

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

HB25-1146 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 **"SECTION 1.** In Colorado Revised Statutes, **amend** 19-2.5-1405
4 as follows:

5 **19-2.5-1405. Working group - allocation of beds.** (1) The
6 executive director of the department of human services and the state court
7 administrator in the judicial department, or ~~a designee of such persons~~
8 ~~THEIR DESIGNEES~~, in consultation with the division of criminal justice of
9 the department of public safety, the office of state planning and
10 budgeting, the Colorado district attorneys' council, and law enforcement
11 representatives, shall form a working group that has the following duties:

12 (a) To ~~annually~~ allocate ~~the~~ AND REALLOCATE, AS NECESSARY, A
13 number of juvenile detention beds to each catchment area in the state
14 created pursuant to section 19-2.5-1513, ~~based on~~ AS LIMITED BY the
15 number of juvenile beds established pursuant to section 19-2.5-1514.
16 ~~Once the allocation of juvenile detention beds is made to the catchment~~
17 ~~areas, the~~ THE working group ~~shall~~ MAY allocate OR REALLOCATE ANY
18 PORTION OF THE detention beds ~~within the~~ ALLOCATED TO catchment areas
19 to the judicial districts within ~~each~~ THOSE catchment ~~area~~ AREAS. Judicial
20 districts shall not exceed the number of beds allocated to them except for
21 circumstances provided for in subsection (1)(b) of this section.

22 (b) To develop a mechanism for judicial districts to
23 COLLABORATIVELY USE DETENTION BEDS ALLOCATED TO CATCHMENT
24 AREAS BUT UNALLOCATED TO JUDICIAL DISTRICTS AND A MECHANISM TO
25 loan detention beds to other judicial districts; ~~in cases of need~~ AND

26 (c) To develop emergency release guidelines that must be used by
27 each judicial district to prevent placement of a juvenile in a juvenile
28 detention facility in excess of the TOTAL number of JUVENILE DETENTION
29 beds ~~allocated to the judicial district; and~~ ESTABLISHED PURSUANT TO
30 SECTION 19-2.5-1514.

31 (d) ~~To develop juvenile detention placement guidelines for each~~
32 ~~judicial district to use in complying with the number of juvenile detention~~
33 ~~beds allocated to the judicial district.~~

34 **SECTION 2.** In Colorado Revised Statutes, **amend** 19-2.5-1515
35 as follows:

36 **19-2.5-1515. Judicial districts - plans for the cap.** Each judicial
37 district shall annually develop a plan to manage ~~the limit on~~ the number
38 of juvenile detention beds allocated OR REALLOCATED to the judicial
39 district by the working group pursuant to section 19-2.5-1405 (1)(a). The
40 judicial district shall consider the emergency release guidelines and

1 placement guidelines developed pursuant to section 19-2.5-1405 in its
2 annual plan to manage the limit. The annual plan developed by the
3 judicial district must ensure the judicial district does not exceed the
4 number of juvenile detention beds allocated to it pursuant to section
5 19-2.5-1405 BEDS.

6 **SECTION 3.** In Colorado Revised Statutes, 19-2.5-1407.3,
7 amend (4)(b) and (4)(c) as follows:

8 **19-2.5-1407.3. Appropriation to the department of human
9 services - allocation to judicial districts - provider incentives -
10 appropriation.** (4) (b) Twenty-two temporary THIRTY-NINE emergency
11 detention beds are available statewide. A temporary AN emergency
12 detention bed does not count toward the limit of juvenile detention beds
13 available pursuant to section 19-2.5-1514. The department shall annually
14 allocate AND REALLOCATE, AS NECESSARY, the number of temporary
15 emergency detention beds to each catchment area in the state created
16 pursuant to section 19-2.5-1513. A temporary AN AVAILABLE emergency
17 detention bed WITHIN A JUDICIAL DISTRICT'S CATCHMENT AREA may be
18 made available to a judicial district pursuant to a court order issued
19 pursuant to, and subject to the restrictions set forth in, subsection (4)(c)
20 of this section USED BY A JUDICIAL DISTRICT IN THE CATCHMENT AREA IF:

21 (I) THE JUDICIAL DISTRICT IS PRESENTED WITH A JUVENILE WHO
22 MEETS THE CRITERIA FOR DETENTION PURSUANT TO SECTIONS 19-2.5-303
23 AND 19-2.5-304;

24 (II) ALL AVAILABLE DETENTION BEDS ALLOCATED TO THE JUDICIAL
25 DISTRICT BY THE WORKING GROUP PURSUANT TO SECTION 19-2.5-1405 ARE
26 FULLY UTILIZED;

27 (III) NO NONEMERGENCY DETENTION BEDS WITHIN THE JUDICIAL
28 DISTRICT'S CATCHMENT AREA AT THE INITIAL RECEIVING JUVENILE
29 DETENTION FACILITY ARE AVAILABLE; AND

30 (IV) EACH DETENTION BED LOANED BY THE JUDICIAL DISTRICT TO
31 ANOTHER JUDICIAL DISTRICT, AS DESCRIBED IN SECTION 19-2.5-1405
32 (1)(b), HAS BEEN REVERTED TO THE LOANING JUDICIAL DISTRICT, UNLESS
33 DOING SO WOULD REQUIRE A JUVENILE TO BE TRANSPORTED TO ANOTHER
34 FACILITY.

35 (c) (I) The district attorney of a judicial district or a county
36 department of human or social services may petition the court no later
37 than the next business day after the juvenile is detained to exceed the
38 number of juvenile detention beds allocated to a judicial district pursuant
39 to section 19-2.5-1405 for the period of time before the detention hearing
40 for the juvenile who would utilize the requested temporary emergency
41 detention bed, if:

42 (A) When all statutorily available detention beds allocated to the
43 judicial district and any judicial district sharing the same facility are fully

1 utilized, the judicial district is presented with a juvenile who is charged
2 with committing a delinquent act who screens into detention based on the
3 current detention screening instrument;

4 (B) Each bed loaned by the judicial district to another judicial
5 district, as described in section 19-2.5-1405 (1)(b), has been relinquished
6 to the loaning judicial district;

7 (C) No detention beds are available within the judicial district's
8 catchment area; and

9 (D) There are no available juvenile detention beds in any facility
10 within fifty miles of the initial receiving juvenile detention facility. This
11 subsection (4)(c)(I)(D) does not apply to a petition for a temporary
12 emergency detention bed if: The point of arrest of the juvenile was fifty
13 miles or more from the initial receiving juvenile detention facility, or if
14 the petition is for a juvenile to utilize a bed at the juvenile's initial
15 receiving facility when the juvenile is returned to the initial receiving
16 facility because the juvenile was utilizing a bed borrowed from another
17 judicial district and the borrowed bed is no longer available for use by the
18 juvenile.

