

Memorandum  
Denver Youth Survey  
Confidentiality Statement of Non-DYS Research Personnel

From: David Huizinga, Project Director, DYS  
Ross Matsueda, PI, Deterrence Project

To: All Individuals with Access to Denver Youth Survey Data.

Re: Federal Regulations Protecting the Confidentiality of Denver Youth Survey Information

Definition. Certified Research User. A Certified Research User is an individual working, whether in a paid capacity or not, on a Certified Research Project with access to Denver Youth Survey Data and who has agreed to protect the confidentiality of Denver Youth Survey data as indicated by signing this memorandum. A Certified Research Project is a project that has completed a signed Agreement for the Transfer of Denver Youth Survey Data, an agreement that specifies requirements and procedures to be followed as part of the requirements for obtaining Denver Youth Survey data for research purposes.

Under the terms of our grants from OJJDP (86-JN-CX-0006/94-JN-CX-0001/96-MU-FX-0017) and NIDA (RO1-DA5183/R01-DA09409) the collection, use, and disclosure of research information identifiable to a particular person is subject to federal law. In 1977, Public Law 95-115 incorporated Section 524(a) of the Omnibus Crime Control and Safe Streets Act, as amended, a section regarding the confidentiality of research data into the Juvenile Justice and Delinquency Prevention Act of 1974. The regulations on confidentiality which implement Section 524(a) are contained in federal regulations 28CFR Part 22 and are directly applicable to our grant -- the Denver Youth Survey. In addition, the project is covered by Certificates of Confidentiality (MH-87-26-1A, MH-88-33) from the Department of Health and Human Services under regulations 42CFR Part 2a.

These regulations guarantee the confidentiality of data collected during an interview and provide legal protection to the respondent, to project staff, and to project interviewers. These Federal regulations stipulate that all interview data must be kept confidential and that any research information obtained in connection with our grant cannot be subpoenaed or legally compelled to be produced in any judicial or administrative proceeding without the written consent of the person to whom the information pertains.

The Denver Youth Survey Project (DYS) has agreed as a condition of the grant that a number of regulations will be strictly followed. These regulations include:

1. Data obtained by the project through interviews or other means will be used only for research or statistical purposes and such data that is identifiable to a private person shall not be used or revealed for any purpose other than the purpose for which it was obtained as described in our grant without the written consent of both the Project Director and the person to whom the information pertains.

In essence, this means that the identity of persons participating in the DYS or any collected data identifiable to specific person or family participating in the DYS will not be revealed to anyone outside the DYS project staff or Certified Research Users of DYS data without prior permission of the persons involved and permission of the DYS project director.



2. Access to data will be limited to Certified Research Users formally employed by the Certified Project who have a need for such data.

3. Research Users of DYS data will take adequate precautions to insure the administrative and physical security of any identifiable data.

There is recent concern about the confidentiality of "micro-data" that observes that specific individuals can be identified in longitudinal data that contains demographic and personal history information, even if name and other obvious personal identifiers have been removed. Further, there is documentation of the validity of this concern within the DYS data. As a result, analysis data sets and subsets, whether in written, printed, or electronic form must be considered to contain data identifiable to specific persons and thus must be carefully protected. Also, to maintain and enhance the security of the data files, data coding guides, whether printed or electronic must be protected.

As a result, DYS project staff and Certified Research Users will take adequate precautions to insure the physical security and confidentiality of all Denver Youth Survey data files and coding frames. All DYS project procedures developed to preserve the anonymity of private persons to whom the information relates will be strictly followed. These include:

a. All data sets of any kind, whether in printed or electronic form (including CD\_ROM, diskette and tape storage), and any derived or limited data sets produced for analysis of any kind must be located in securely locked files or, if residing on a computer, the computer must be a physically and electronically protected secured in-office computer.

For the purpose of this memorandum, a secured in-office computer is a computer

(i) located within locked offices of the Certified Research Project,

(ii) that has restricted use and is specified for analyses of DYS data, and

(iii) that

- (1) is password protected at "boot" and password protected at times the machine is left unattended, with passwords known only by Certified Research Users,
- (2) can be accessed only by staff working on the Certified Research Project that have signed this memorandum and
- (3) is not connected to any computer network (including any local network or e-mail or world wide web network connection).

b. Data sets containing any DYS data or any DYS coding guides will not be transferred or provided to any organization or to any individual other than a staff member of the Certified Research Project who has signed this memorandum.

c. If a computer is being or has been used for storage or processing of confidential DYS data, including any DYS analysis data, and is to be repaired, replaced or given to or used by persons who are not members of the certified research project or who have not signed this confidentiality agreement, it is the responsibility of the individual with access to the DYS data on this computer to insure that all DYS data have been removed from the computer and the files that contained DYS data are written over using Norton Wipe File procedures (or equivalent) using procedures employing federal guidelines for overwriting confidential files before the computer is (a) sent for repair, (b) replaced or (c) given to or (d) used by persons who have not signed this confidentiality agreement;

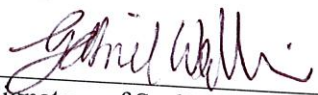
4. Project findings and reports prepared for dissemination will not contain information identifiable to a private person.

Any violation of these regulations may result in the termination of the study, civil law suits against the Certified Project or individual researcher and/or imposition of a fine up to \$10,000 against any person responsible for such a violation. In addition, any violation committed by a staff member of a Certified Research Project may be considered sufficient cause for immediate termination of employment of that person by the project.

If you agree to comply with the confidentiality regulations as set forth in this memorandum and in the Agreement for Transfer of DYS Data to a Research Investigator or Research Project that is applicable to the project on which you will be working, please sign the certification below:

I certify that I have read the above explanation of the confidentiality regulations which apply to staff of the Denver Youth Survey and to Certified Users of DYS data, that I have read the Agreement for Transfer of DYS Data to a Research Investigator or Research Project that is applicable to the project on which I will be working, and that I agree to fully comply with the procedures and regulations set forth in this memorandum and in the applicable Agreement for Transfer of DYS Data.

Gabriel Wallin  
Printed Name of Staff Member

  
Signature of Staff Member

2020-03-11  
Date