

CHAPTER 471

COURTS

HOUSE BILL 24-1355

BY REPRESENTATIVE(S) Mabrey and Amabile, Epps, Bacon, Bird, Boesenecker, Brown, Clifford, Daugherty, deGruy Kennedy, Duran, English, Froelich, Garcia, Hamrick, Herod, Jodeh, Joseph, Kipp, Lieder, Lindsay, McCormick, McLachlan, Ortiz, Ricks, Rutinel, Sirota, Snyder, Story, Titone, Valdez, Velasco, Weissman, Woodrow, Young, McCluskie, Hernandez, Lindstedt, Lukens, Marshall, Mauro, Soper;
also SENATOR(S) Michaelson Jenet and Gardner, Bridges, Exum, Ginal, Gonzales, Kolker, Marchman, Priola, Rodriguez, Sullivan, Winter F., Zenzinger.

AN ACT

CONCERNING REDUCING THE COMPETENCY WAIT LIST, AND, IN CONNECTION THEREWITH, CREATING A WRAPAROUND CARE PROGRAM AND MAKING AND REDUCING AN APPROPRIATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **add** article 8.6 to title 16 as follows:

ARTICLE 8.6
Bridges Wraparound Care Program

16-8.6-101. Legislative declaration. (1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(a) FOR MORE THAN A DECADE, COLORADO HAS EXPERIENCED A CRISIS IN RESPONDING TO INDIVIDUALS IN THE CRIMINAL JUSTICE SYSTEM WHO ARE SUFFERING FROM A MENTAL ILLNESS OR MENTAL DISABILITY AND WHO ARE DETERMINED BY A MENTAL HEALTH PROFESSIONAL TO BE INCOMPETENT TO BE PROSECUTED;

(b) INDIVIDUALS FOUND INCOMPETENT TO PROCEED BY THE COURT ARE ORDERED TO BE RESTORED TO COMPETENCY THROUGH SERVICES DESIGNED TO ACHIEVE RESTORATION, WHICH SERVICES ARE PROVIDED IN AN INPATIENT HOSPITAL SETTING OR OTHER COMMUNITY-BASED SETTING;

(c) THE NUMBER OF INDIVIDUALS ORDERED TO RECEIVE INPATIENT RESTORATION SERVICES HAS SUBSTANTIALLY INCREASED OVER THE YEARS. ADDITIONALLY, THE

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NUMBER OF BEDS AVAILABLE FOR INPATIENT RESTORATION HAS BEEN UNSTABLE AND THE LACK OF ADEQUATE STAFFING HAS CAUSED MANY INPATIENT UNITS TO CLOSE. THIS COMBINATION HAS RESULTED IN A LONG WAIT LIST AND SIGNIFICANTLY LONGER WAITING PERIODS IN COUNTY JAILS.

(d) COLORADO HAS AN OBLIGATION TO ENSURE THAT INDIVIDUALS WHO ARE FOUND INCOMPETENT TO PROCEED DO NOT LANGUISH IN JAIL ON A WAIT LIST FOR COMPETENCY SERVICES AND TO HONOR THE INDIVIDUALS' CONSTITUTIONAL RIGHT TO TIMELY ACCESS TO RESTORATION SERVICES;

(e) DESPITE THE PROTRACTED LITIGATION AND LEGISLATIVE EFFORTS, COLORADO HAS BEEN UNABLE TO ELIMINATE THE MULTITUDE OF PROBLEMS IN THE ADULT COMPETENCY SYSTEM, INCLUDING THE WAIT LIST, WHICH HAS INCREASED OVER ONE HUNDRED PERCENT IN RECENT YEARS; AND

(f) COLORADO CANNOT ELIMINATE THE WAIT LIST BY ONLY INCREASING THE NUMBER OF INPATIENT BEDS; INSTEAD, COLORADO MUST SEEK TO REDUCE THE NUMBER OF INDIVIDUALS PLACED ON THE WAIT LIST FOR COMPETENCY SERVICES THROUGH:

(I) COMMUNITY SUPPORT;

(II) CONNECTING INDIVIDUALS TO A RANGE OF COMMUNITY SERVICES THAT PROVIDE SOCIAL STABILITY FOR INDIVIDUALS WHO CYCLE IN AND OUT OF THE COMPETENCY SYSTEM; AND

(III) ELIMINATING COMPETENCY SERVICES AND PROSECUTION OF VERY LOW-LEVEL OFFENSES, WHICH WILL REDUCE THE USE OF EXPENSIVE INPATIENT BEDS.

(2) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT:

(a) RATHER THAN FOCUSING ON COMPETENCY SERVICES TO ALLOW FOR PROSECUTION, COLORADO SHOULD FOCUS ON AN INDIVIDUAL'S MENTAL WELLNESS AND SOCIAL STABILITY, WHICH WILL ENHANCE PUBLIC SAFETY, SYSTEM FAIRNESS, AND PRODUCE BETTER OUTCOMES, ALONG WITH REDUCING THE INPATIENT COMPETENCY RESTORATION WAIT LIST; AND

(b) SIGNIFICANT RESEARCH AND NATIONAL BEST PRACTICES SUPPORT THE CONCEPT OF ELIMINATING RESTORATION SERVICES FOR VERY LOW-LEVEL OFFENSES AND DIVERTING INDIVIDUALS FROM THE CRIMINAL JUSTICE SYSTEM WHO ARE CHARGED WITH VERY LOW-LEVEL OFFENSES AND WHO DO NOT PRESENT A PUBLIC SAFETY RISK. THE RESEARCH AND NATIONAL BEST PRACTICES DEMONSTRATE THAT WELL-DESIGNED COMMUNITY PROGRAMS THAT FOCUS ON MENTAL WELLNESS AND SOCIAL STABILITY CAN REDUCE RECIDIVISM AND MOVE INDIVIDUALS SUFFERING FROM MENTAL ILLNESS OR OTHER MENTAL DISABILITIES INTO A MORE STABLE AND PRODUCTIVE LIFESTYLE.

(3) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT IT IS CRITICAL FOR THE STATE, IN CONJUNCTION WITH BRIDGES OF COLORADO, TO REQUIRE EACH JUDICIAL DISTRICT TO DEVELOP A PROCESS TO IDENTIFY AND REFER INDIVIDUALS TO A WRAPAROUND CARE PROGRAM AS A COMMUNITY-BASED ALTERNATIVE TO

COMPETENCY PROCEEDINGS IN ORDER TO LIMIT THE NUMBER OF INDIVIDUALS ON THE COMPETENCY WAIT LIST AND TO IMPROVE OUTCOMES AND COMMUNITY SAFETY THROUGH CLINICAL CARE AND SOCIAL STABILITY SERVICES.

16-8.6-102. Definitions. AS USED IN THIS ARTICLE 8.6, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "BRIDGES OF COLORADO" OR "BRIDGES" MEANS THE OFFICE OF BRIDGES OF COLORADO ESTABLISHED PURSUANT TO SECTION 13-95-103.

(2) "BRIDGES WRAPAROUND CARE PROGRAM" MEANS THE BRIDGES WRAPAROUND CARE PROGRAM CREATED IN SECTION 16-8.6-103.

(3) "ELIGIBLE INDIVIDUAL" OR "ELIGIBLE DEFENDANT" MEANS AN INDIVIDUAL WHO THE JUDICIAL DISTRICT IDENTIFIES AS ELIGIBLE FOR REFERRAL TO THE BRIDGES WRAPAROUND CARE PROGRAM PURSUANT TO SECTION 16-8.6-108.

16-8.6-103. Bridges wraparound care program - established. (1) THERE IS CREATED IN THE OFFICE OF BRIDGES OF COLORADO, CREATED IN SECTION 13-95-103, THE BRIDGES WRAPAROUND CARE PROGRAM TO INCREASE THE SUCCESS OF ELIGIBLE INDIVIDUALS REFERRED FROM THE CRIMINAL JUSTICE SYSTEM BY CONNECTING THE ELIGIBLE INDIVIDUALS TO NECESSARY WRAPAROUND CARE COORDINATION SERVICES, RESULTING IN CASE DISMISSAL, CONTINUITY OF CARE, AND INCREASED SOCIAL STABILITY.

(2) THE PURPOSE OF THE BRIDGES WRAPAROUND CARE PROGRAM IS TO:

(a) SERVE ELIGIBLE INDIVIDUALS WHO ARE IDENTIFIED AND REFERRED BY JUDICIAL DISTRICTS IN LIEU OF CRIMINAL PROSECUTION, WHO ARE ABLE TO REMAIN IN THE COMMUNITY AND WHO ARE FOUND INCOMPETENT TO PROCEED OR WHO ARE LIKELY TO BE FOUND INCOMPETENT TO PROCEED;

(b) SERVE ELIGIBLE INDIVIDUALS WHOSE CASES HAVE BEEN DISMISSED PURSUANT TO SECTION 16-8.5-111 (1.6) BUT WHO ARE VOLUNTARILY WILLING TO PARTICIPATE IN THE BRIDGES WRAPAROUND CARE PROGRAM;

(c) INCREASE THE MENTAL WELLNESS AND SOCIAL STABILITY OF INDIVIDUALS PARTICIPATING IN THE BRIDGES WRAPAROUND CARE PROGRAM;

(d) DECREASE THE NUMBER OF INDIVIDUALS ON THE WAIT LIST FOR COMPETENCY RESTORATION SERVICES;

(e) DECREASE THE NUMBER OF INDIVIDUALS UNDERGOING COMPETENCY EVALUATIONS; AND

(f) DECREASE THE RATE OF REOFFENSE FOR ELIGIBLE INDIVIDUALS CHARGED WITH LOW-LEVEL OFFENSES WHO ARE ACCEPTED TO PARTICIPATE IN THE BRIDGES WRAPAROUND CARE PROGRAM.