19 (II) Upon receipt of a petition to exceed the number of juvenile
20 detention beds allocated to a judicial district filed pursuant to this
21 subsection (4)(c), a court shall issue an order permitting a judicial district
22 to exceed the number of juvenile detention beds allocated to the
23 catchment area up to the number of temporary emergency detention beds
24 allocated to the catchment area by the department if the court specifically
25 finds that the following circumstances exist:

26 (A) No detention beds are available in the catchment area;

27 (B) There is a legal basis for detaining each juvenile who is
28 detained in the judicial district, which may include for each juvenile
29 screened that the detention screening instrument does not support release
30 because the juvenile presents a substantial risk of serious harm to others
31 or is a flight risk from prosecution;

32 (C) Services are not available for any juvenile currently placed in
33 detention in the judicial district that would mitigate the substantial risk of
34 serious harm to others presented by the juvenile or the juvenile's risk of
35 flight from prosecution; and

36 (D) Other forms of community-based supervision for the
37 incoming juvenile are not sufficient to mitigate the substantial risk of
38 serious harm to others presented by the juvenile or the juvenile's risk of
39 flight from prosecution.

40 (III) If a detention bed within the judicial district's allocation that
41 is under the statewide detention bed cap becomes available, the juvenile
42 utilizing a temporary AN emergency detention bed shall revert to the
43 nonemergency detention bed and the requirements in this subsection (4)

1 no longer apply. If a detention bed becomes available within the judicial
2 district's ALLOCATION OR catchment area but at a different facility, the
3 juvenile may, at the discretion of the judicial district, remain in the
4 temporary emergency detention bed in lieu of transferring to the
5 nonemergency detention bed in a different facility.

6 (IV) On the fifth business day following the issuance or renewal
7 of each court order issued pursuant to this subsection (4)(c), if the
8 circumstances described in subsection (4)(c)(I) of this section exist and
9 the juvenile remains detained in the temporary emergency detention bed,
10 the person who filed the initial petition pursuant to subsection (4)(c)(I) of
11 this section, or the person's designee, shall inform the court that the
12 circumstances still exist and the juvenile remains detained in the
13 temporary emergency detention bed. At the time of informing the court,
14 the person shall also provide the court with updated information about the
15 circumstances the court is required to find pursuant to subsection
16 (4)(c)(II) of this section. Upon notification from the person, the court
17 shall hold a hearing to determine whether to renew the order. The court
18 may renew its order for an additional five days if it makes the findings
19 required in subsection (4)(c)(II) of this section for issuance of a court
20 order. On or before December 1, 2025, and on or before December
21 1 of each year thereafter, the department shall publish a report
22 on its website that contains the total number of emergency
23 detention beds used in the preceding state fiscal year, reported
24 for the state as a whole and for each judicial district.

25 **SECTION 4.** In Colorado Revised Statutes, **add 19-2.5-1407.5**
26 as follows:

27 **19-2.5-1407.5. Juvenile placement survey and cost report -**
28 **repeal.** (1) On or before July 1, 2027, the division of youth
29 services shall publish a report concerning available placements
30 for juveniles who are awaiting mitigating services in the state.
31 The report must include, at a minimum:

32 (a) The number of available placements for juveniles who
33 are awaiting mitigating services, reported for the state as a
34 whole and for each catchment area;

35 (b) The number of each type of available placement for
36 juveniles who are awaiting mitigating services, reported for the
37 state as a whole and for each catchment area;

38 (c) Findings concerning challenges experienced in placing
39 juveniles in each type of placement for juveniles who are
40 awaiting mitigating services, including information concerning
41 costs associated with each type of available placement; and

42 (d) Findings and recommendations for legislation or
43 policy solutions to alleviate challenges identified pursuant to

1 COMPLETING THE REPORT.

2 (2) THE DIVISION OF YOUTH SERVICES SHALL WORK WITH
3 PROVIDERS STATEWIDE TO IDENTIFY BARRIERS TO PLACING JUVENILES IN
4 MITIGATING SERVICES AND MAKE RECOMMENDATIONS TO MITIGATE THE
5 BARRIERS. DIRECTIVES INCLUDE EXAMINING, AT A MINIMUM:

6 (a) STAFFING REQUIRED TO COORDINATE POTENTIAL PLACEMENTS;
7 AND

8 (b) IDENTIFYING PLACEMENT OPTIONS AND NEGOTIATION OF DAILY
9 RATES.

10 (3) ON OR BEFORE JULY 1, 2027, THE DIVISION OF YOUTH SERVICES
11 SHALL PROVIDE ITS REPORT TO THE HOUSE OF REPRESENTATIVES HEALTH
12 AND HUMAN SERVICES COMMITTEE AND THE SENATE HEALTH AND HUMAN
13 SERVICES COMMITTEE, OR THEIR SUCCESSOR COMMITTEES.

14 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2028.

15 **SECTION 5.** In Colorado Revised Statutes, **add** 19-2.5-1408.5
16 as follows:

17 **19-2.5-1408.5. Body-worn cameras - pilot program - report.**

18 (1) THE DIVISION OF YOUTH SERVICES SHALL ESTABLISH A PILOT
19 PROGRAM IN ONE DETENTION FACILITY AND ONE COMMITMENT FACILITY
20 REQUIRING EACH DIVISION OF YOUTH SERVICES STAFF MEMBER WHO IS
21 RESPONSIBLE FOR DIRECT SUPERVISION OF YOUTH TO WEAR A BODY-WORN
22 CAMERA WHILE IN THE FACILITY WHILE INTERACTING WITH YOUTH. AFTER
23 THE PILOT PROGRAM IS ESTABLISHED, THE DIVISION OF YOUTH SERVICES
24 SHALL ESTABLISH POLICIES AND PROCEDURES CONCERNING BODY-WORN
25 CAMERAS. THE PILOT PROGRAM MUST BE IMPLEMENTED FROM JANUARY
26 1, 2026, THROUGH DECEMBER 31, 2028.

