

## CHAPTER 156

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**HUMAN SERVICES - INSTITUTIONS**

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**HOUSE BILL 96-1146**

BY REPRESENTATIVES Dyer, Foster, Acquafresca, Armstrong, Chlouber, Friednash, Keller, Lamm, Lyle, Mace, Schwarz, and Swenson;  
also SENATORS Alexander and Bishop.

**AN ACT****CONCERNING A MULTIPURPOSE JUVENILE DETENTION FACILITY IN SOUTHWEST COLORADO.**

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

**SECTION 1.** Part 1 of article 1 of title 27, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

**27-1-104.4. Future juvenile detention facility needs.** (1) (a) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT CURRENTLY THERE ARE NO JUVENILE DETENTION FACILITIES WITH COMMITMENT BEDS OR LOCKED DETENTION BEDS IN THE SOUTHWEST PORTION OF COLORADO AND THAT THE NEAREST SUCH FACILITY IN THE GRAND JUNCTION OR GLENWOOD SPRINGS AREA IS AS MUCH AS FOUR HOURS AWAY FROM SOME SOUTHWESTERN COMMUNITIES. AS A RESULT OF THIS DISTANCE, AUTHORITIES IN THE SOUTHWEST REGION OF THE STATE OFTEN AVOID DETENTION EVEN THOUGH SUCH AVOIDANCE PRESENTS A PUBLIC SAFETY PROBLEM, AND THOSE JUVENILES WHO ARE TAKEN TO DISTANT FACILITIES LOSE THE CRITICAL ACCESS TO FAMILY MEMBERS AND LOCAL COMMUNITY AGENCIES THAT WOULD OTHERWISE RENDER THEIR TRANSITIONAL RETURN TO THE COMMUNITY LESS DIFFICULT.

(b) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT THE JUVENILE POPULATION IN DETENTION IS EXPECTED TO INCREASE BY SEVENTY AND NINE ONE-HUNDREDTHS PERCENT BY THE YEAR 2002. IN ADDITION, THE GENERAL ASSEMBLY FINDS AND DECLARES THAT THE JUVENILE COMMITMENT POPULATION IS EXPECTED TO INCREASE BY FORTY-NINE AND NINE-TENTHS PERCENT BY THE YEAR 2002. THE GENERAL ASSEMBLY FINDS AND DECLARES THAT THE GROWTH PATTERNS ON THE WESTERN SLOPE OF THE STATE HAVE LED TO A GROWTH IN POPULATION OF AT-RISK YOUTH AND INCREASED CRIME AND THAT THE OFFICE OF YOUTH SERVICES

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

ACCORDINGLY HAS EXPERIENCED A SHORTFALL OF BOTH DETENTION AND COMMITMENT BEDS IN THE WESTERN PART OF THE STATE.

(c) THE GENERAL ASSEMBLY THEREFORE DETERMINES THAT IT WOULD BE APPROPRIATE TO CONSIDER THE NEED FOR THE CONSTRUCTION OF A JUVENILE DETENTION FACILITY IN SOUTHWEST COLORADO.

(2) (a) THE DEPARTMENT OF HUMAN SERVICES IS DIRECTED TO ASSESS THE NEED FOR, AND TO DETERMINE THE COMMUNITY COMMITMENT TO, A NEW MULTIPURPOSE JUVENILE DETENTION FACILITY TO BE CONSTRUCTED IN LA PLATA COUNTY THAT WOULD SERVE THE FOLLOWING DETENTION AND TREATMENT NEEDS OF JUVENILES IN THE SOUTHWEST PORTION OF THE STATE:

(I) SECURE FACILITY HOUSING OF JUVENILES WHO ARE DETAINED ON JUVENILE-RELATED CHARGES; AND

(II) SECURE FACILITY AND MEDIUM SECURE FACILITY HOUSING OF JUVENILES WHO ARE COMMITTED TO THE OFFICE OF YOUTH SERVICES.

(b) IN ASSESSING THE NEED FOR SUCH A FACILITY AND THE SERVICES TO BE RENDERED AT SUCH A FACILITY, THE DEPARTMENT OF HUMAN SERVICES SHALL EVALUATE PRIVATIZATION OPTIONS.

(3) THE DEPARTMENT OF HUMAN SERVICES SHALL PRESENT ITS FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS TO THE CAPITAL DEVELOPMENT COMMITTEE OF THE GENERAL ASSEMBLY ON OR BEFORE NOVEMBER 1, 1996.

**SECTION 2. No appropriation.** The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

**SECTION 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 22, 1996