



DEPARTMENT OF  
JUVENILE SERVICES

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Date: February 8, 2024  
Bill Number/Title: HB0314 - Juvenile Law - Probation -Technical Violation  
Committee: Judiciary  
DJS Position: Oppose

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**The Department of Juvenile Services (DJS) opposes HB 314, which permits courts to order a youth to be placed on community detention or any other permissible disposition when a youth commits a technical violation of probation.**

The Juvenile Justice Reform Council (JJRC) was formed during the 2019 session of the Maryland General Assembly, and the council spent the next two years gathering public input, researching best practices regarding the treatment of juveniles who are subject to the criminal and juvenile justice systems, and identifying recommendations to limit or otherwise mitigate risk factors that contribute to juvenile contact with the criminal and juvenile justice systems.

During the 2022 legislative session, the General Assembly adopted the Juvenile Justice Reform Council's recommendations, including provisions to limit the use of detention or out-of-home placement for youth that are found to have committed a technical violation of probation. *Md. Code, Courts and Judicial Proceedings, §3-8A-19.*

Prior to the adoption of the JJRC recommendations in 2022, the state of Maryland law did not provide guidance on permissible disposition for technical violations of probation. Without a framework the JJRC found youth were placed in detention and out-of-home committed placements at a very high rate for technical violations of probation.

DJS urges the committee to refer substantive changes or modifications to the recommendations of the Juvenile Justice Reform Council to the DJS State Advisory Board or other stakeholder commission to ensure changes are rooted in data, consider relevant research and best practices, and do not exacerbate racial and ethnic disparities.

For these reasons, DJS requests an unfavorable report on HB 314.