27 (2) IN JANUARY OF 2028, THE DEPARTMENT OF HUMAN SERVICES
28 SHALL MAKE A RECOMMENDATION REGARDING WHETHER TO CONTINUE
29 AND EXPAND OR ELIMINATE THE PILOT PROGRAM TO THE HOUSE OF
30 REPRESENTATIVES HEALTH AND HUMAN SERVICES COMMITTEE AND THE
31 SENATE HEALTH AND HUMAN SERVICES COMMITTEE, OR THEIR SUCCESSOR
32 COMMITTEES, AS PART OF THE "SMART ACT" PRESENTATION REQUIRED
33 PURSUANT TO PART 2 OF ARTICLE 7 OF TITLE 2.

34 **SECTION 6.** In Colorado Revised Statutes, 19-2.5-703.5, **amend**
35 (1) introductory portion as follows:

36 **19-2.5-703.5. Waiver of privilege - exchange of information -
37 admissibility of statements.** (1) When the court determines that a
38 juvenile is incompetent to proceed, any claim of confidentiality or
39 privilege by the juvenile or the juvenile's parent or legal guardian is
40 deemed waived within the case to allow the court and parties to determine
41 issues related to the juvenile's competency, restoration, and any
42 management plan developed by the court pursuant to section 19-2.5-704

43 (3). The district attorney, defense attorney, guardian ad litem, the

1 department, any competency evaluators, any restoration treatment
2 providers, BRIDGES COURT LIAISONS, and the court are granted access,
3 without written consent of the juvenile or further order of the court, to:

4 **SECTION 7.** In Colorado Revised Statutes, 19-2.5-704, **amend**
5 (2.5)(a) introductory portion, (2.5)(a)(I), (2.5)(a)(II), (3)(a), and (3)(b);
6 and **add** (2.3), (3)(b.5), and (3)(d) as follows:

7 **19-2.5-704. Procedure after determination of competency or**
8 **incompetency.** (2.3) IF THE COURT MAKES A FINAL DETERMINATION
9 PURSUANT TO SECTION 19-2.5-703 THAT THE JUVENILE IS INCOMPETENT
10 TO PROCEED AND THE JUVENILE'S HIGHEST CHARGED ACT CONSTITUTES A
11 CLASS 2 MISDEMEANOR, A PETTY OFFENSE, A DRUG MISDEMEANOR, OR A
12 TRAFFIC OFFENSE, THE COURT SHALL IMMEDIATELY DISMISS THE
13 DELINQUENCY PETITION OR CHARGES, AS APPLICABLE, AGAINST THE
14 JUVENILE.

15 (2.5) (a) If the court finds a juvenile is incompetent to proceed,
16 THE JUVENILE'S HIGHEST CHARGED ACT IS NOT INCLUDED IN THE CHARGES
17 SPECIFIED IN SUBSECTION (2.3) OF THIS SECTION, and the juvenile has been
18 incompetent to proceed for a period of time that exceeds the time limits
19 set forth in this subsection (2.5), the court shall enter a finding that the
20 juvenile is unrestorable to competency and shall determine whether a
21 management plan for the juvenile is necessary pursuant to subsection
22 (3)(a) of this section. The time limits are as follows:

23 (I) If the highest charged act constitutes a CLASS 1 misdemeanor
24 ~~a misdemeanor drug offense, a petty offense, or a traffic offense,~~ OR A
25 LEVEL 4 DRUG FELONY and the juvenile is not restored to competency after
26 a period of six months, the court shall find the juvenile unrestorable to
27 competency;

28 (II) If the highest charged act constitutes a class 4, 5, or 6 felony,
29 or a level 3 ~~or 4~~ drug felony, and the juvenile is not restored to
30 competency after a period of one year, the court shall find the juvenile
31 unrestorable to competency;

32 (3) (a) If the court finally determines pursuant to section
33 19-2.5-703 or 19-2.5-703.5 that the juvenile is incompetent to proceed
34 and cannot be restored to competency in the reasonably foreseeable
35 future, the court shall enter an order finding the juvenile unrestorable to
36 competency and shall determine whether a CASE management plan for the
37 juvenile is necessary, taking into account the public safety and the best
38 interests of the juvenile. IF THE COURT DETERMINES A CASE MANAGEMENT
39 PLAN IS UNNECESSARY, THE COURT MAY CONTINUE ANY TREATMENT OR
40 PLAN ALREADY IN PLACE FOR THE JUVENILE. If the court determines a
41 CASE management plan is necessary, the court ~~shall~~ MUST develop the
42 CASE management plan after ordering that the juvenile be placed OR
43 CONTINUE PLACEMENT in the least-restrictive environment, taking into

1 account the public safety and best interests of the juvenile. If the court
2 determines a management plan is unnecessary, the court may continue
3 any treatment or plan already in place for the juvenile. In order to
4 develop an appropriate case management plan, the court may
5 order any member of the juvenile's professional team to consult
6 with the juvenile, the juvenile's parent or legal guardian, or
7 other individuals, including the juvenile's defense attorney,
8 guardian ad litem, or treatment provider, to develop a proposed
9 management plan to present to the court for consideration. The
10 court shall notify any individual, organization, or agency that
11 is identified as responsible for the juvenile or responsible for
12 implementation of the management plan. The management plan
13 must, at a minimum, address treatment for the juvenile, identify the party
14 or parties responsible for the juvenile, and specify appropriate behavior
15 management tools if they THE TOOLS are not otherwise part of the
16 juvenile's treatment.