16-8.6-104. Memorandum of understanding. (1)(a) THE CHIEF JUDGE OF EACH JUDICIAL DISTRICT SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH

THE DISTRICT ATTORNEY'S OFFICE, THE PUBLIC DEFENDER'S OFFICE, BRIDGES OF COLORADO, THE DEPARTMENT OF HUMAN SERVICES, THE BEHAVIORAL HEALTH ADMINISTRATION IN THE DEPARTMENT OF HUMAN SERVICES, COMMUNITY-BASED TREATMENT PROVIDERS, AND LOCAL BEHAVIORAL HEALTH CASE MANAGEMENT PROGRAMS WITHIN THE JUDICIAL DISTRICT TO DEVELOP AND IMPLEMENT A REFERRAL PROCESS TO DEFLECT INDIVIDUALS WHO ARE LIKELY TO BE FOUND INCOMPETENT TO PROCEED FROM COMPETENCY PROCEEDINGS AND THE CRIMINAL JUSTICE SYSTEM. THE MEMORANDUM OF UNDERSTANDING MUST ENSURE THE PARTIES DEVELOP AN OPERATIONAL VISION FOR THE REFERRAL PROCESS AND HOW THE REFERRAL PROCESS WILL BEST OPERATE WITHIN THE JUDICIAL DISTRICT. ADDITIONAL INDIVIDUALS OR ENTITIES MAY BE INCLUDED IN THE DEVELOPMENT AND IMPLEMENTATION OF THE MEMORANDUM OF UNDERSTANDING WITH THE AGREEMENT OF THE PARTIES TO THE MEMORANDUM OF UNDERSTANDING DESCRIBED IN THIS SUBSECTION (1)(a).

(b) THE OFFICE OF THE STATE COURT ADMINISTRATOR SHALL COORDINATE THE CREATION OF THE MEMORANDUM OF UNDERSTANDING FOR EACH JUDICIAL DISTRICT AND ANY REVISIONS, AS NEEDED.

(c) THE PARTIES TO THE MEMORANDUM OF UNDERSTANDING SHALL COLLABORATE WITH COMMUNITY GROUPS ADVOCATING FOR INDIVIDUALS WITH MENTAL HEALTH DISORDERS IN THE DEVELOPMENT AND OPERATION OF THE REFERRAL PROCESS, WHENEVER POSSIBLE.

(2) AT A MINIMUM, THE MEMORANDUM OF UNDERSTANDING MUST:

(a) DESCRIBE THE OPERATIONAL VISION OF THE REFERRAL PROCESS;

(b) ENSURE THE DEDICATION OF RESOURCES FOR INDIVIDUALS REFERRED TO THE BRIDGES WRAPAROUND CARE PROGRAM;

(c) DEFINE THE PROCESS OF REFERRAL TO THE BRIDGES WRAPAROUND CARE PROGRAM;

(d) DEFINE PROCEDURES THAT BEST ENSURE THE EFFICIENCY AND FAIRNESS OF THE REFERRAL PROCESS IN THE JUDICIAL DISTRICT;

(e) REQUIRE SERVICE PROVIDERS WHO ARE A PARTY TO THE MEMORANDUM OF UNDERSTANDING AND WHO PROVIDE THE SERVICES DESCRIBED IN SECTION 16-8.6-109 (4) TO PARTICIPATE IN THE BRIDGES WRAPAROUND CARE PROCESS, REGULARLY MEET AND COMMUNICATE WITH THE BRIDGES WRAPAROUND CARE COORDINATOR, AND PROVIDE SERVICES, AS NECESSARY, TO SUPPORT EACH INDIVIDUAL PARTICIPATING IN THE BRIDGES WRAPAROUND CARE PROGRAM;

(f) DEFINE THE PROCESS AND TIMELINE FOR BRIDGES OF COLORADO TO REPORT TO THE DISTRICT ATTORNEY AND THE COURT REGARDING AN INDIVIDUAL'S NONCOMPLIANCE WITH THE BRIDGES WRAPAROUND CARE PROGRAM; AND

(g) ADDRESS COMPLIANCE WITH THE DATA-GATHERING REQUIREMENTS PURSUANT TO SECTION 16-8.6-105 (2).

16-8.6-105. Office of the state court administrator - court coordinator - data gathering. (1) THE OFFICE OF THE STATE COURT ADMINISTRATOR SHALL ENSURE A COURT COORDINATOR:

(a) ASSISTS WITH IDENTIFYING ELIGIBLE INDIVIDUALS;

(b) COLLABORATES WITH THE ENTITIES DESCRIBED IN SECTION 16-8.6-104 (1)(a) TO DEVELOP THE MEMORANDUM OF UNDERSTANDING;

(c) MANAGES AND COLLECTS DATA AND MANAGES REPORTING REQUIREMENTS PURSUANT TO SUBSECTION (2) OF THIS SECTION IN COORDINATION WITH BRIDGES OF COLORADO AND THE ENTITIES DESCRIBED IN SECTION 16-8.6-104 (1)(a); AND

(d) PROVIDES ONGOING SUPPORT TO EACH JUDICIAL DISTRICT IN DEVELOPING AND IMPLEMENTING THE REFERRAL PROCESS DESCRIBED IN SECTION 16-8.6-107.

(2) THE STATE COURT ADMINISTRATOR SHALL COLLABORATE WITH THE ENTITIES DESCRIBED IN SECTION 16-8.6-104 (1)(a), INCLUDING BRIDGES OF COLORADO, TO COLLECT THE FOLLOWING INFORMATION FOR EACH ELIGIBLE INDIVIDUAL WHO IS IDENTIFIED AND REFERRED TO THE BRIDGES WRAPAROUND CARE PROGRAM:

(a) THE INDIVIDUAL'S NAME; AGE; RACE; IDENTIFIED GENDER; CHARGES, AS IDENTIFIED BY THE CHARGE CODE; AND CASE NUMBER;

(b) THE LEGAL BASIS FOR THE REFERRAL;

(c) WHETHER THE INDIVIDUAL HAS PREVIOUSLY BEEN HELD FOR AN EMERGENCY COMMITMENT PURSUANT TO ARTICLE 65 OF TITLE 27;

(d) WHETHER THE INDIVIDUAL SUCCESSFULLY COMPLETED THE BRIDGES WRAPAROUND CARE PROGRAM AND ANY IDENTIFIED RESOURCES AND CONNECTIONS PROVIDED TO THE INDIVIDUAL;

(e) WHETHER THE INDIVIDUAL WAS UNABLE TO SUCCESSFULLY COMPLETE THE BRIDGES WRAPAROUND CARE PROGRAM AND THE REASONS FOR THE LACK OF SUCCESSFUL COMPLETION;

(f) WHETHER RESOURCES WERE AVAILABLE TO MEET THE INDIVIDUAL'S MENTAL WELLNESS AND SOCIAL STABILITY NEEDS, IDENTIFYING WHAT RESOURCES WERE NOT AVAILABLE AND THE REASON FOR THE LACK OF RESOURCES;

(g) THE AMOUNT OF MONEY DEDICATED TO SERVING THE INDIVIDUAL DURING THE INDIVIDUAL'S PARTICIPATION IN THE BRIDGES WRAPAROUND CARE PROGRAM AND WHETHER ANY SERVICES WERE REIMBURSED BY MEDICAID OR OTHER STATE OR FEDERALLY FUNDED PROGRAMS;

(h) THE NUMBER OF INDIVIDUALS WHO PARTICIPATED IN THE BRIDGES WRAPAROUND CARE PROGRAM WHO OTHERWISE WOULD HAVE BEEN ORDERED TO COMPETENCY SERVICES AND THE NUMBER OF INDIVIDUALS WHO LIKELY WOULD HAVE BEEN ON THE INPATIENT COMPETENCY WAIT LIST OR OCCUPIED AN INPATIENT RESTORATION BED;

(i) THE NUMBER OF INDIVIDUALS WHO PARTICIPATED IN THE BRIDGES WRAPAROUND CARE PROGRAM WHO WERE CHARGED WITH A CRIME, NOT INCLUDING A CIVIL OFFENSE OR TRAFFIC OFFENSE, THAT OCCURRED WHILE PARTICIPATING IN THE PROGRAM OR WITHIN ONE YEAR AFTER SUCCESSFULLY COMPLETING THE PROGRAM; AND

(j) THE NUMBER OF INDIVIDUALS WHO WERE IDENTIFIED AND REFERRED TO THE BRIDGES WRAPAROUND CARE PROGRAM BUT WERE NOT ACCEPTED FOR PARTICIPATION AND THE REASONS FOR THE NON-ACCEPTANCE.

