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Secretary

Date: 3/3/2022  
Bill # / Title: SB 785 - Department of Legislative Services - Collection of Information Related to Public Safety, Criminal Justice, Corrections, and Juvenile Services  
Committee: Appropriations  
Position: Letter of Information

The Department of Juvenile Services (DJS) is providing information for SB 785.

SB 785 requires DJS to enter into an Memorandum of Understanding (MOU) with the Department of Legislative Services (DLS) for the purposes of submitting various reports which will include de-identified and disaggregated data on juveniles as it relates to their:

- Delinquency;
- Court actions;
- Supervision; and
- Placement.

Additionally there is a requirement to develop a work plan with DLS to collect race/ethnicity data on individual juveniles.

DJS is a data-driven agency, and the data collected is used to guide our decision-making and as a tool to craft policies and practices. However, it's imperative that in the course of any data sharing agreement, the confidentiality of juvenile records remains intact.

#### **Maintaining confidentiality of juvenile information is essential.**

Confidentiality is one of the central values of the juvenile justice system. Confidentiality is necessary to protect a youth from possible stigma, collateral consequences, and retaliation stemming from their justice-system involvement. DJS prioritizes data requests from other agencies or branches of government, and provides responses in an accurate manner while prioritizing confidentiality. Concerns arise that de-identified data (which may not include names, addresses, date of birth, etc.) can still be used to pin-point certain identifiable information. For example, in smaller jurisdictions de-identified information which contains dates or locations of an alleged offense could compromise the identity of an involved juvenile.

#### **DJS currently shares a wide array of data.**

The department publishes a wealth of data, in various forms, on the DJS website. In addition to the annual Data Resource Guides (DRG)<sup>1</sup>, DJS posts a multitude of publications<sup>2</sup> and reports on various topics. Through the efforts of our Office of Research and Evaluation, DJS assists policy-makers and stakeholders to conduct analysis. As a result of this transparency, DJS prefers to reply to impromptu research/data requests.

To date, and upon the request of DLS, the department has shared the aggregate data that would be available for the analysis envisioned in this bill. However, the de-identified and disaggregated data request contemplated in SB 785 from DJS may be unnecessary and far-reaching.

DJS is dedicated to collaborating with DLS on a process to improve data sharing/collection and developing additional pathways to measure equity and disproportionality. DJS looks forward to working with our partners and stakeholders to use data responsibly in order to advance racial equality and fairness.

<sup>1</sup> <https://djs.maryland.gov/Pages/Data-Resource-Guides.aspx>

<sup>2</sup> <https://djs.maryland.gov/Pages/Publications.aspx>