



Testimony in Opposition to HB1021– Department of Legislative Services – Collection of Information Related to Public Safety, Criminal Justice, Corrections, and Juvenile Services

Presented to the Honorable Chair Maggie McIntosh, Vice Chair Mark S. Chang, and Members of the Appropriations Committee
March 1, 2022, 1pm

POSITION: UNFAVORABLE

Testimony of Samantha Blau on Behalf of the People's Commission to Decriminalize Maryland

The People's Commission to Decriminalize Maryland opposes HB1021/SB785, and we urge the Committee to issue an unfavorable report on this bill.

The People's Commission was created to reduce the disparate impact of the justice system on youth and adults who have been historically targeted and marginalized by local and state criminal and juvenile laws based on their race, gender, disability, or socioeconomic status. The People's Commission agrees that public agencies and systems should be transparent in reviewing and using data regarding the effectiveness or ineffectiveness of the use of public resources. Indeed, lifting up data for the public and elected officials has been a primary component of the People's Commission's advocacy.

We recognize that HB1021/SB785 may have been drafted in response to delays in obtaining data otherwise required by law from various state agencies under existing provisions of the Maryland Code. However, the provisions regarding data collection and reporting regarding youth are not required by existing law, and they raise grave concerns for the following reasons:

1. The bill requires DJS to enter into a Memorandum of Understanding to provide disaggregated information by individual youth regarding their record of referrals, court actions, supervision, and placement. Even if data are de-identified, it does not mean that members of the legislature could not be able to match that information to youth in their jurisdictions, particularly in smaller and more rural jurisdictions. This runs counter to a central tenet of the youth justice system, which is the preservation of confidentiality –

consistent with the rehabilitative mission of the youth justice system.

2. The bill requires DJS to develop a workplan to include “specific race and ethnicity data” for individual youth. As noted in (1), this provision would only heighten the likelihood of being able to connect data to individual youth, running counter to the protections that exist related to confidentiality in the youth justice system.
3. DJS already publishes a wealth of data consistently, accurately, and transparently through its [Data Resource Guide](#). Indeed, DJS releases more detailed information, including by race, ethnicity, region, offense, gender, and age than almost any other state in the country. This guide includes data on the effectiveness of services and public safety indicators.
4. DJS has a demonstrated track record of providing additional data based on specific requests beyond the information published in the Data Resource Guides. This was evidenced most recently by the data that DJS produced in response to its work with the Juvenile Justice Reform Council.

HB1021/SB785 is unnecessary given the degree of transparency from DJS and has the potential to run counter to the fundamental principles of the youth justice system. **For these reasons, the People’s Commission urges the Committee to issue an unfavorable report on this bill.**