16-8.6-106. Bridges wraparound care coordinator - duties and responsibilities. (1) THE BRIDGES WRAPAROUND CARE COORDINATOR APPOINTED PURSUANT TO SECTION 16-8.6-108 (4) HAS THE FOLLOWING DUTIES AND RESPONSIBILITIES:

(a) FOLLOW THE POLICIES, PROCEDURES, BEST PRACTICES, AND GUIDANCE OF THE BRIDGES WRAPAROUND CARE PROGRAM, AS ESTABLISHED BY THE OFFICE OF BRIDGES OF COLORADO, CREATED IN SECTION 13-95-103, AND THE BRIDGES OF COLORADO COMMISSION, CREATED IN SECTION 13-95-104;

(b) CONDUCT AN INITIAL INTAKE OF AN ELIGIBLE INDIVIDUAL PURSUANT TO SECTION 16-8.6-108;

(c) SCREEN AND ASSESS, OR ARRANGE FOR THE SCREENING AND ASSESSMENT OF, A PROGRAM PARTICIPANT AND DEVELOP AN INDIVIDUALIZED WRAPAROUND CARE PLAN PURSUANT TO SECTION 16-8.6-109;

(d) DETERMINE WITH THE PROGRAM PARTICIPANT THE APPROPRIATE WRAPAROUND CARE REFERRAL AND SERVICE OPTIONS TO SUPPORT THE INDIVIDUALIZED WRAPAROUND CARE PLAN CREATED PURSUANT TO SECTION 16-8.6-109 (4);

(e) COORDINATE SERVICES WITH SERVICES PROVIDERS, INCLUDING SERVICES PROVIDERS WHO ARE A PARTY TO THE MEMORANDUM OF UNDERSTANDING, AND AGENCIES IDENTIFIED IN THE INDIVIDUALIZED WRAPAROUND CARE PLAN, INCLUDING FACILITATING COLLABORATIVE EFFORTS TO IDENTIFY AND ADDRESS SYSTEMIC AND PROVIDER-RELATED BARRIERS TO CARE;

(f) PROACTIVELY SEEK TO MAINTAIN FREQUENT AND REGULAR CONTACT WITH PROGRAM PARTICIPANTS; DIRECTLY ASSIST IN CONNECTING PROGRAM PARTICIPANTS TO NECESSARY SERVICES AND RESOURCES, COURT APPEARANCES, AND OTHER APPOINTMENTS; AND MAKE THOROUGH EFFORTS TO KNOW WHERE PROGRAM PARTICIPANTS ARE RESIDING, WHERE PROGRAM PARTICIPANTS CAN BE REGULARLY FOUND, AND ALL KNOWN CONTACT INFORMATION FOR PROGRAM PARTICIPANTS;

(g) MONITOR PROGRAM PARTICIPANT ENGAGEMENT WITH THE INDIVIDUALIZED WRAPAROUND CARE PLAN AND PROVIDE SUPPORT TO ENABLE THE PROGRAM PARTICIPANT TO ENGAGE FULLY, AND ALLOW FOR VARIANCES IN THE INDIVIDUALIZED WRAPAROUND CARE PLAN TO CONTINUE TO BEST MEET THE BEHAVIORAL HEALTH AND SOCIAL DETERMINANTS OF HEALTH NEEDS OF THE PROGRAM PARTICIPANT;

(h) PROVIDE A WRITTEN REPORT TO THE COURT AND PARTIES WHEN A PROGRAM PARTICIPANT IS NOT MEANINGFULLY ENGAGED WITH THE INDIVIDUALIZED WRAPAROUND CARE PLAN, INCLUDING NOTIFYING THE COURT WHEN A PROVIDER, ENVIRONMENTAL, OR SYSTEMIC BARRIER EXISTS THAT KEEPS THE PROGRAM PARTICIPANT FROM SUCCESSFULLY ENGAGING WITH THE INDIVIDUALIZED WRAPAROUND CARE PLAN;

(i) PROVIDE INFORMATION TO CRIMINAL JUSTICE PERSONNEL REGARDING BEHAVIORAL HEALTH AND COMMUNITY TREATMENT OPTIONS AND BRIDGES WRAPAROUND CARE PROGRAM BEST PRACTICES; AND

(j) PROVIDE A WRITTEN REPORT TO THE COURT REGARDING THE PROGRAM PARTICIPANT'S PROGRESS WITH THE INDIVIDUALIZED WRAPAROUND CARE PLAN AS NECESSARY AND FOR THE PURPOSE OF PROVIDING INFORMATION TO THE COURT FOR ANY HEARINGS RELATED TO THE PROGRAM PARTICIPANT'S CASE DISMISSAL OR PROGRAM TERMINATION.

16-8.6-107. Judicial district referral process - deadlines. (1) EACH JUDICIAL DISTRICT SHALL DEVELOP A PROCESS TO IDENTIFY AND REFER ELIGIBLE INDIVIDUALS TO THE BRIDGES WRAPAROUND CARE PROGRAM AS A COMMUNITY-BASED ALTERNATIVE TO COMPETENCY PROCEEDINGS PURSUANT TO THE FOLLOWING SCHEDULE:

(a) NO LATER THAN APRIL 1, 2025, FOR THE SECOND, SEVENTEENTH, EIGHTEENTH, AND TWENTIETH JUDICIAL DISTRICTS;

(b) NO LATER THAN OCTOBER 1, 2025, FOR THE FIRST, FOURTH, FIFTH, SIXTH, EIGHTH, FIFTEENTH, SIXTEENTH, TWENTY-FIRST, AND TWENTY-SECOND JUDICIAL DISTRICTS; AND

(c) NO LATER THAN JULY 1, 2026, FOR THE THIRD, SEVENTH, NINTH, TENTH, ELEVENTH, TWELFTH, THIRTEENTH, FOURTEENTH, NINETEENTH, AND TWENTY-THIRD JUDICIAL DISTRICTS.

16-8.6-108. Eligibility - initial intake - acceptance - release from custody.

(1) A DEFENDANT MAY BE REFERRED TO THE BRIDGES WRAPAROUND CARE PROGRAM WITH THE CONSENT OF THE DISTRICT ATTORNEY.

(2) A DEFENDANT WHO IS REFERRED TO THE BRIDGES WRAPAROUND CARE PROGRAM IS ELIGIBLE TO PARTICIPATE IN THE PROGRAM IF:

(a) THE DISTRICT ATTORNEY AND DEFENSE COUNSEL AGREE THAT THERE IS REASONABLE CAUSE TO BELIEVE THAT THE DEFENDANT WILL BE FOUND INCOMPETENT TO PROCEED IF THE ISSUE OF COMPETENCY IS RAISED;

(b) THE DEFENDANT CONSENTS TO PARTICIPATE IN THE BRIDGES WRAPAROUND CARE PROGRAM; AND

(c) THE DEFENDANT IS NOT CHARGED WITH A CLASS 1 FELONY; A CLASS 2 FELONY; A CLASS 3 FELONY; A LEVEL 1 DRUG FELONY; A LEVEL 2 DRUG FELONY; A SEX OFFENSE, AS DEFINED IN SECTION 18-1.3-1003; A CRIME OF VIOLENCE, AS DEFINED

IN SECTION 18-1.3-406 (2); OR ANY OFFENSE DESCRIBED IN SECTION 24-4.1-302 (1), UNLESS THE DISTRICT ATTORNEY WAIVES THIS REQUIREMENT IN THE INTEREST OF JUSTICE.

(3) PRIOR TO REFERRING A DEFENDANT TO THE BRIDGES WRAPAROUND CARE PROGRAM, WHEN THE DEFENDANT IS CHARGED WITH AN OFFENSE DESCRIBED IN SECTION 24-4.1-302 (1), THE DISTRICT ATTORNEY SHALL COMPLY WITH ALL RELEVANT PROVISIONS OF SECTION 24-4.1-300.1, ET SEQ.

(4) THE DISTRICT ATTORNEY MUST BE PROVIDED ACCESS TO THE REPORTS AND INFORMATION DESCRIBED IN SECTION 16-8.5-104 (1) AND (4) AND ANY REPORTS AND INFORMATION RELATED TO THE DEFENDANT'S COMPLIANCE WITH THE BRIDGES WRAPAROUND CARE PROGRAM. A DEFENDANT WHO CONSENTS TO PARTICIPATE IN THE BRIDGES WRAPAROUND CARE PROGRAM WAIVES ANY CLAIM TO CONFIDENTIALITY AND PRIVILEGE FOR THE PURPOSES OF THE REPORTS AND INFORMATION PROVIDED PURSUANT TO THIS SUBSECTION (4).

(5) IF AN ELIGIBLE DEFENDANT IS REFERRED TO THE BRIDGES WRAPAROUND CARE PROGRAM AND THE DEFENDANT CONSENTS TO PARTICIPATE IN THE PROGRAM, THE COURT SHALL ISSUE AN ORDER APPOINTING A BRIDGES WRAPAROUND CARE COORDINATOR. THE BRIDGES WRAPAROUND CARE PROGRAM MUST ACCEPT AN ELIGIBLE DEFENDANT WHO IS REFERRED BY THE COURT TO THE PROGRAM, UNLESS THE BRIDGES WRAPAROUND CARE COORDINATOR DETERMINES THAT THE BRIDGES WRAPAROUND CARE PROGRAM IS NOT APPROPRIATE FOR THE DEFENDANT. IF THE BRIDGES WRAPAROUND CARE PROGRAM IS NOT APPROPRIATE FOR THE DEFENDANT, BRIDGES OF COLORADO SHALL IMMEDIATELY NOTIFY THE COURT AND PROVIDE THE COURT WITH OTHER APPROPRIATE INTERVENTIONS THAT MAY INCLUDE, BUT ARE NOT LIMITED TO, CIVIL COMMITMENT OR OTHER PLACEMENT OPTIONS.

