



SUMMARY REPORT

of Interim Committee Activities

October 2024

Treatment of Persons with Behavioral Health Disorders in the Criminal and Juvenile Justice Systems

Committee Members: Dafna Michaelson Jenet, Chair, Judy Amabile, Vice-chair
Mary Bradfield, Lisa Cutter, Regina English, Rod Pelton

Committee Charge

Article 1.9 of Title 18, C.R.S. created a legislative oversight committee (committee) and an advisory task force concerning the treatment of persons with behavioral health disorders in the criminal and juvenile justice systems. The committee has been in existence for over two decades and is responsible for the oversight of the advisory task force and recommending legislative changes. The advisory task force is directed to examine the identification, diagnosis, and treatment of persons with behavioral health disorders who are involved in the criminal and juvenile justice systems, including the examination of liability, safety, and cost as they relate to these issues. The committee also develops and proposes areas of study for the task force.

Calendar of Events

July 22, 2024

- Committee Overview and Update on 2024 Legislation Recommended by the Legislative Oversight Committee
- Overview of Advisory Task Force Activities and Subcommittee Updates
- Task Force Appointments
- Discussion about Legislation for 2025 Session and Bill Draft Requests
- Public testimony

August 24, 2024

- Presentation from the Behavioral Health Administration
- Bill Draft Request Updates
- Public Comment

October 1, 2024

- Public testimony
- Final consideration of bill draft requests and associated amendments



Recommended Legislation

As a result of committee discussion and deliberation, the committee recommends the following bills for consideration in the 2025 legislative session.

Bill A – Deflection Supports Justice-Involved Youth

The bill makes several changes to the Youth Offender System in the Department of Corrections and juvenile competency hearings in the courts. It also allows juveniles to receive presentence confinement credits and creates the Deflection and Community Investment Grant Program in the Department of Public Health and Environment.

Bill B – Behavioral Health Crisis Response Recommendations

The bill forms a stakeholder group, creates new reporting requirements for departments and behavioral health facilities, and updates coverage of medical health care through Medicaid and emergency mental health hold practices.

Bill C – Not Guilty by Reason of Insanity Defense

The bill makes several updates to the procedure for not guilty by reason of insanity (NGRI) cases including how to determine the length of evaluation, how interviews should be conducted during evaluations, and other nonsubstantial cleanup of statute.

Bill D – Complementary Behavioral Health Services In Jail Grants

The bill creates a grant program in the Behavioral Health Administration to provide complementary behavioral health services to persons in custody at jails.

Bill E – Competency in Criminal Justice System Services and Bail

This bill clarifies what courts must consider when setting bail for defendants declared incompetent to proceed and allows defendants to receive inpatient services from the Colorado Department of Human Services for additional time after charges are dropped.