17 (b) The management plan may include:
18 (I) Placement options included in article 10.5 or 65 of title 27;
19 (II) A treatment plan developed by a licensed mental health
20 professional;
21 (III) An informed supervision model, UPON THE COURT FINDING
22 ON THE RECORD SUPPORTED BY INFORMATION THAT THE UNDERLYING
23 CHARGE IS RATIONALLY RELATED TO THE NEED FOR THE USE OF AN
24 INFORMED SUPERVISION MODEL;
25 (IV) Institution of a guardianship petition; or
26 (V) Any other remedy ~~deemed appropriate by~~ the court DEEMS
27 RATIONALLY RELATED TO MITIGATING COMMUNITY SAFETY CONCERNs.

28 (b.5) NOTWITHSTANDING SUBSECTION (3)(b) OF THIS SECTION, THE
29 MANAGEMENT PLAN MUST NOT INCLUDE:

30 (I) DETENTION OF THE JUVENILE OR COMMITMENT OF THE
31 JUVENILE TO THE DIVISION OF YOUTH SERVICES, A COUNTY JAIL,
32 COMMUNITY CORRECTIONS, OR THE COLORADO MENTAL HEALTH
33 INSTITUTE AT PUEBLO; OR
34 (II) WORK RELEASE.

35 (d) ANY ENTITY RESPONSIBLE FOR CONNECTING THE JUVENILE TO
36 SERVICES, SERVICE COORDINATION, OR CASE MANAGEMENT MAY REPORT
37 TO THE COURT ON THE JUVENILE'S OR THE JUVENILE'S PARENT'S OR LEGAL
38 GUARDIAN'S ENGAGEMENT IN THE SERVICES ORDERED IN THE
39 MANAGEMENT PLAN. IF THE JUVENILE OR THE JUVENILE'S PARENT OR
40 LEGAL GUARDIAN DOES NOT ENGAGE IN THE SERVICES ORDERED IN THE
41 MANAGEMENT PLAN, THE COURT MAY ALTER THE MANAGEMENT PLAN OR
42 TAKE OTHER ACTION AS NECESSARY AND PERMITTED BY LAW, INCLUDING,
43 BUT NOT LIMITED TO, REFERRAL TO A LOCAL COLLABORATIVE

1 MANAGEMENT PROGRAM, TO THE EXTENT THAT A LOCAL COLLABORATIVE
2 MANAGEMENT PROGRAM EXISTS AND PROVIDES CASE MANAGEMENT
3 SERVICES; ORDERING A DEPARTMENT OF HUMAN SERVICES INVESTIGATION
4 PURSUANT TO SECTION 19-3-501 (1); OR FILING A DEPENDENCY AND
5 NEGLECT PETITION PURSUANT TO SECTION 19-3-501 (2)(b) IF THERE IS
6 CURRENT INFORMATION THAT THE JUVENILE HAS SUFFERED ABUSE AS
7 DEFINED IN SECTION 19-1-103 AND THE BEST INTERESTS OF THE JUVENILE
8 REQUIRE THAT THE JUVENILE IS PROTECTED FROM RISK OF FURTHER
9 ABUSE.

10 **SECTION 8.** In Colorado Revised Statutes, **add** part 28 to article
11 33.5 of title 24 as follows:

PART 28

DEFLECTION AND COMMUNITY INVESTMENT GRANT PROGRAM

15 **24-33.5-2801. Short title.** THE SHORT TITLE OF THIS PART 28 IS
16 THE "DEFLECTION AND COMMUNITY INVESTMENT GRANT PROGRAM
17 ACT".

18 **24-33.5-2802. Definitions.** AS USED IN THIS PART 28, UNLESS THE
19 CONTEXT OTHERWISE REQUIRES:

(1) "AREA OF HIGH NEED" MEANS:

21 (a) A CITY OR ZIP CODE WITH RATES OF YOUTH ARREST OR
22 CITATION THAT ARE HIGHER THAN THE SURROUNDING COUNTY AVERAGE,
23 BASED ON AVAILABLE DATA; OR

24 (b) A CITY OR ZIP CODE IN A RURAL OR URBAN COMMUNITY WHERE
25 THERE IS A DISPARITY BETWEEN THE RACIAL OR ETHNIC COMPOSITION OF
26 THE ARRESTED OR CITED YOUTH POPULATION AND THE RACIAL OR ETHNIC
27 COMPOSITION OF THE SURROUNDING COUNTY POPULATION.

28 (2) "DEFLECTION" MEANS AN EXTRAJUDICIAL RESPONSE TO A
29 YOUTH'S CONDUCT THAT IS DESIGNED TO PREVENT THE YOUTH'S FORMAL
30 INVOLVEMENT OR FURTHER INVOLVEMENT IN THE JUSTICE SYSTEM.

35 (4) "ELIGIBLE APPLICANT" MEANS AN ELIGIBLE TRIBAL
36 GOVERNMENT, TRIBAL ORGANIZATION, OR NONPROFIT COMMUNITY-BASED
37 ORGANIZATION THAT MEETS THE REQUIREMENTS OF SECTION
38 24-33.5-2805.

39 (5) "GRANT PROGRAM" MEANS THE DEFLECTION AND COMMUNITY
40 INVESTMENT GRANT PROGRAM CREATED IN SECTION 24-33.5-2803.

41 (6) "GRANT RECIPIENT" MEANS AN ELIGIBLE APPLICANT THAT THE
42 OFFICE SELECTS TO RECEIVE MONEY THROUGH THE GRANT PROGRAM.

43 (7) "MIXED-DELIVERY SYSTEM" MEANS A SYSTEM OF ADOLESCENT

1 DEVELOPMENT AND EDUCATION SUPPORT SERVICES DELIVERED THROUGH
2 A COMBINATION OF PROGRAMS, PROVIDERS, AND SETTINGS THAT INCLUDE
3 PARTNERSHIPS BETWEEN COMMUNITY-BASED NONPROFIT ORGANIZATIONS
4 AND PUBLIC AGENCIES AND THAT IS SUPPORTED WITH A COMBINATION OF
5 PUBLIC AND PRIVATE FUNDS.

6 (8) "NONPROFIT ORGANIZATION" MEANS A TAX-EXEMPT
7 CHARITABLE OR SOCIAL WELFARE ORGANIZATION OPERATING PURSUANT
8 TO 26 U.S.C. SEC. 501(c)(3) OR 501(c)(4) OF THE FEDERAL "INTERNAL
9 REVENUE CODE OF 1986".