(6) IF A DEFENDANT IS ACCEPTED TO PARTICIPATE IN THE BRIDGES WRAPAROUND CARE PROGRAM AND THE DEFENDANT IS IN CUSTODY, THE COURT SHALL RELEASE THE DEFENDANT ON A PERSONAL RECOGNIZANCE BOND. UPON MOTION OF THE DISTRICT ATTORNEY OR A REQUEST TO TERMINATE THE DEFENDANT FROM THE BRIDGES WRAPAROUND CARE PROGRAM, THE COURT MAY REVOKE THE PERSONAL RECOGNIZANCE BOND FOR ANY VIOLATION OF BOND CONDITIONS, INCLUDING THE DEFENDANT'S NONCOMPLIANCE WITH PROGRAM REQUIREMENTS. IF THE COURT CONTINUES THE DEFENDANT'S PARTICIPATION IN THE BRIDGES WRAPAROUND CARE PROGRAM, THE COURT SHALL REINSTATE THE PERSONAL RECOGNIZANCE BOND.

16-8.6-109. Participation - individualized wraparound care plan. (1) AN INDIVIDUAL WHO IS ACCEPTED TO PARTICIPATE IN THE BRIDGES WRAPAROUND CARE PROGRAM PURSUANT TO SECTION 16-8.6-108 SHALL:

(a) ENTER INTO A WRITTEN AGREEMENT WITH BRIDGES OF COLORADO DETAILING THE INDIVIDUAL'S PARTICIPATION IN THE BRIDGES WRAPAROUND CARE PROGRAM AND THE PROGRAM EXPECTATIONS;

(b) COOPERATE WITH THE BRIDGES WRAPAROUND CARE COORDINATOR IN DEVELOPING THE COMPONENTS OF THE PARTICIPANT'S INDIVIDUALIZED WRAPAROUND CARE PLAN; AND

(c) ENGAGE WITH THE BRIDGES WRAPAROUND CARE COORDINATOR AND THE SERVICES OUTLINED IN THE INDIVIDUALIZED WRAPAROUND CARE PLAN.

(2) AS A CONDITION OF ACCEPTANCE IN THE BRIDGES WRAPAROUND CARE PROGRAM, THE PARTICIPANT MAY BE REQUIRED TO AUTHORIZE A RELEASE OF INFORMATION TO ALLOW FOR COORDINATION OF WRAPAROUND CARE SERVICES WITH OTHER SERVICE PROVIDERS AND REVIEW OF THE PARTICIPANT'S COMPLIANCE WITH THE INDIVIDUALIZED WRAPAROUND CARE PLAN AND ENGAGEMENT WITH SERVICES.

(3) THE BRIDGES WRAPAROUND CARE COORDINATOR SHALL CONDUCT A SCREENING AND ASSESSMENT OF THE PARTICIPANT, WHICH MAY BE CONDUCTED IN COLLABORATION WITH EXTERNAL SERVICE PROVIDERS OR ASSESSMENT CENTERS. THE BRIDGES WRAPAROUND CARE COORDINATOR MAY CONSIDER THE INFORMATION, SERVICES, AND COMMUNITY MENTAL HEALTH RESOURCES PROVIDED BY THE BEHAVIORAL HEALTH ADMINISTRATION IN THE DEPARTMENT OF HUMAN SERVICES AND THE BEHAVIORAL HEALTH ADMINISTRATIVE SERVICES ORGANIZATIONS ESTABLISHED PURSUANT TO PART 4 OF ARTICLE 50 OF TITLE 27.

(4)(a) AS PART OF THE SCREENING AND ASSESSMENT CONDUCTED PURSUANT TO SUBSECTION (3) OF THIS SECTION, THE BRIDGES WRAPAROUND CARE COORDINATOR SHALL CREATE AN INDIVIDUALIZED WRAPAROUND CARE PLAN FOR THE PARTICIPANT THAT IS DESIGNED TO REDUCE BARRIERS AND FACILITATE ACCESS TO WRAPAROUND CARE RESOURCES, ESPECIALLY BEHAVIORAL HEALTH AND OTHER SOCIAL DETERMINANTS OF HEALTH SERVICES. THE INDIVIDUALIZED WRAPAROUND CARE PLAN MUST BE DESIGNED TO SUPPORT CONTINUITY OF CARE, SOCIAL STABILIZATION, AND INCREASED RECOVERY RATES. THE INDIVIDUALIZED WRAPAROUND CARE PLAN MUST TAKE INTO CONSIDERATION THE PARTICIPANT'S BEHAVIORAL HEALTH AND SOCIAL DETERMINANTS OF HEALTH NEEDS, INCLUDING:

(I) MENTAL HEALTH TREATMENT AND CARE;

(II) TREATMENT AND CARE FOR MENTAL DISABILITIES;

(III) SUBSTANCE USE DISORDER INTERVENTION AND RECOVERY SERVICES;

(IV) HOUSING, INCLUDING SUPPORTIVE HOUSING;

(V) TRANSPORTATION;

(VI) BASIC NEEDS ASSISTANCE;

(VII) EMPLOYMENT ASSISTANCE, IF APPLICABLE; AND

(VIII) HEALTH INSURANCE COVERAGE, INCLUDING MEDICARE OR MEDICAID ELIGIBILITY AND ENROLLMENT.

(b) THE BRIDGES WRAPAROUND CARE COORDINATOR SHALL PROVIDE THE DEFENDANT, THE DEFENSE COUNSEL, THE DISTRICT ATTORNEY, AND THE COURT WITH A COPY OF THE INDIVIDUALIZED WRAPAROUND CARE PLAN IN WRITING.

16-8.6-110. Review hearing - notice of termination. (1) THE COURT SHALL SET A REVIEW HEARING WITHIN ONE HUNDRED EIGHTY-TWO DAYS AFTER THE COURT ISSUES AN ORDER APPOINTING A BRIDGES WRAPAROUND CARE COORDINATOR PURSUANT TO SECTION 16-8.6-108 (4). AT THE REVIEW HEARING, THE COURT MUST DISMISS THE CHARGES AGAINST THE DEFENDANT UNLESS THE COURT FINDS THAT THE DEFENDANT HAS NOT SATISFACTORILY COMPLIED WITH THE INDIVIDUALIZED WRAPAROUND CARE PLAN, AT WHICH POINT THE DISTRICT ATTORNEY MAY FILE A NOTICE OF TERMINATION WITH THE COURT PURSUANT TO SUBSECTION (2) OF THIS SECTION. IF THE DEFENDANT HAS NOT SATISFACTORILY COMPLIED WITH THE INDIVIDUALIZED WRAPAROUND CARE PLAN BUT REMAINS ENGAGED, THE COURT MAY CONTINUE THE DEFENDANT'S CASE FOR UP TO AN ADDITIONAL NINETY-ONE DAYS AND SHALL DISMISS THE CHARGES IF THE DEFENDANT HAS SATISFACTORILY COMPLIED WITH THE INDIVIDUALIZED WRAPAROUND CARE PLAN WITHIN THE ADDITIONAL NINETY-ONE DAYS.

(2) THE DISTRICT ATTORNEY MAY FILE A NOTICE OF TERMINATION WITH THE COURT IF, AT ANY TIME PRIOR TO THE DISMISSAL OF CHARGES, THE PROSECUTION BELIEVES THAT THE DEFENDANT HAS FAILED TO SATISFACTORILY COMPLY WITH THE INDIVIDUALIZED WRAPAROUND CARE PLAN. UPON FILING THE NOTICE OF TERMINATION, THE COURT SHALL SET A HEARING DATE FOR THE DEFENDANT'S APPEARANCE OR ISSUE A WARRANT IF REQUESTED BY THE DISTRICT ATTORNEY. IF THE COURT DETERMINES BASED ON A PREPONDERANCE OF THE EVIDENCE THAT THE DEFENDANT DID NOT SUCCESSFULLY COMPLY WITH THE INDIVIDUALIZED WRAPAROUND CARE PLAN, THE DISTRICT ATTORNEY MAY PROSECUTE THE DEFENDANT FOR THE ORIGINAL OFFENSE OR OFFENSES.

(3) IF THE CHARGES AGAINST A DEFENDANT ARE DISMISSED PURSUANT TO THIS SECTION AND THE CHARGES ARE ELIGIBLE FOR SEALING PURSUANT TO SECTION 24-72-704, THE DISTRICT ATTORNEY MAY OBJECT, IN THE INTERESTS OF JUSTICE, TO SEALING THE CASE. IF THE DISTRICT ATTORNEY FILES A WRITTEN OBJECTION TO THE SEALING WITHIN SEVEN DAYS OF THE DISMISSAL, THE CHARGES AGAINST THE DEFENDANT ARE NOT ELIGIBLE FOR SEALING AND THE COURT SHALL NOT ENTER AN ORDER SEALING THE CHARGES; EXCEPT THAT, THE DISTRICT ATTORNEY MAY, AT A LATER DATE, WITHDRAW THE OBJECTION AND AGREE TO SEALING THE CASE THAT IS DISMISSED PURSUANT TO THIS SECTION.

