



## Legislative Council Staff

*Nonpartisan Services for Colorado's Legislature*

## Memorandum

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**TO:** Interested Persons

**FROM:** Juliann Jenson, Research Analyst, 303-866-3264

**SUBJECT:** Colorado Juvenile Justice System Response to COVID-19

### Summary

Coronavirus (COVID-19) has impacted almost every aspect of society, including the criminal justice system, leaving crowded courts, prisons and jails especially susceptible to the outbreak. This memorandum provides an overview of how the juvenile justice system in Colorado is handling this public health emergency. Please note that the COVID-19 situation is rapidly changing, and staff will be monitoring changes and making updates.

### Juvenile Facility Operations

The Division of Youth Services (DYS) in the Department of Human Services has instituted measures to prevent the introduction and spread of COVID-19 in state-owned and operated youth facilities. The DYS COVID-19 policies are detailed in its [Stakeholder Information Guide](#) and summarized below.

**Cleaning and hygiene.** Proactive measures have been implemented to keep detained youth healthy. Facility staff are disinfecting and cleaning facilities on a daily basis. Youth have regular access to handwashing/soap and hand sanitizer. There are also ongoing reminders and signs posted to encourage youth to wash their hands and keep them from touching their face, nose, and eyes.

**Court appearances.** Video court appearances are being used, when possible, rather than in-person hearings, in an attempt to reduce in-person appearances in court and transportation outside of youth centers.

**Health screening.** DYS has implemented a comprehensive medical screening process for all new youth admissions, and a health screening for anyone, including staff, prior to entry into a youth center. This includes secondary screenings, if warranted, by medical personnel. DYS also conducts a daily review of any symptoms by youth or staff. Forty youth who exhibited COVID-related symptoms have been screened as of May 1, 2020, and all have been cleared or are no longer symptomatic.

**Masks.** All direct care staff are required to wear a mask.

**Meetings.** Professional meetings, including daily staff meetings, are conducted using video conferencing or phone.

**Personal Protective Equipment (PPE).** The division is maintaining an ample stock of proper PPE to minimize exposure to hazards that cause workplace injuries and illnesses.

**Programming and school.** DYS is continuing its programming with youth centers, including treatment and behavioral health support, and educational programming in commitment programs, but is conducting it primarily online.

**Service providers.** DYS is placing limits on outside service providers and volunteers, and instead meeting remotely to continue care where warranted (e.g., religious services).

**Staffing.** The ratio of youth to staff has been lowered to the extent possible, and a daily review of staffing levels is conducted. Incentive pay is also offered during the COVID-19 crisis.

**Testing.** Testing of youth has been targeted at youth centers and is based on medical acuity and potential spread of the virus. Eighteen youth have been tested thus far, with no positive results. Four staff members have tested positive and have been put on administrative leave.

**Visitation.** In-person family visits are temporarily banned, and visits are instead being held via video conferencing or phone.

**Youth with COVID-19 exposure or symptoms.** Sick beds and medical isolation are available for youth awaiting test results or for those who test positive.

## **Executive Order**

On April 11, 2020, Governor Polis issued [Executive Order D 2020-034](#), which suspends certain regulatory statutes concerning juvenile justice, regional centers, and behavioral health facilities in the following ways:

- **Parole.** DHS is authorized to assess whether a juvenile may be released to parole. The order temporarily suspends the Juvenile Parole Board's authority, except in aggravated or violent juvenile offender cases.
- **Admission criteria.** The DHS is instructed to develop new admission criteria to detention facilities.
- **Seclusion.** Seclusion policies have been suspended in cases where medical isolation and quarantine are necessary to prevent the spread of COVID-19.
- **Mental health facilities.** Mental health facilities are authorized to temporarily suspend certain patient rights, including those related to in-person visitors and clothing.

## Population Snapshot

The juvenile occupancy rate in secure youth centers decreased by almost 30 percent since March 1, 2020. This was primarily due to DYS releasing or furloughing young people early to parole, along with the halting of new admissions. Table 1 depicts youth population differences from the start of the pandemic to early May.

**Table 1**  
**Detained and Committed Youth Population in**  
**State Operated Youth Centers**

<b>DYS Secure Youth Centers</b>	<b>March 1, 2020</b>	<b>May 1, 2020</b>	<b># Decline</b>	<b>% Decline</b>
Detained Youth	260	174	86	-33%
Committed Youth	340	260	80	-24%
<b>TOTAL Youth</b>	<b>600</b>	<b>434</b>	<b>166</b>	<b>-28%</b>

Source: DYS