10 (9) "OFFICE" MEANS THE OFFICE WITHIN THE DIVISION OF CRIMINAL
11 JUSTICE THAT FOCUSES ON ADULT AND JUVENILE JUSTICE ASSISTANCE.

12 (10) "REFERRING AGENCY" MEANS AN ORGANIZATION, AGENCY,
13 OR DEPARTMENT THAT REFERS YOUTH TO DEFLECTION PROGRAMS,
14 INCLUDING, BUT NOT LIMITED TO, AN EDUCATION, LAW ENFORCEMENT,
15 BEHAVIORAL HEALTH, OR PUBLIC HEALTH ENTITY.

16 (11) "TRAUMA-INFORMED" MEANS AN APPROACH THAT INVOLVES
17 AN UNDERSTANDING OF ADVERSE CHILDHOOD EXPERIENCES AND THAT
18 RESPONDS TO SYMPTOMS OF CHRONIC INTERPERSONAL TRAUMA AND
19 TRAUMATIC STRESS ACROSS THE LIFESPAN OF AN INDIVIDUAL.

20 (12) "YOUTH" MEANS A CHILD, AS DEFINED IN SECTION 19-2.5-102,
21 WHO IS SUBJECT TO:

22 (a) A JUVENILE COURT'S JURISDICTION PURSUANT TO SECTION
23 19-2.5-103;

24 (b) A COUNTY COURT'S CONCURRENT JURISDICTION PURSUANT TO
25 SECTION 19-2.5-103;

26 (c) A COUNTY COURT'S JURISDICTION FOR A TRAFFIC OFFENSE; OR
27 (d) A MUNICIPAL COURT'S JURISDICTION.

28 **24-33.5-2803. Deflection and community investment grant
29 program - created - policies.** (1) THE DEFLECTION AND COMMUNITY
30 INVESTMENT GRANT PROGRAM IS CREATED IN THE OFFICE WITHIN THE
31 DIVISION OF CRIMINAL JUSTICE. THE PURPOSE OF THE THREE-YEAR
32 COMPETITIVE GRANT PROGRAM IS TO PROVIDE GRANTS TO ELIGIBLE
33 APPLICANTS TO IMPLEMENT A MIXED-DELIVERY SYSTEM OF
34 TRAUMA-INFORMED HEALTH AND DEVELOPMENT DEFLECTION PROGRAMS
35 FOR YOUTH, INCLUDING NATIVE AMERICAN YOUTH.

36 (2) THE OFFICE SHALL ADMINISTER THE GRANT PROGRAM AND,
37 SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL AWARD GRANTS AS
38 PROVIDED IN THIS PART 28.

39 (3) SUBJECT TO PUBLIC COMMENT FROM DIRECTLY IMPACTED
40 STAKEHOLDERS, THE DEPARTMENT MAY ADOPT POLICIES FOR THE
41 ADMINISTRATION OF THE GRANT PROGRAM.

42 **24-33.5-2804. Office duties.** (1) THE OFFICE HAS THE FOLLOWING
43 DUTIES:

(a) DEVELOP A COMPETITIVE APPLICATION PROCESS, INCLUDING DEADLINES, FOR AN ELIGIBLE APPLICANT TO APPLY FOR A GRANT CONSISTENT WITH THE REQUIREMENTS OF SECTION 24-33.5-2805. INITIAL GRANT AWARDS MUST BE DISTRIBUTED NO LATER THAN JUNE 30, 2026.

(b) CONTRACT WITH A TECHNICAL ASSISTANCE PROVIDER PURSUANT TO SECTION 24-33.5-2806 AND A RESEARCH AND EVALUATION PARTNER PURSUANT TO SECTION 24-33.5-2807; AND

(c) SUPPORT GRANTEE DATA COLLECTION AND ANALYSIS AND REQUIRE GRANTEES TO DEMONSTRATE OUTCOMES OF THE DEFLECTION PROGRAMS THAT RECEIVED A GRANT AWARD.

24-33.5-2805. Application - eligibility - awards. (1) TO RECEIVE A GRANT, AN APPLICANT MUST SUBMIT AN APPLICATION TO THE OFFICE IN ACCORDANCE WITH ANY POLICIES ADOPTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT. AT A MINIMUM, THE APPLICATION MUST INCLUDE THE FOLLOWING INFORMATION:

- (a) THE TYPES OF DEFLECTION SERVICES THAT WILL BE PROVIDED;
- (b) VERIFICATION THAT THE APPLICANT IS SERVING AN AREA OF HIGH NEED; AND

(c) AN OFFICIAL LETTER FROM AT LEAST ONE REFERRING AGENCY DEMONSTRATING THE AGENCY'S INTENT TO REFER YOUTH TO THE DEFLECTION PROGRAM TO PROVIDE THE YOUTH WITH TRAUMA-INFORMED HEALTH AND DEVELOPMENT SERVICES IN LIEU OF WARNING, CITATION, OR ARREST. FOR REGIONAL APPLICATIONS DESCRIBED IN SUBSECTION (2)(c) OF THIS SECTION, LETTERS OF INTENT ARE REQUIRED FOR EACH JURISDICTION PROPOSED IN THE APPLICATION.

(2) (a) TO BE ELIGIBLE TO RECEIVE A GRANT, AN APPLICANT MUST BE:

(I) A NONPROFIT ORGANIZATION;
(II) A FEDERALLY RECOGNIZED INDIAN TRIBE, AS DEFINED IN 25 U.S.C. SEC. 1603 (14);

(III) A TRIBAL ORGANIZATION, AS DEFINED IN 25 U.S.C. SEC. 1603
(26);

(IV) AN URBAN INDIAN ORGANIZATION, AS DEFINED IN 25 U.S.C. SEC. 1603 (29); OR

(V) A PRIVATE ENTITY WHOSE BOARD OF DIRECTORS IS MAJORITY CONTROLLED BY NATIVE AMERICANS AND THAT IS FISCALLY SPONSORED BY A NONPROFIT ORGANIZATION.