16-8.6-111. Statements made by defendant. ANY STATEMENT MADE BY THE DEFENDANT DURING THE INTAKE, SCREENING AND ASSESSMENT, OR WHILE PARTICIPATING IN THE BRIDGES WRAPAROUND CARE PROGRAM PURSUANT TO THIS ARTICLE 8.6 THAT PERTAINS TO CHARGES ALREADY FILED AGAINST THE DEFENDANT AT THE TIME OF THE INITIAL REFERRAL TO THE WRAPAROUND CARE PROGRAM MUST NOT BE USED AGAINST THE DEFENDANT IN THE PROSECUTION OF THOSE CHARGES, EXCEPT TO IMPEACH OR REBUT THE DEFENDANT'S TESTIMONY.

16-8.6-112. Exclusion from speedy trial. ANY PERIOD OF TIME WHEN THE DEFENDANT IS PARTICIPATING IN THE INITIAL INTAKE PURSUANT TO SECTION 16-8.6-108, IS SCREENED AND ASSESSED PURSUANT TO SECTION 16-8.6-109, IS PARTICIPATING IN THE PROGRAM, OR FOLLOWING A NOTICE OF TERMINATION PRIOR TO THE DEFENDANT APPEARING BEFORE THE COURT IS EXCLUDED FROM SPEEDY TRIAL REQUIREMENTS PURSUANT TO SECTION 18-1-405 (6), REGARDLESS OF WHETHER THE DEFENDANT COMPLETED A WRITTEN WAIVER.

SECTION 2. In Colorado Revised Statutes, 13-95-101, **amend** (4) as follows:

13-95-101. Legislative declaration and intent. (4) Therefore, the general assembly declares that ~~a statewide behavioral health court liaison program~~ THE OFFICE OF BRIDGES OF COLORADO provides a method for collaboration and consultation among behavioral health providers, district attorneys, county attorneys, and defense attorneys about available community-based behavioral health services and supports, competency evaluations, restoration to competency services, and other relevant decisions and issues facing individuals with mental health or co-occurring behavioral health challenges, including mental health disabilities, who are involved with the criminal or juvenile justice system, including appropriateness for community treatment and resource availability.

SECTION 3. In Colorado Revised Statutes, 13-95-102, **amend** (4), (8), and (9); **repeal** (5) and (10); and **add** (2.5), (2.6), (2.7), and (2.8) as follows:

13-95-102. Definitions. As used in this article 95, unless the context otherwise requires:

(2.5) "BRIDGES COURT LIAISON" MEANS A PERSON WHO IS HIRED OR CONTRACTED BY THE OFFICE AS A COURT LIAISON PURSUANT TO THIS ARTICLE 95.

(2.6) "BRIDGES COURT LIAISON PROGRAM" OR "COURT LIAISON PROGRAM" MEANS THE COURT LIAISON PROGRAM CREATED PURSUANT TO SECTION 13-95-105.

(2.7) "BRIDGES WRAPAROUND CARE COORDINATOR" MEANS A PERSON WHO IS HIRED OR CONTRACTED BY THE OFFICE AS A WRAPAROUND CARE COORDINATOR PURSUANT TO SECTION 13-95-105 (2).

(2.8) "BRIDGES WRAPAROUND CARE PROGRAM" MEANS THE BRIDGES WRAPAROUND CARE PROGRAM CREATED PURSUANT TO SECTION 16-8.6-103.

(4) "Commission" means the bridges ~~program~~ OF COLORADO commission created in section 13-95-104.

(5) "Court liaison" ~~means a person who is hired or contracted by the office as a dedicated behavioral health court liaison pursuant to this article 95.~~

(8) "Office" means the office of ~~the statewide behavioral health court liaison~~ BRIDGES OF COLORADO established in section 13-95-103.

(9) "Participant" means an individual with behavioral health challenges who is involved with the criminal or juvenile justice system and for whom a BRIDGES court liaison OR BRIDGES WRAPAROUND CARE COORDINATOR has been appointed pursuant to a court order.

(10) "Program" or "bridges program" ~~means the statewide behavioral health court liaison program established in section 13-95-105.~~

SECTION 4. In Colorado Revised Statutes, 13-95-103, **amend** (1)(a), (1)(b), (1)(c)(II)(A), (4)(a), and (5); and **add** (2) as follows:

13-95-103. Office of bridges of Colorado - administrative support - director - confidentiality - repeal. (1) (a) There is created the office of ~~statewide behavioral health court liaison~~ BRIDGES OF COLORADO as an independent agency in the judicial department. The office has the powers and duties described in this article 95. THE PURPOSE OF THE OFFICE IS TO IDENTIFY AND DEDICATE BEHAVIORAL HEALTH PROFESSIONALS TO PROVIDE SERVICES THROUGH THE BRIDGES COURT LIAISON PROGRAM AND THE BRIDGES WRAPAROUND CARE PROGRAM IN EACH STATE JUDICIAL DISTRICT.

(b) The office ~~and court liaisons~~ shall provide ~~bridges program~~ services, as described in sections 13-95-104, ~~and~~ 13-95-105, AND ARTICLE 8.6 OF TITLE 16, to ~~persons~~ INDIVIDUALS accused of crimes or delinquent acts. The office ~~and court liaisons~~ shall provide ~~bridges program~~ services to participants independently of any political considerations or private interests.

(c) (II) (A) Notwithstanding the appointment authority described in subsection (1)(c)(I) of this section, the ~~person~~ INDIVIDUAL who, on April 27, 2023, is serving as director of the statewide behavioral health court liaison program, as it existed prior to its repeal in 2023, is the director of the office for a term expiring June 30, 2026. After the initial term of appointment, the commission may appoint the ~~person~~ INDIVIDUAL as director pursuant to subsection (1)(c)(I) of this section. The commission may remove the director serving pursuant to this subsection (1)(c)(II)(A) for cause.

(2) (a) THE OFFICE AND COMMISSION SHALL NOT DISCLOSE INFORMATION PROVIDED BY AN INDIVIDUAL PARTICIPATING IN THE BRIDGES COURT LIAISON PROGRAM OR BRIDGES WRAPAROUND CARE PROGRAM EVEN IF THE INFORMATION IS RELIED UPON WHEN COMPILING INFORMATION FOR A COURT REPORT OR OTHER REPORT REQUESTED OR REQUIRED BY THE COURT, UNLESS:

(I) THE DISCLOSURE IS MADE IN CONNECTION WITH AND INCLUDED IN A REPORT FILED WITH THE COURT OR AS REQUIRED PURSUANT TO COURT ORDERED ACTION BY A BRIDGES COURT LIAISON OR A BRIDGES WRAPAROUND CARE COORDINATOR;

(II) THE DEFENSE COUNSEL AND THE INDIVIDUAL PARTICIPATING IN THE BRIDGES COURT LIAISON PROGRAM OR BRIDGES WRAPAROUND CARE PROGRAM AGREE TO THE DISCLOSURE; OR

(III) THE DISCLOSURE IS REQUIRED IN ORDER TO COMPLY WITH MANDATORY REPORTING REQUIREMENTS PURSUANT TO SECTIONS 18-6.5-108 AND 19-3-304.

(b) A BRIDGES COURT LIAISON AND A BRIDGES WRAPAROUND CARE COORDINATOR SHALL ONLY DISCLOSE INFORMATION REPORTED TO THE COURT BY THE BRIDGES COURT LIAISON OR BRIDGES WRAPAROUND CARE COORDINATOR PURSUANT TO A COURT ORDER, BUT THE INFORMATION MUST BE RESTRICTED IF THE INFORMATION IS OTHERWISE LIMITED BY COURT RULES.

(c) A REPORT REQUESTED OR REQUIRED BY THE COURT MAY BE SUPPRESSED OR SEALED BASED ON THE CONTENTS OF THE REPORT.

(d) THIS SUBSECTION (2) DOES NOT:

(I) PREVENT THE OFFICE FROM DISCLOSING THAT A BRIDGES COURT LIAISON OR BRIDGES WRAPAROUND CARE COORDINATOR WAS APPOINTED TO A CASE OR HAS ACCESS TO THE CONTENTS OF AN ORDER THAT DIRECTS THE OFFICE TO TAKE ACTION, AS LONG AS THE COURT ORDER IS NOT OTHERWISE RESTRICTED FROM DISCLOSURE; OR

(II) LIMIT THE RIGHTS OF A VALID SUBPOENA, AN INDIVIDUAL PARTICIPATING IN THE BRIDGES COURT LIAISON PROGRAM OR BRIDGES WRAPAROUND CARE PROGRAM, THE DEFENSE ATTORNEY, A PERSON WHO REQUESTS THE PROGRAM PARTICIPANT'S MEDICAL RECORDS UPON SUBMITTING AN AUTHORIZATION THAT COMPLIES WITH THE FEDERAL "HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996", 42 U.S.C. SEC. 1320d, AS AMENDED, OR A COURT ORDER AUTHORIZING THE INSPECTION OF THE PROGRAM PARTICIPANT'S MEDICAL RECORDS OR MENTAL HEALTH DATA PURSUANT TO SECTION 24-72-204 (3)(a)(I).

(4) (a) The office and judicial department shall enter into a memorandum of understanding to provide the office, ~~and court liaisons~~ INCLUDING THE OFFICE'S EMPLOYEES OR CONTRACTORS, electronic read-only access to the name index and register of actions for those case types necessary to carry out the office's ~~and court liaisons'~~ statutory purpose and the duties of ~~their~~ THE OFFICE'S court appointment. The memorandum of understanding must also delineate a filing process for ~~court liaisons~~ THE OFFICE, INCLUDING THE OFFICE'S EMPLOYEES AND CONTRACTORS, to submit reports to the court.

