstances a university REB can make it considerably difficult to conduct and disseminate prison research. As Hannah-Moffatt (2011) suggests, a research ethics review is but one part of a strategy of "institutional protectionism," a broad range of administrative practices and logistical difficulties deterring researchers from entering many correctional institutions. Correctional institutions operate as gatekeepers in terms of recommending amendments to a researcher's proposed study, such as identifying any security risks for prisoners, COs, and researchers. Per Naylor (2015, p. 82), being the subject of a study "inevitably puts pressure on a prison and its staff and poses potential security risks…which need to be recognized and managed within the process." Correctional institutions may also advise which prisons can be visited, in light of space, time, and availability of staff, and the demands of other research occurring in the prisons. As Liebling (1999) suggests, in practice, the conduct of research in the prison does not always follow

the "ideal," or what was officially agreed, due to the nature of the prison, security requirements, and so forth.

Certainly, the support of correctional institutions is vital and greatly appreciated, and we recognize the time our access eats up for prison administration, COs, and prisoners with many other priorities. Coupled with this is the fact that relationships with our participants may take time to build; especially as some prison researchers (myself included) may have spent years making meaningful connections with correctional institutions to gain trust, credibility, and prison access. Unfortunately, a pandemic exacerbates efforts to access the prison, while prison staff attempt to prevent the spread of COVID-19. Given the current restrictions on community mobility, as well as domestic and international travel, can researchers expect prison officials to permit us into the prison? Moreover, will this access strain our relationships with prison officials, prison officers, and other staff? Similarly, what are the implications of cutting off access for ongoing researchers, especially those with longstanding contracts and established (i.e., positive) relationships with prison administration? Our new pandemic reality raises new ethical challenges, especially the challenges of even accessing a prison before the research starts, ensuring continuous access, and maintaining positive rapport while doing prison research.

Recruiting Participants and Voluntariness

Under normal, pre-pandemic circumstances, ethical issues for recruitment of participants include "maximizing the voluntariness of participation, minimizing inappropriate inducements and pressures to participate, and managing issues of confidentiality" (Naylor, 2015, p. 82). Of course, prisons are coercive institutions, and prisoners and COs are likely to feel under pressure to participate (or not) in research, or even simply to appear cooperative with the researcher (for example, see Drake, 2014; Israel, 2016; and Roberts & Indermaur, 2008 for further discussion of participant consent see next section). What about recruiting former prisoners, or COs off shift? This is one option, as the prison then would not become a meeting point for researcher and participant, and a meeting point could be negotiated out in the community. While doing so would sacrifice the

insights gained from direct observation within prison walls (often permitting the researcher to compare what is said with what is practiced through direct ethnographic observation), this may be both a practical but also safe and ethical compromise that would best balance considerations of safety and security during the pandemic, while retaining a focus on generating significant data on corrections. After all, interviews with former prisoners or COs off shift can generate knowledge, which can be harnessed later, post-pandemic, informing research that is again situated within prison walls.

Another option would be for participants to participate via remote technologies that allow them to still engage in the research while maintaining social/physical distancing guidelines. There are digital platforms, like Skype, Zoom, Microsoft Teams, and Google Classroom, that would allow for telecommunication to happen with prospective participants. Even traditional modes of engagement, like phone or email, could suffice. However, there are two ethical issues arising regarding remote technologies. First, in terms of the mentioned digital platforms, what if participants do not have access to these technologies, cannot afford them, or do not have a strong or secure bandwidth connection to participate in the research? Prison institutions certainly control all use of phone communications and virtual connections to the outside. While researchers may have the privilege to use these technologies, this does not guarantee participants will, and may inevitably exclude groups of participants from participating at all. Second, and in terms of prison research with prisoners, remote interviewing would abide by social and physical distancing measures while allowing researchers the capacity to interview participants about their carceral experiences. Yet for prisoners or COs who may not have access to phone, email, or internet, are our expectations too high to believe these individuals will assist us in our research? Issues related to the digital divide are arguably even more salient for considerations of criminological research today. This digital divide unnecessarily creates conflict in our research and our participants' ability to voice their experiences. Indeed, ethical recruitment must consider whether researchers are inadvertently excluding participants from a sample because we have

the privilege of accessing these types of communication methods, while various publics cannot say the same.

In terms of voluntariness, voluntariness on the part of participants presumes that at any point in the research encounter, the participant is free to leave our research without penalty. However, should we temper our expectations to believe that participants will seriously consider our work as necessary during this uncertain time? Or rather, can the alternate argument be made that prison staff and prisoners alike may very well welcome participation? When one considers the reasons why these groups choose to participate, such as providing a voice for the voiceless, and/or finding sources of social support, it is not difficult to suggest that participants welcome the opportunity to speak to their prison experiences or circumstances, especially as the pandemic ensues. Welcoming participation may also speak to participants' efforts to alleviate the boredom they might experience in prison. As Gacek (2017) found in his study of male individuals' experiences of prison, finding creative ways to alleviate boredom is not an uncommon strategy of prison life for prisoners.