(b) TO BE ELIGIBLE TO RECEIVE A GRANT, AN APPLICANT MUST BE A NONGOVERNMENTAL ENTITY, WITH THE EXCEPTION OF A TRIBAL GOVERNMENT APPLICANT, AND MUST NOT BE A LAW ENFORCEMENT OR PROBATION ENTITY.

(c) APPLICANTS FROM TWO OR MORE LOCAL JURISDICTIONS MAY JOINTLY APPLY FOR A GRANT AWARD TO DELIVER DEFLECTION PROGRAM

1 SERVICES ON A REGIONAL BASIS AND MAY RECEIVE A JOINT GRANT AWARD
2 THAT IS THE AGGREGATE OF THE AMOUNT EACH INDIVIDUAL ELIGIBLE
3 APPLICANT WOULD HAVE RECEIVED HAD EACH INDIVIDUAL ELIGIBLE
4 APPLICANT APPLIED INDEPENDENTLY.

5 (3) THE OFFICE SHALL REVIEW THE APPLICATIONS RECEIVED
6 PURSUANT TO THIS SECTION. IN AWARDING GRANTS, THE OFFICE SHALL
7 GIVE PRIORITY TO ELIGIBLE APPLICANTS IN COMMUNITIES, INCLUDING
8 RURAL COMMUNITIES, THAT:

9 (a) DEFLECT YOUTH AT THE EARLIEST POSSIBLE POINT OF JUSTICE
10 SYSTEM INVOLVEMENT;

11 (b) SERVE OTHERWISE UNDER-RESOURCED COMMUNITIES;

12 (c) EMPLOY INDIVIDUALS WHO HAVE LIVED EXPERIENCE AS A
13 YOUTH IN THE JUSTICE SYSTEM; OR

14 (d) DEMONSTRATE EXPERIENCE EFFECTIVELY SERVING YOUTH
15 POPULATIONS WHO ARE JUSTICE-SYSTEM-INVOLVED OR AT RISK OF SYSTEM
16 INVOLVEMENT.

17 (4) (a) SUBJECT TO AVAILABLE APPROPRIATIONS, ON OR BEFORE
18 JUNE 30 EACH YEAR OF THE GRANT PROGRAM, THE OFFICE SHALL
19 DISTRIBUTE GRANTS AS PROVIDED IN THIS SECTION. THE OFFICE SHALL
20 AWARD AT LEAST TWO HUNDRED THOUSAND DOLLARS BUT NOT MORE
21 THAN ONE MILLION DOLLARS TO AN INDIVIDUAL GRANTEE OVER THE
22 COURSE OF THE THREE-YEAR GRANT PROGRAM.

23 (b) (I) SUBJECT TO AVAILABLE APPROPRIATIONS, THE OFFICE
24 SHALL DISTRIBUTE GRANT AWARDS IN THREE EQUAL ANNUAL
25 INSTALLMENTS, AS FOLLOWS:

26 (A) THE FIRST INSTALLMENT MUST BE DISTRIBUTED ON THE FIRST
27 DAY OF THE GRANT CONTRACT;

28 (B) THE SECOND INSTALLMENT MUST BE DISTRIBUTED NO LATER
29 THAN THE FIRST DAY OF THE SECOND YEAR OF THE GRANT CONTRACT; AND

30 (C) THE THIRD INSTALLMENT MUST BE DISTRIBUTED NO LATER
31 THAN THE FIRST DAY OF THE THIRD YEAR OF THE GRANT CONTRACT.

32 (II) DISTRIBUTION OF THE SECOND AND THIRD INSTALLMENTS IS
33 CONTINGENT ON THE GRANTEE FULFILLING THE GRANT OBLIGATIONS AND
34 REPORTING REQUIREMENTS PURSUANT TO SECTION 24-33.5-2807.

35 (5) (a) A GRANTEE SHALL USE A GRANT AWARD TO DELIVER
36 DEFLECTION PROGRAM SERVICES IN AREAS OF HIGH NEED. A GRANTEE
37 SHALL PROVIDE DEFLECTION SERVICES THAT ARE EVIDENCE-BASED,
38 RESEARCH-SUPPORTED, OR GROUNDED IN PRACTICE-BASED EVIDENCE;
39 TRAUMA-INFORMED; CULTURALLY RELEVANT; GENDER-RESPONSIVE; AND
40 DEVELOPMENTALLY APPROPRIATE.

41 (b) A GRANTEE SHALL DELIVER ONE OR MORE OF THE FOLLOWING
42 DEFLECTION PROGRAM SERVICES:

43 (I) EDUCATIONAL SERVICES, INCLUDING REMEDIAL AND COLLEGE

1 PREPARATORY ACADEMIC SERVICES;

2 (II) CAREER DEVELOPMENT SERVICES, INCLUDING EMPLOYMENT

3 PREPARATION, VOCATIONAL TRAINING, INTERNSHIPS, AND

4 APPRENTICESHIPS;

5 (III) RESTORATIVE JUSTICE SERVICES, INCLUDING CULTURALLY

6 ROOTED PROGRAMMING;

7 (IV) MENTORING SERVICES, INCLUDING SERVICES THAT RELY ON

8 CREDIBLE MESSENGERS WHOSE LIVED EXPERIENCE IS SIMILAR TO THE

9 EXPERIENCE OF THE YOUTH BEING SERVED;

10 (V) MENTAL HEALTH SERVICES, INCLUDING CULTURALLY ROOTED

11 HEALING PRACTICES;

12 (VI) BEHAVIORAL HEALTH SERVICES, INCLUDING SUBSTANCE USE

13 EDUCATION AND TREATMENT;

14 (VII) HOUSING SERVICES, INCLUDING PERMANENT, SHORT-TERM,

15 AND EMERGENCY HOUSING SERVICES;

16 (VIII) PERSONAL DEVELOPMENT AND LEADERSHIP TRAINING

17 SERVICES; OR

18 (IX) PROSOCIAL ACTIVITIES, INCLUDING CULTURAL ENRICHMENT

19 PROGRAMS AND SERVICES.

20 **24-33.5-2806. Technical assistance provider.** (1) THE OFFICE

21 SHALL CONTRACT WITH A TECHNICAL ASSISTANCE PROVIDER TO SUPPORT

22 IMPLEMENTATION OF THE GRANT PROGRAM AND TO BUILD GRANTEE

23 CAPACITY TO DELIVER DEFLECTION PROGRAM SERVICES. PRIOR TO

24 DEVELOPING AND DISSEMINATING GRANT PROGRAM APPLICATION

25 MATERIALS, THE OFFICE SHALL SOLICIT AND RECEIVE INPUT FROM THE

26 CONTRACTED TECHNICAL ASSISTANCE PROVIDER IN DEVELOPING THE

27 GRANT PROGRAM APPLICATION MATERIALS. IN SELECTING A TECHNICAL

28 ASSISTANCE PROVIDER, THE OFFICE SHALL PRIORITIZE ORGANIZATIONS

29 THAT EMPLOY PEOPLE WHO HAVE LIVED EXPERIENCE AS A YOUTH IN THE

30 JUSTICE SYSTEM.

31 (2) THE TECHNICAL ASSISTANCE PROVIDER SHALL DEMONSTRATE

32 EXPERIENCE IN ALL THE FOLLOWING AREAS:

33 (a) DEVELOPMENTAL RESEARCH AND IDENTIFYING BEST PRACTICES

34 FOR SERVING YOUTH INVOLVED IN, AND YOUTH AT RISK OF INVOLVEMENT

35 IN, THE JUSTICE SYSTEM, INCLUDING CHILDREN WHO HAVE EXPERIENCED

36 COMMERCIAL SEXUAL EXPLOITATION AND YOUTH IN THE DEPENDENCY

37 SYSTEM;

38 (b) RESEARCH ON SYSTEMS THAT REFER YOUTH TO THE JUSTICE

39 SYSTEM, INCLUDING THE EDUCATION, IMMIGRATION, AND CHILD WELFARE

40 SYSTEMS, AND RESEARCH ON BEST PRACTICES FOR REFERRALS;

41 (c) PRESENTING AND DISSEMINATING BEST PRACTICES ON

42 ALTERNATIVES TO INCARCERATION AND JUSTICE SYSTEM INVOLVEMENT;

43 (d) WORKING WITH AND SUPPORTING COMMUNITY-BASED

1 ORGANIZATIONS SERVING YOUTH INVOLVED IN, AND YOUTH AT RISK OF
2 INVOLVEMENT IN, THE JUSTICE SYSTEM IN COLORADO;

3 (e) COLLABORATING WITH JUSTICE SYSTEM STAKEHOLDERS;

4 (f) WORKING WITH AND SUPPORTING NATIVE AMERICAN
5 ORGANIZATIONS AND COMMUNITIES; AND

6 (g) WORKING WITH JUSTICE-SYSTEM-INVOLVED YOUTH AND
7 COMMUNITIES AND ELEVATING YOUTH LEADERSHIP.

8 (3) THE TECHNICAL ASSISTANCE PROVIDER SHALL:

9 (a) PROVIDE INPUT TO THE OFFICE REGARDING THE DEVELOPMENT
10 OF THE GRANT PROGRAM'S GRANT APPLICATION MATERIALS;

11 (b) SUPPORT GRANTEES IN ESTABLISHING AND MAINTAINING
12 RELATIONSHIPS WITH JUSTICE SYSTEM AND COMMUNITY STAKEHOLDERS,
13 INCLUDING PUBLIC AGENCIES, TRIBAL GOVERNMENTS AND COMMUNITIES,
14 NONPROFIT ORGANIZATIONS, AND YOUTH AND FAMILIES MOST IMPACTED
15 BY THE JUSTICE SYSTEM;

16 (c) PROVIDE GRANTEES WITH TRAINING AND SUPPORT IN
17 IMPLEMENTING BEST PRACTICES AND TRAUMA-INFORMED, CULTURALLY
18 RELEVANT, GENDER-RESPONSIVE, AND DEVELOPMENTALLY APPROPRIATE
19 APPROACHES TO SERVING YOUTH;

20 (d) CREATE PEER LEARNING OPPORTUNITIES FOR GRANTEES TO
21 LEARN FROM AND ALONGSIDE ONE ANOTHER;

22 (e) IN COLLABORATION WITH THE RESEARCH AND EVALUATION
23 PARTNER SELECTED PURSUANT TO SECTION 24-33.5-2807, PROVIDE
24 GRANTEES WITH ADMINISTRATIVE AND TECHNICAL SUPPORT TO SUPPORT
25 COMPLIANCE WITH APPLICABLE DATA REPORTING AND PROGRAM
26 EVALUATION REQUIREMENTS, AND WITH APPLICABLE LAWS, INCLUDING
27 LAWS AROUND CONFIDENTIALITY AND DEFLECTION ELIGIBILITY; AND

28 (f) PROVIDE THE RESEARCH AND EVALUATION PARTNER SELECTED
29 PURSUANT TO SECTION 24-33.5-2807 WITH INPUT REGARDING THE
30 DEVELOPMENT OF DEFLECTION PROGRAM EVALUATION PROCESSES AND
31 METRICS.

32 **24-33.5-2807. Evaluation - reporting requirements.** (1) THE
33 OFFICE SHALL CONTRACT WITH A RESEARCH AND EVALUATION PARTNER
34 TO CONDUCT A STATEWIDE EVALUATION OF THE GRANT PROGRAM AND
35 ASSOCIATED YOUTH OUTCOMES OVER THE THREE-YEAR GRANT PERIOD.
36 THE OFFICE SHALL SOLICIT AND RECEIVE INPUT FROM THE CONTRACTED
37 RESEARCH AND EVALUATION PARTNER IN DEVELOPING THE GRANT
38 PROGRAM APPLICATION MATERIALS. THE RESEARCH AND EVALUATION
39 PARTNER MUST HAVE A DEMONSTRATED COMMITMENT TO WORKING WITH
40 COMMUNITIES IMPACTED BY THE JUSTICE SYSTEM.