(5) The office shall pay the expenses of the bridges ~~program~~ OF COLORADO commission, established in section 13-95-104.

SECTION 5. In Colorado Revised Statutes, 13-95-104, **amend** (1), (2)(a)(VI), (2)(c), and (5)(b) as follows:

13-95-104. Bridges of Colorado commission - creation - membership - duties - repeal. (1) There is created in the office the bridges ~~program~~ OF COLORADO commission to support the office.

(2) (a) The commission is comprised of the following members:

(VI) The following members, appointed by the chief justice of the Colorado supreme court:

(A) A representative from a disability rights organization that provides services to the populations served by the ~~bridges program~~ OFFICE;

(B) A representative from a behavioral health, disability, or criminal justice advocacy organization that advocates for the populations served by the ~~bridges program~~ OFFICE;

(C) A representative from an organization that provides housing or other resources to the populations served by the ~~bridges program~~ OFFICE; and

(D) Three Colorado residents, at least two of whom are individuals with lived experience reflective of the populations served by the ~~bridges program~~ OFFICE.

(c) Members appointed by the chief justice ~~shall~~ MUST not be employed or under contract with the office of the statewide behavioral health court liaison or the office within a state department responsible for assisting civil and forensic mental health patients. To represent the diversity of the communities served by the bridges program OFFICE, when making designations or appointments to the commission, the designating and appointing authorities shall consider a designee's or appointee's place of residence or employment, gender and gender identity, sexual orientation, ability, race, ethnic background, and lived experience.

(5) The commission shall:

(b) Work cooperatively with the director to provide guidance to the office; provide fiscal oversight of the general operating budget of the office; participate in funding decisions relating to the provision of program services; and assist with the duties of the office concerning bridges program OFFICE training and public outreach, as needed.

SECTION 6. In Colorado Revised Statutes, **amend** 13-95-105 as follows:

13-95-105. Bridges of Colorado - programs - administration. (1) ~~The statewide behavioral health court liaison program, known as the bridges program, is established in the office. Beginning July 1, 2023, The office shall operate the bridges COURT LIAISON program AND THE BRIDGES WRAPAROUND CARE PROGRAM in each judicial district in the state. The office shall distribute court liaison~~ PROVIDE PERSONNEL and program resources equitably in each judicial district and shall ensure that the program services in each judicial district are consistent with the policies, procedures, and best practices of the bridges program, as established by the office and commission, and are aligned with statewide goals and legislative intent.

(2) ~~The purpose of the bridges program is to identify and dedicate behavioral health professionals to serve as court liaisons in each state judicial district. The court liaisons~~ OFFICE shall facilitate communication and collaboration between judicial and behavioral health systems. ~~The office shall hire~~ BY:

(a) HIRING, or ~~enter~~ ENTERING into contracts for, individuals to serve as:

(I) BRIDGES court liaisons who provide BRIDGES COURT LIAISON program services to courts and participants in judicial districts; AND

(II) BRIDGES WRAPAROUND CARE COORDINATORS WHO PROVIDE WRAPAROUND CARE PROGRAM SERVICES TO COURTS AND PARTICIPANTS IN JUDICIAL DISTRICTS PURSUANT TO ARTICLE 8.6 OF TITLE 16; AND

(b) PROVIDING CONSULTATION AND TRAINING TO CRIMINAL AND JUVENILE JUSTICE PERSONNEL REGARDING BEHAVIORAL HEALTH AND PROGRAM BEST PRACTICES.

(3) (a) ~~The bridges program must keep judges, district attorneys, county attorneys, and defense attorneys informed about available community-based behavioral health services, including services for defendants who have been ordered~~

~~to undergo a competency evaluation or receive competency restoration services pursuant to article 8.5 of title 16 and article 2.5 of title 19.~~

~~(b) The bridges program must make efforts to connect participants to, and support engagement with, behavioral health services and services for social determinants of health and to promote positive outcomes for individuals living with behavioral health challenges.~~

~~(c) The bridges program must make efforts to collaborate with service providers, including the office within a state department responsible for assisting civil and forensic mental health patients and jail-based behavioral health providers, to ensure continuity of care and service delivery in a manner that avoids duplication and bifurcation of services.~~

SECTION 7. In Colorado Revised Statutes, **amend** 13-95-106 as follows:

13-95-106. Bridges court liaisons - bridges wraparound care coordinators - duties and responsibilities. (1) A BRIDGES court liaison hired or contracted pursuant to this article 95 has the following duties and responsibilities:

(a) Conducting intake, screening, and assessment, with participants, for behavioral health history and needs and social determinants of health needs;

(b) Determining appropriate referral and treatment options, when necessary, and making direct connections to, and supporting engagement with, services for participants, including other criminal or juvenile justice diversion programs for individuals with behavioral health challenges, which may include alternatives to competency services, prosecution, and custody or confinement; if a participant is convicted, alternatives to sentences to confinement while promoting public safety; and other diversion-oriented programs, including problem-solving courts, competency dockets, treatment, sober or supportive housing, and peer mentor programs;

(c) Using the competency information from the statewide court data system, as updated pursuant to section 13-3-101 (17), to identify individuals who have not been appointed a BRIDGES court liaison but for whom an appointment to the bridges COURT LIAISON program may be beneficial. ~~If a court liaison or the bridges program identifies an individual~~ IS IDENTIFIED for whom services may be appropriate, the BRIDGES court liaison may recommend to the judicial officer, defense attorney, and district attorney working on the case that a BRIDGES court liaison be appointed for the individual.

(d) Addressing system gaps and barriers and promoting positive outcomes for participants in cases to which the BRIDGES COURT liaison is assigned;

(e) Keeping judges; district attorneys or county attorneys, as applicable; and defense attorneys informed about available community-based behavioral health services for the participant in a case, and, if applicable, case planning for possible release from custody for a participant who has been ordered to undergo a competency evaluation or receive competency restoration services pursuant to article 8.5 of title 16 and article 2.5 of title 19.

(f) Facilitating communication and collaboration between behavioral health systems and criminal justice entities;

(g) Providing ~~consultation and training~~ INFORMATION to criminal and juvenile justice personnel regarding behavioral health and community treatment options and bridges COURT LIAISON program best practices; ~~and~~

(h) Coordinating with service providers, including the office within a state department responsible for assisting civil and forensic mental health patients and jail-based behavioral health providers, to ensure continuity of care and service delivery in a manner that avoids duplication and bifurcation of services; AND

(i) FOLLOWING THE POLICIES, PROCEDURES, BEST PRACTICES, AND GUIDANCE OF THE BRIDGES COURT LIAISON PROGRAM, AS ESTABLISHED BY THE OFFICE AND COMMISSION.

(2) A BRIDGES WRAPAROUND CARE COORDINATOR HIRED OR CONTRACTED PURSUANT TO SECTION 13-95-105 (2) HAS THE DUTIES AND RESPONSIBILITIES DESCRIBED IN SECTION 16-8.6-106.

(3) A BRIDGES COURT LIAISON HIRED OR CONTRACTED PURSUANT TO THIS ARTICLE 95 AND A BRIDGES WRAPAROUND CARE COORDINATOR HIRED OR CONTRACTED PURSUANT TO SECTION 13-95-105 (2) SHALL:

(a) KEEP JUDGES, DISTRICT ATTORNEYS, COUNTY ATTORNEYS, AND DEFENSE ATTORNEYS INFORMED ABOUT AVAILABLE COMMUNITY-BASED BEHAVIORAL HEALTH SERVICES, INCLUDING SERVICES FOR DEFENDANTS WHO HAVE BEEN ORDERED TO UNDERGO A COMPETENCY EVALUATION OR RECEIVE COMPETENCY RESTORATION SERVICES PURSUANT TO ARTICLE 8.5 OF TITLE 16 AND ARTICLE 2.5 OF TITLE 19;

(b) MAKE EFFORTS TO CONNECT PARTICIPANTS TO, AND SUPPORT ENGAGEMENT WITH, BEHAVIORAL HEALTH SERVICES AND SERVICES FOR SOCIAL DETERMINANTS OF HEALTH AND TO PROMOTE POSITIVE OUTCOMES FOR INDIVIDUALS LIVING WITH BEHAVIORAL HEALTH CHALLENGES, INCLUDING:

(I) MENTAL HEALTH TREATMENT AND CARE;

(II) TREATMENT AND CARE FOR MENTAL DISABILITIES;

(III) SUBSTANCE USE DISORDER INTERVENTION AND RECOVERY SERVICES;

(IV) HOUSING, INCLUDING SUPPORTIVE HOUSING;

(V) TRANSPORTATION;

(VI) BASIC NEEDS ASSISTANCE;

(VII) EMPLOYMENT ASSISTANCE, IF APPLICABLE; AND

(VIII) HEALTH INSURANCE COVERAGE, INCLUDING MEDICARE OR MEDICAID ELIGIBILITY AND ENROLLMENT; AND

(c) MAKE EFFORTS TO COLLABORATE WITH SERVICE PROVIDERS, INCLUDING THE OFFICE WITHIN A STATE DEPARTMENT RESPONSIBLE FOR ASSISTING CIVIL AND FORENSIC MENTAL HEALTH PATIENTS AND JAIL-BASED BEHAVIORAL HEALTH PROVIDERS, TO ENSURE CONTINUITY OF CARE AND SERVICE DELIVERY IN A MANNER THAT AVOIDS DUPLICATION AND BIFURCATION OF SERVICES.