In short, there remain ongoing concerns with recruitment and participant voluntariness. While these challenges were salient before the pandemic, this unprecedented time provides us an opportunity to examine the principles and methods of research ethics, and carves open a space in which we can consider the potential challenges and benefits of research *despite* the present context. Indeed, perhaps this time gives us an opportunity to promote better alternatives to participant recruitment and voluntariness, and to ensure that those who choose to help in our work are better served by the research ethics we espouse. By recognizing the inherent worth of our participants (especially ones who are incarcerated), a better set of research ethical principles can begin to restore and preserve their moral and legal integrity, and acknowledge the participants' right to live free from harm, especially behind prison walls. Doing so begins to push the boundaries of what research ethics ought to be towards participants, a conversation I continue in the next section.

The Question of Consent and Confidentiality

Per Israel (2016),

> [consent] rests on the basis that participants in research are entitled to know what they are getting themselves into. In most circumstances, researchers need to provide potential participants with information about the purpose, methods, demands, risks, inconveniences, discomforts, and possible outcomes of the research, including whether and how the research results might be disseminated. (p. 70)

In certain cases, this may take some considerable time and effort for both the researcher and participant, especially if there are cultural and linguistic divides and other associated risks, uncertainties, and problems that need to be addressed or potentially will arise. Before the pandemic, standard approaches to consent often require participants to have satisfactory levels of literacy and linguistic ability. In other words, while some participants "may have the competence to make independent decisions about involvement in a research project, this competence can be masked if written information is unclear or *constructed without sensitivity*" (Israel, 2016, p. 70, italics added). In most circumstances, researchers have to be careful and ensure "they [researchers] negotiate consent with all relevant people, for all relevant matters, and possibly at all relevant times" (Israel, 2016, p. 70). Indeed, rather than "a formalized show, tell and sign ceremony" located at the beginning of the research project (Israel, 2016, p. 70), consent should be dynamic and continuous as the researcher's and participant's understandings of the study or circumstances evolve. According to Israel (2016, p. 70), some scholars have even complained that "university, government, and corporate gatekeepers have required changes to consent forms that make forms more convoluted and less easily understood by participants" (see also Federman et al., 2002; Israel, 2004). Yet despite the best efforts of the researcher, the ability to negotiate consent with prisoners can be "shaped by the coercive nature of prisons" (Israel, 2016, p. 71), insofar as consent can be compromised by "more subtle forms of manipulation such as manipulating

information, changing available options, offering rewards, or threatening punishment" (Israel, 2016, p. 71; see also Faden & Beauchamp, 1986).

Yet the pandemic has introduced new challenges for seeking participant consent, especially when researchers use technology for remote interviewing. Issues of privacy arise when one considers the ability for strangers to hack into technologies and disrupt web-based communications and interactions (i.e., concerns of outsiders "Zoom-bombing" private meetings on Zoom), or the non-consensual screen recording of meetings between parties. How dynamic and continuous can consent be in these contexts? What risks do these privacy issues pose for researchers and/or participants sharing private, personal information? While concerns regarding privacy encroachment for research using remote interviewing technologies applies to research in general (and should be integrated into consent forms in the present context), such ethical concerns are arguably more acute for research with prisoners and COs, given the sensitive nature of topics under discussion (e.g., crime, victimization and abuse, impact of prison on families and communities, etc.).

Pre-pandemic, prison research carried risks for participants who may have expressed fear of retribution if they were seen participating (Drake, 2014; Naylor, 2015). For prisoners, retribution could come from other prisoners or COs. For COs, retribution could come from their employers. For example, Owen (1998) found that prison staff need to be reassured that researchers are not being planted by management to spy on subordinates in correctional institutions. Ethical conduct of research entails that confidentiality in public reporting of research is protected by neither recording or disclosing people's names or identifying information, as such information can be personal and sensitive. Signed informed consent forms generally iterate that to the best of the researcher's ability, there is a reasonable expectation of confidentiality (or in some cases, anonymity) on the part of the participant. In certain cases, the researcher and participant agree either the researcher will create a pseudonym for the participant, or the participant will create one for the researcher. Where a discussion is audio-recorded, these risks can be reduced by recording verbal consent.

Yet in relation to prison research, what risks of confidentiality arise in a pandemic? Considering our efforts as researchers to keep identifying information private, participant attrition may occur if they fear the stigma of contracting COVID-19 or retribution if they inadvertently spread the virus to others, or fear disclosure of their infection, through participating in the research, to family and peer networks. Moreover, there is the new context of home-based Zoom interviews, where former prisoners may be living with family, children, friends, and/or roommates. How do we ensure confidentiality of the participants and their personal experiences, especially if they do not want others to hear about them? While there is validity in adapting our methods to increase participation during this time, once again we must remain cautious that such methods are not immune to challenges that informed consent and confidentiality continue to face.