41 (2) THE RESEARCH AND EVALUATION PARTNER SHALL:

42 (a) DEVELOP A COMMON ASSESSMENT INSTRUMENT FOR USE BY
43 GRANTEES TO ASSESS THE OUTCOMES AND IMPACT OF SERVICES PROVIDED

1 TO YOUTH;

2 (b) DESIGN A CENTRAL DATA REPOSITORY TO STANDARDIZE
3 GRANTEE DATA COLLECTION AND REPORTING; AND

4 (c) SUPPORT GRANTEES WITH USING THE COMMON ASSESSMENT
5 INSTRUMENT AND THE CENTRAL DATA REPOSITORY.

6 (3) THE OFFICE SHALL PROVIDE THE RESEARCH AND EVALUATION
7 PARTNER WITH RELEVANT, EXISTING DATA FOR THE PURPOSES OF
8 MEASURING OUTCOMES. MEASURED OUTCOMES MAY INCLUDE, BUT ARE
9 NOT LIMITED TO:

10 (a) REDUCTIONS IN LAW ENFORCEMENT RESPONSES TO YOUTH
11 CONDUCT INVOLVING LOW-LEVEL OFFENSES, COURT CASELOADS AND
12 PROCESSING COSTS, DAYS YOUTH SPENT IN DETENTION, PLACEMENT OF
13 YOUTH IN CONGREGATE CARE, AND SCHOOL AND PLACEMENT
14 DISRUPTIONS;

15 (b) REDUCTIONS IN THE NUMBER OF SCHOOL SUSPENSIONS AND
16 EXPULSIONS;

17 (c) IMPROVEMENTS IN YOUTH HEALTH AND WELL-BEING, HOUSING
18 AND COMMUNITY STABILITY, EDUCATIONAL ATTAINMENT, PROSOCIAL
19 ACTIVITY, AND CONNECTIONS TO EMPLOYMENT OPPORTUNITIES AND
20 MENTORSHIP; AND

21 (d) PROJECTED STATE AND LOCAL COST SAVINGS AS A RESULT OF
22 THE DEFLECTION PROGRAMMING.

23 (4) THE OFFICE SHALL MAKE AVAILABLE ON ITS WEBSITE A REPORT
24 OF GRANTEES, PROJECTS, AND OUTCOMES AT THE STATE AND LOCAL
25 LEVELS WITHIN ONE HUNDRED EIGHTY DAYS OF COMPLETION OF THE
26 GRANT PROGRAM.

27 (5) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), ON OR
28 BEFORE DECEMBER 31, 2026, AND EACH DECEMBER 31 THEREAFTER FOR
29 THE DURATION OF THE GRANT PROGRAM, THE OFFICE SHALL SUBMIT A
30 REPORT TO THE HOUSE OF REPRESENTATIVES JUDICIARY COMMITTEE AND
31 THE SENATE JUDICIARY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES,
32 ABOUT THE GRANT PROGRAM. AT A MINIMUM, THE REPORT MUST INCLUDE
33 THE NUMBER AND AMOUNT OF GRANTS AWARDED SINCE THE LAST REPORT
34 AND A SUMMARY OF INFORMATION CONCERNING THE IMPACT OF THE
35 MIXED DELIVERY SYSTEM OF DEFLECTION PROGRAMS FOR YOUTH,
36 INCLUDING NATIVE AMERICAN YOUTH.

37 **24-33.5-2808. No disclosure of participant records.** RECORDS
38 RELATED TO THE PARTICIPATION OF A YOUTH OR A YOUTH'S FAMILY IN THE
39 DEFLECTION PROGRAM PURSUANT TO THIS PART 28 ARE NOT SUBJECT TO
40 DISCLOSURE TO A PROSECUTING ATTORNEY.

41 **24-33.5-2809. Funding for grant program.** (1) THE GENERAL
42 ASSEMBLY SHALL ANNUALLY APPROPRIATE THE NECESSARY FUNDS TO THE
43 DEPARTMENT FOR USE BY THE OFFICE FOR THE PURPOSES OF THIS PART 28.

(2) THE OFFICE MAY USE UP TO TWENTY-THREE AND ONE-HALF PERCENT OF THE MONEY ANNUALLY APPROPRIATED, AS FOLLOWS:

(a) UP TO THREE PERCENT OF THE MONEY ANNUALLY APPROPRIATED PURSUANT TO SUBSECTION (1) OF THIS SECTION TO PAY FOR THE DIRECT AND INDIRECT COSTS THAT THE OFFICE INCURS TO ADMINISTER THE GRANT PROGRAM;

(b) UP TO THREE PERCENT OF THE MONEY ANNUALLY APPROPRIATED PURSUANT TO SUBSECTION (1) OF THIS SECTION TO CONTRACT WITH A RESEARCH AND EVALUATION PARTNER AND THE OFFICE'S OWN GRANT PROGRAM EVALUATION-RELATED COSTS;

(c) UP TO SEVEN AND ONE-HALF PERCENT OF THE MONEY ANNUALLY APPROPRIATED PURSUANT TO SUBSECTION (1) OF THIS SECTION TO CONTRACT WITH A TECHNICAL ASSISTANCE PROVIDER AND THE OFFICE'S OWN TECHNICAL ASSISTANCE-RELATED COSTS IN CONNECTION WITH THE GRANT PROGRAM; AND

(d) UP TO TEN PERCENT OF THE MONEY ANNUALLY APPROPRIATED PURSUANT TO SUBSECTION (1) OF THIS SECTION FOR GRANT AWARDS TO DEFLECTION PROGRAMS TARGETING NATIVE AMERICAN YOUTH.

(3) THE OFFICE MAY USE THE REMAINING MONEY ANNUALLY APPROPRIATED FOR THE GRANT PROGRAM FOR GRANT AWARDS TO YOUTH DEFLECTION PROGRAMS.

(4) THE OFFICE MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS PART 28.

24-33.5-2810. Repeal of part. THIS PART 28 IS REPEALED, EFFECTIVE JANUARY 1, 2031.

SECTION 9. Effective date. This act takes effect July 1, 2025.

SECTION 10. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions. ".

Page 1, line 103, strike "PROJECTIONS," and substitute "PROJECTIONS.".

Page 1, strike lines 104 through 110.

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