~~(2)~~ (4) If a court appoints a BRIDGES court liaison OR A BRIDGES WRAPAROUND CARE COORDINATOR for a ~~person~~ AN INDIVIDUAL, the statewide court data system must include a record of the appointment and actions related to the appointment on the ~~person's~~ INDIVIDUAL'S case records.

~~(3)~~ (5) A BRIDGES court liaison OR A BRIDGES WRAPAROUND CARE COORDINATOR appointed in a case shall act as is a resource for the court and the parties to the case. A BRIDGES court liaison shall AND A BRIDGES WRAPAROUND CARE COORDINATOR ARE not be an independent party PARTIES in a case, or AND A BRIDGES COURT LIAISON SHALL NOT serve in a role intended to monitor compliance with a court order by a party or other ~~person~~ INDIVIDUAL associated with a case.

~~(4)~~ (6) A court liaison THE OFFICE may continue to serve a participant WITH A BRIDGES COURT LIAISON OR A BRIDGES WRAPAROUND CARE COORDINATOR for up to ninety days after final disposition of the case for which the BRIDGES COURT liaison OR BRIDGES WRAPAROUND CARE COORDINATOR was appointed.

SECTION 8. In Colorado Revised Statutes, 13-95-107, amend (2) as follows:

13-95-107. Bridges of Colorado program participant services funding.

(2) Requests for money must be submitted through the appointed BRIDGES court liaison or other employee or designee of the office.

SECTION 9. In Colorado Revised Statutes, 13-95-109, amend (1) as follows:

13-95-109. Reporting requirements. (1) On or before November 1 of each year, the office shall report to the joint budget committee, or any successor committee, about the office's work and administration of ~~the bridges program~~ COURT LIAISON PROGRAM AND BRIDGES WRAPAROUND CARE PROGRAM during the prior year. The report must include:

(a) The number and competency status of cases in the past year when a BRIDGES court liaison was appointed and outcomes in those cases related to the legislative intent and statewide goals of the ~~program~~ OFFICE, as set forth in this article 95, including data related to alternatives to competency services, alternatives to custody, and alternatives to criminal justice system involvement; ~~and~~

(b) Information concerning the use of money from the bridges OF COLORADO program participant service fund, including a summary of how money from the fund is being used to alleviate system gaps and barriers to services; AND

(c) THE NUMBER OF PARTICIPANTS AND STATUS OF CASES IN THE PAST YEAR WHEN A BRIDGES WRAPAROUND CARE COORDINATOR WAS APPOINTED AND THE OUTCOMES OF THE CASES RELATED TO THE LEGISLATIVE INTENT AND STATEWIDE GOALS OF THE OFFICE, AS SET FORTH IN ARTICLE 8.6 OF TITLE 16, INCLUDING DATA RELATED TO

ALTERNATIVES TO COMPETENCY SERVICES, ALTERNATIVES TO CUSTODY, AND ALTERNATIVES TO CRIMINAL JUSTICE SYSTEM INVOLVEMENT.

SECTION 10. In Colorado Revised Statutes, 16-8.5-102, **add** (4) as follows:

16-8.5-102. Mental incompetency to proceed - how and when raised. (4) IF A DEFENDANT IS ELIGIBLE FOR REFERRAL TO THE BRIDGES WRAPAROUND CARE PROGRAM PURSUANT ARTICLE 8.6 OF THIS TITLE 16, THE COURT MAY ASK THE PARTIES WHETHER THE DEFENDANT SHOULD BE REFERRED FOR PARTICIPATION IN THE PROGRAM. WITH THE AGREEMENT OF THE PARTIES, THE COURT MAY DELAY MAKING DETERMINATIONS REGARDING THE DEFENDANT'S COMPETENCY TO ALLOW A BRIDGES WRAPAROUND CARE COORDINATOR TO CONDUCT AN INITIAL INTAKE OF THE DEFENDANT PURSUANT TO SECTION 16-8.6-108 TO DETERMINE WHETHER THE BRIDGES WRAPAROUND CARE PROGRAM IS APPROPRIATE FOR THE DEFENDANT.

SECTION 11. In Colorado Revised Statutes, 16-8.5-111, **add** (4) as follows:

16-8.5-111. Procedure after determination of competency or incompetency. (4) IF A DEFENDANT IS FOUND INCOMPETENT TO PROCEED AND THE DEFENDANT IS ELIGIBLE FOR REFERRAL TO THE BRIDGES WRAPAROUND CARE PROGRAM PURSUANT TO ARTICLE 8.6 OF THIS TITLE 16, THE COURT MAY ASK THE PARTIES WHETHER THE DEFENDANT SHOULD BE REFERRED FOR PARTICIPATION IN THE PROGRAM. WITH THE AGREEMENT OF THE PARTIES, THE COURT MAY DELAY ORDERING RESTORATION SERVICES FOR THE DEFENDANT TO ALLOW A BRIDGES WRAPAROUND CARE COORDINATOR TO CONDUCT AN INITIAL INTAKE OF THE DEFENDANT PURSUANT TO SECTION 16-8.6-108 TO DETERMINE WHETHER THE BRIDGES WRAPAROUND CARE PROGRAM IS APPROPRIATE FOR THE DEFENDANT, OR THE COURT MAY ORDER RESTORATION SERVICES IN CONJUNCTION WITH APPOINTING A BRIDGES COURT LIAISON.

SECTION 12. In Colorado Revised Statutes, 16-8.5-111, **add as repealed and reenacted by House Bill 24-1034** (1.5) and (1.6) as follows:

16-8.5-111. Procedure after determination of competency or incompetency. (1.5) **Referral to wraparound care program.** IF THE FINAL DETERMINATION MADE PURSUANT TO SECTION 16-8.5-103 IS THAT THE DEFENDANT IS INCOMPETENT TO PROCEED AND THE DEFENDANT IS ELIGIBLE FOR REFERRAL TO THE BRIDGES WRAPAROUND CARE PROGRAM PURSUANT TO ARTICLE 8.6 OF THIS TITLE 16, THE COURT MAY ASK THE PARTIES WHETHER THE DEFENDANT SHOULD BE REFERRED FOR PARTICIPATION IN THE PROGRAM. WITH THE AGREEMENT OF THE PARTIES, THE COURT MAY DELAY ORDERING RESTORATION SERVICES FOR THE DEFENDANT TO ALLOW A BRIDGES WRAPAROUND CARE COORDINATOR TO CONDUCT AN INITIAL INTAKE OF THE DEFENDANT PURSUANT TO SECTION 16-8.6-108 TO DETERMINE WHETHER THE BRIDGES WRAPAROUND CARE PROGRAM IS APPROPRIATE FOR THE DEFENDANT, OR THE COURT MAY ORDER RESTORATION SERVICES PURSUANT TO SUBSECTION (2) OF THIS SECTION.

(1.6) **Mandatory dismissal.** (a) IF THE FINAL DETERMINATION MADE PURSUANT TO SECTION 16-8.5-103 IS THAT THE DEFENDANT IS INCOMPETENT TO PROCEED AND IF A DEFENDANT'S HIGHEST CHARGED OFFENSE IS A CLASS 2 MISDEMEANOR, A PETTY OFFENSE, A DRUG MISDEMEANOR, OR A TRAFFIC OFFENSE, THE COURT SHALL DISMISS

THE CHARGES AGAINST THE DEFENDANT UNLESS THE DISTRICT ATTORNEY OBJECTS PRIOR TO THE ENTRY OF THE ORDER TO DISMISS AND MAKES A PRIMA FACIE SHOWING THAT THE DEFENDANT IS A DANGER TO THE DEFENDANT'S SELF OR OTHERS OR IS GRAVELY DISABLED AND THERE IS A REASONABLE BELIEF THAT THE DEFENDANT WILL BE CERTIFIED FOR TREATMENT AND RECEIVE THE NECESSARY SERVICES PURSUANT TO ARTICLE 65 OF TITLE 27.

(b) IF THE DISTRICT ATTORNEY MAKES THE PRIMA FACIE SHOWING PURSUANT TO SUBSECTION (1.6)(a) OF THIS SECTION, THE COURT SHALL PROCEED PURSUANT TO SUBSECTION (3) OF THIS SECTION OR SECTION 16-8.5-116.5 (7) AND, UPON COMPLETION OF THE CERTIFICATION PROCESS, THE COURT SHALL DISMISS THE CHARGES AGAINST THE DEFENDANT.

(c) IF THE COURT DOES NOT REFER THE DEFENDANT FOR CERTIFICATION PURSUANT TO SUBSECTION (3) OF THIS SECTION OR SECTION 16-8.5-116.5 (7), THE COURT MAY REFER THE DEFENDANT TO VOLUNTARILY PARTICIPATE AND RECEIVE SERVICES IN THE COURT LIAISON PROGRAM PURSUANT TO ARTICLE 95 OF TITLE 13.

SECTION 13. In Colorado Revised Statutes, 16-8.5-116, **amend** (1), (7), and (14) as follows:

16-8.5-116. Certification - reviews - termination of proceedings - rules.