Discussion and Conclusion

As prison researchers, we strive to understand the prison in almost every facet of our work. Writing itself is an ethical act (Adorjan & Ricciardelli, 2016), especially so when one is writing about ethical realities encountered during the course of producing research. We meticulously hone our qualitative craft to ensure that the challenges facing the prison are ones that will shed light on current issues in the criminal justice system while analogously giving voice to often unheard populations. The time and effort undertaken to gain access, to conduct and code interviews, to analyze and disseminate findings, are no easy tasks; the value we see(k) in our research outweighs the process of solely achieving successful completion of a prison research project. Sometimes, we feel the only way we reach the finish line of the research journey is with the participants who choose to share their lived experiences in prison; often we are indebted to their assistance, for without it our projects would not be as comprehensive, rich, and invaluable as we hope they would be.

The ethical challenges of conducting pandemic prison research demonstrate how we should reflect on our current efforts to continue, amend, or halt prison research, and how we should promote a better set of research ethics going forward. This also begs the question of

what are the long-term ethical implications of prison research that could take effect when the pandemic subsides. At what point will prison researchers be able to return to doing research again in prison? At what point will it become ethical again?[4] Is it when the vaccine is introduced?[5] Unfortunately, in our current state of affairs, these questions are difficult to answer.

Notwithstanding, as Ricciardelli and Adorjan (2016, p. 213) suggest, "doing criminological research is laced with ethical challenges that involve many layers, which in turn affect researchers, participants, administrations, universities and diverse groups across the public sphere." While challenges can start before the researcher ever begins, a global public health threat like a pandemic is both unanticipated and unprecedented, and it makes us question whether prison research is opportunistic and/or necessary during this time. While the rapid spread of infections in prisons is not in itself novel (Iftene, 2019), COVID-19 reveals both the health problems facing prisoners and, in certain circumstances, the limited capacity (if not outright failures) of prisons to respond. Internationally, there have been widespread infections and deaths in custody from COVID-19 (Center for Disease Control and Prevention, 2020; The Economist, 2020; World Health

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[4] One could even question whether prison research has ever been ethical; given the suffering prisoners experience behind bars, does our presence as researchers in this space ameliorate their situations? As Wacquant (2002, p. 385) put it, prison ethnography "went into eclipse at the very moment when it was most urgently needed on both scientific and political grounds"; yet prison research on scientific or political grounds does not mean these grounds are also moral or ethical ones (see also Israel, 2016; Reiter, 2009). While a fulsome discussion is beyond the scope of the paper, I acknowledge that while I as a researcher may perceive an ethical benefit to my prison research, the possibility exists that this is a misperception.

[5] I thank the reviewers for bringing this question to my attention. Of course, I recognize that the creation and dissemination of a vaccine may not be the turning point we as prison researchers need in order to press on with our work. Said differently, the determining value of a vaccine is bound to its social, physical, and symbolic significance to potentially reducing the threat of the pandemic, yet such value is underpinned by current socio-political and cultural constructs at play that shift whether (and if so, how) researchers perceive the pandemic as a risk to their work, or subjects and their potential participation in prison research. In effect, the creation and dissemination of a vaccine may matter little to some prison researchers and the work they undertake. The suggestion that *only when* a vaccine is introduced and disseminated throughout the world that prison research may return to a semblance of normalcy could be false; like other prison researchers, I am sure I am not alone in wondering what the introduction of a vaccine will mean for prison research. As I have no crystal ball to the future, I will abstain from making predictions here.

Organization, 2020b). Alongside the problematic strategies of prison lockdowns and segregation, COVID-19 has led to radical change to protect people in prisons, and at the time of writing, this includes releasing over hundreds of thousands of people from prisons around the world (Iftene, 2020).

Moreover, and as I have outlined, there remain ongoing ethical challenges of conducting research with prisoners and correctional staff, including access to prisons and research relationships; recruiting participants and voluntariness; and the question of consent and confidentiality when conducting pandemic prison research. To work with and learn from those in the crucible of carceral experience means that research ethics must become more attuned to both the empirical and the emotive; simply put, to uphold the moral and legal integrity of participants while promoting more ethical and empathetic treatment of them in prison research and beyond. Research ethics (still) matter, and they matter intensely; we must ensure that we modify procedures (either in the university setting, the prison setting, or both) to maintain moral and legal integrity of prison researchers and participants, and where those procedures are absent, we must strive to devise specific and appropriate procedures that ethically support rather than undermine researchers and participants.

The pandemic has reawakened debates of the current state of criminal justice in various jurisdictions around the world. In a post-pandemic society, we will see whether COVID-19 changes criminal justice, research ethics, and our ethical imagination for the better, or at all.

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