~~(1) (a) Subject to the time periods and legal standards set forth in this section, whichever is shortest, a defendant committed to the custody of the department or otherwise confined as a result of a determination of incompetency to proceed must not remain confined for a period in excess of the maximum term of confinement that could be imposed for only the single most serious offense with which the defendant is charged, less thirty percent for a misdemeanor offense and less fifty percent for a felony offense. At the end of such time period, the court shall dismiss the charges, and certification proceedings or provision of services, if any, are governed by article 65 or 10.5 of title 27.~~

(b)(I) IF A DEFENDANT'S HIGHEST CHARGED OFFENSE IS A CLASS 2 MISDEMEANOR, A PETTY OFFENSE, A DRUG MISDEMEANOR, OR A TRAFFIC OFFENSE, AND THE DEFENDANT IS FOUND INCOMPETENT TO PROCEED, THE COURT SHALL DISMISS THE CHARGES AGAINST THE DEFENDANT UNLESS THE DISTRICT ATTORNEY OBJECTS PRIOR TO THE ENTRY OF THE ORDER TO DISMISS AND MAKES A PRIMA FACIE SHOWING THAT THE DEFENDANT IS A DANGER TO THE DEFENDANT'S SELF OR OTHERS OR IS GRAVELY DISABLED AND THERE IS A REASONABLE BELIEF THAT THE DEFENDANT WILL BE CERTIFIED FOR TREATMENT AND RECEIVE THE NECESSARY SERVICES PURSUANT TO ARTICLE 65 OF TITLE 27.

(II) IF THE DISTRICT ATTORNEY MAKES THE PRIMA FACIE SHOWING PURSUANT TO SUBSECTION (1)(b)(I) OF THIS SECTION, THE COURT SHALL PROCEED PURSUANT TO SUBSECTION (10) OF THIS SECTION AND, UPON COMPLETION OF THE CERTIFICATION PROCESS, THE COURT SHALL DISMISS THE CHARGES AGAINST THE DEFENDANT.

(III) IF THE COURT DOES NOT REFER THE DEFENDANT FOR CERTIFICATION PURSUANT TO SUBSECTION (10) OF THIS SECTION, THE COURT MAY REFER THE DEFENDANT TO VOLUNTARILY PARTICIPATE AND RECEIVE SERVICES IN THE BRIDGES WRAPAROUND CARE PROGRAM PURSUANT TO ARTICLE 8.6 OF TITLE 16.

(7) At any review hearing held concerning the defendant's competency to proceed, the court shall dismiss the charges against the defendant and release the defendant from confinement, subject to ~~the provisions of~~ subsection (10) of this section, if:

(a) The defendant:

(I) Is charged with a CLASS 1 misdemeanor; ~~a misdemeanor drug offense, a petty offense, or a traffic offense;~~

(II) Has been committed to the custody of the department or otherwise confined ~~as a result of a determination of incompetency to proceed~~ FOR AN AGGREGATE TIME OF SIX MONTHS; AND

(III) Has received competency restoration services while committed or otherwise confined for an aggregate time of six months; and

(b) The court determines, based on available evidence, that the defendant remains incompetent to proceed.

(14) ~~On and after July 1, 2020, The court may, at any time of~~ SHALL, AT AN APPROPRIATE TIME IN the restoration process, order the department OR THE APPOINTED BRIDGES COURT LIAISON, AS DEFINED IN SECTION 13-95-102, to provide the court with an appropriate INDIVIDUALIZED release plan DEVELOPED IN CONJUNCTION WITH ANY NECESSARY COMMUNITY PROVIDERS OR RESOURCES for the reintegration of the defendant into the community with appropriate services.

SECTION 14. In Colorado Revised Statutes, **add** 16-8.5-124 as follows:

16-8.5-124. Transparency requirements. (1) THE DEPARTMENT SHALL POST PUBLICLY ON THE OFFICE OF CIVIL AND FORENSIC MENTAL HEALTH'S WEBSITE:

(a) ALL POLICIES AND PROCEDURES RELATED TO COMPETENCY EVALUATIONS, RESTORATION SERVICES, MANAGEMENT OF THE COMPETENCY WAIT LIST, AND ADMISSION POLICIES REGARDING INPATIENT RESTORATION SERVICES, INCLUDING SERVICES FOR JAIL-BASED RESTORATION AND PRIVATE HOSPITAL BEDS;

(b) THE NUMBER OF BEDS CURRENTLY AVAILABLE AND OCCUPIED FOR JAIL-BASED RESTORATION SERVICES;

(c) THE NUMBER OF BEDS CURRENTLY AVAILABLE AND OCCUPIED IN PRIVATE HOSPITALS FOR INPATIENT RESTORATION SERVICES;

(d) THE NUMBER OF BEDS CURRENTLY AVAILABLE IN EACH STATE-RUN HOSPITAL AND OCCUPIED BY ADULT CIVIL PATIENTS, ADULT RESTORATION PATIENTS, AND ADULT NOT GUILTY BY REASON OF INSANITY COMMITMENTS;

(e) THE NUMBER OF BEDS CURRENTLY AVAILABLE IN EACH STATE-RUN HOSPITAL AND OCCUPIED BY JUVENILE PATIENTS;

(f) THE NUMBER OF INDIVIDUALS ON THE COMPETENCY RESTORATION WAIT LIST;

(g) THE LENGTH OF COMPETENCY WAIT LIST TIMES AND AN EXPLANATION OF THE METHODOLOGY USED TO CALCULATE THE WAIT TIMES; AND

(h) ANY PROJECTED DATES FOR THE OPENING OF NEW BEDS AND A DESCRIPTION OF WHAT TYPE OF BEDS WILL BECOME AVAILABLE.

SECTION 15. In Colorado Revised Statutes, 24-4.1-302, **amend** (2)(a.7) as follows:

24-4.1-302. Definitions. As used in this part 3, and for no other purpose, including the expansion of the rights of any defendant:

(2) "Critical stages" means the following stages of the criminal justice process:

(a.7) The decision to enter into a diversion agreement pursuant to section 18-1.3-101, ~~C.R.S.~~ OR TO MAKE A REFERRAL TO THE BRIDGES WRAPAROUND CARE PROGRAM PURSUANT TO SECTION 16-8.6-108;

SECTION 16. In Colorado Revised Statutes, 27-50-403, **add** (1)(1) as follows:

27-50-403. Behavioral health administrative services organizations - contract requirements - individual access - care coordination. (1) The BHA shall develop a contract for designated behavioral health administrative services organizations, which must include, but is not limited to, the following:

(1) REQUIREMENTS FOR THE BEHAVIORAL HEALTH ADMINISTRATIVE SERVICES ORGANIZATIONS TO COLLABORATE WITH DIVERSION PROGRAMS, STATEWIDE CRIMINAL JUSTICE PROGRAMS, AND THE BRIDGES WRAPAROUND CARE PROGRAM CREATED PURSUANT TO ARTICLE 8.6 OF TITLE 16, WHEN THE PROGRAMS ARE AVAILABLE IN THE BEHAVIORAL HEALTH ADMINISTRATIVE SERVICES ORGANIZATION'S REGION.

SECTION 17. In Colorado Revised Statutes, 27-50-404, **amend** (3) as follows:

27-50-404. Care coordination - responsibilities of behavioral health administrative services organizations - coordination with managed care entities. (3) A behavioral health administrative services organization shall ensure care coordination services through its network and include local partners, when appropriate, such as counties, school districts, THE OFFICE OF BRIDGES OF COLORADO ESTABLISHED IN ARTICLE 95 OF TITLE 13, and local collaborative management programs.

SECTION 18. Appropriation - adjustments to 2024 long bill. (1) To implement this act, the general fund appropriation made in the annual general appropriation act for the 2024-25 state fiscal year to the judicial department for use by probation and related services for probation programs is decreased by \$18,876, and the related FTE is decreased by 0.3 FTE.

(2) For the 2024-25 state fiscal year, \$1,430,325 is appropriated to the judicial department. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

(a) \$223,006 for use by courts administration for general courts administration, which amount is based on an assumption that the department will require an additional 3.0 FTE;

(b) \$162,390 for use by courts administration for capital outlay;

(c) \$615,410 for use by trial courts for trial court programs, which amount is based on an assumption that the courts will require an additional 7.0 FTE;

(d) \$380,784 for use by the statewide behavioral health liaison for personal services, which amount is based on an assumption that the liaison will require an additional 3.5 FTE;

(e) \$6,225 for use by the statewide behavioral health liaison for operating expenses; and

(f) \$42,510 for use by the statewide behavioral health liaison for participant services.

(3) For the 2024-25 state fiscal year, \$23,098 is appropriated to the department of human services for use by the office of behavioral health. This appropriation is from the general fund and is based on an assumption that the office will require an additional 0.3 FTE. To implement this act, the office may use this appropriation for administration.

SECTION 19. Act subject to petition - effective date. (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) Section 11 of this act takes effect only if House Bill 24-1034 does not become law.

(3) Section 12 of this act takes effect only if House Bill 24-1034 becomes effective, in which case Section 12 takes effect on the effective date of House Bill 24-1034 or on the applicable effective date of this House Bill 24-1355, whichever is later.

(4) Section 16-8.5-116(1)(b) as enacted in Section 13 of this act takes effect only if House Bill 24-1034 does not become law.

Approved: June 6, 2024