

SB071_L.001

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

SB21-071 be amended as follows:

1 Amend printed bill, page 6, after line 17 insert:

2 "SECTION 6. In Colorado Revised Statutes, add part 14 to
3 article 2 of title 19 as follows:

4 PART 14

5 ALTERNATIVES TO DETENTION WORKING GROUP

6 **19-2-1401. Working group - alternatives to detention - duties**
7 **- report.** (1) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN
8 SERVICES, OR HIS OR HER DESIGNEE, SHALL FORM AN ALTERNATIVES TO
9 DETENTION WORKING GROUP, REFERRED TO IN THIS SECTION AS THE
10 "WORKING GROUP", TO EXAMINE THE AVAILABILITY OF ALTERNATIVES TO
11 YOUTH DETENTION AND THE USE OF DETENTION BEDS, AND NECESSARY
12 INVESTMENTS IN ALTERNATIVES TO DETENTION.

13 (2) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN
14 SERVICES, OR HIS OR HER DESIGNEE, SHALL APPOINT THE FOLLOWING
15 MEMBERS TO SERVE ON THE WORKING GROUP:

16 (a) THE DIRECTOR OF THE DIVISION OF YOUTH SERVICES, OR HIS OR
17 HER DESIGNEE;

18 (b) THE DIRECTOR OF THE OFFICE OF CHILDREN, YOUTH, AND
19 FAMILIES, OR HIS OR HER DESIGNEE;

20 (c) THE EMPLOYEE OF THE DEPARTMENT OF HUMAN SERVICES WHO
21 ADMINISTERS THE MONEY APPROPRIATED PURSUANT TO SECTION 19-2-310,
22 OR HIS OR HER DESIGNEE;

23 (d) THREE REPRESENTATIVES OF COUNTY DEPARTMENTS;

24 (e) TWO REPRESENTATIVES OF ORGANIZATIONS THAT ADVOCATE
25 FOR YOUTH INVOLVED IN THE JUVENILE JUSTICE SYSTEM;

26 (f) ONE REPRESENTATIVE OF A DISTRICT ATTORNEY'S OFFICE;

27 (g) ONE REPRESENTATIVE OF THE OFFICE OF THE STATE PUBLIC
28 DEFENDER;

29 (h) ONE REPRESENTATIVE OF THE JUDICIAL BRANCH;

30 (i) ONE PERSON WHO WAS A YOUTH IN THE CUSTODY OF A DIVISION
31 OF YOUTH SERVICES FACILITY; AND

32 (j) ANY ADDITIONAL MEMBERS AS DETERMINED APPROPRIATE.

33 (3) THE WORKING GROUP SHALL CONVENE BY AUGUST 1, 2021,
34 AND MEET AT LEAST SEMI-ANNUALLY THEREAFTER.

35 (4) IN PERFORMING THE DUTIES DESCRIBED IN THIS SECTION, THE
36 WORKING GROUP SHALL CONSIDER AVAILABLE DATA CONCERNING:

37 (a) THE CONTINUUM OF IN-HOME AND OUT-OF-HOME PLACEMENT
38 OPTIONS AND SUPPORTS FOR ALLEGED JUVENILE OFFENDERS, INCLUDING
39 THE CURRENT AVAILABLE CAPACITIES OF THE OPTIONS AND SUPPORTS;

40 (b) THE OUTCOMES ASSOCIATED WITH THE LENGTH OF STAY FOR

1 ALLEGED AND ADJUDICATED OFFENDERS PLACED IN:
2 (I) DETENTION FACILITIES;
3 (II) RESIDENTIAL TREATMENT FACILITIES, INCLUDING BUT NOT
4 LIMITED TO QUALIFIED RESIDENTIAL TREATMENT PROGRAMS,
5 NONQUALIFIED RESIDENTIAL TREATMENT PROGRAMS, RESIDENTIAL
6 COMMUNITY PLACEMENTS, AND SHELTER PLACEMENTS;
7 (III) A FAMILY-TYPE PLACEMENT, INCLUDING BUT NOT LIMITED TO
8 FOSTER CARE HOMES; AND
9 (IV) A FAMILY HOME; AND
10 (c) THE OUTCOMES FOR ALLEGED AND ADJUDICATED JUVENILE
11 OFFENDERS FOR IN-HOME AND OUT-OF-HOME PLACEMENTS BASED ON
12 CATEGORIES OF CHARGES, AGE, AND RISK LEVEL.
13 (5) THE DEPARTMENT OF HUMAN SERVICES SHALL MONITOR AND
14 REPORT TO THE WORKING GROUP INFORMATION REGARDING:
15 (a) THE DEMAND FOR AND AVAILABILITY OF PLACEMENTS THAT
16 PROVIDE AN ALTERNATIVE TO DETENTION IN EACH JUDICIAL DISTRICT AND
17 STATEWIDE;
18 (b) THE NUMBER OF YOUTH CURRENTLY IN DETENTION WHO ARE
19 AWAITING PLACEMENT IN A COMMUNITY SETTING;
20 (c) THE STATUS OF PERFORMANCE STANDARDS AND OUTCOME
21 MEASURES DEVELOPED PURSUANT TO SUBSECTION (6) OF THIS SECTION;
22 AND
23 (d) THE STATUS OF IMPLEMENTATION OF EFFORTS GUIDED BY THE
24 WORKING GROUP PURSUANT TO SUBSECTIONS (7) AND (8) OF THIS SECTION.
25 (6) BY JULY 1, 2022, THE WORKING GROUP SHALL DEVELOP
26 PERFORMANCE STANDARDS AND OUTCOME MEASURES TO MONITOR THE
27 NUMBER OF ALTERNATIVE PLACEMENTS, RANGE OF SERVICES OFFERED BY
28 SUCH PLACEMENTS, AND COMMUNITY-BASED SERVICES AVAILABLE TO
29 MEET THE NEEDS OF JUVENILES IN EACH JUDICIAL DISTRICT AND COUNTY.
30 THE WORKING GROUP SHALL DETERMINE WHETHER AND HOW SPECIFIC
31 OUTCOME MEASURES MUST BE REPORTED, INCLUDING BUT NOT LIMITED TO
32 MEASURES OF RECIDIVISM, VIOLATIONS OF CONDITIONS OF RELEASE,
33 PERFORMANCE IN SCHOOL, FUTURE OUT-OF-HOME PLACEMENTS, AND
34 RETURN TO HOME OR KIN'S HOME.
35 (7) THE WORKING GROUP SHALL ADVISE THE DEPARTMENT OF
36 HUMAN SERVICES CONCERNING POLICIES, PROCEDURES, AND BEST
37 PRACTICES RELATED TO ALTERNATIVES TO DETENTION.
38 (8) (a) BEGINNING IN 2023, AND EACH YEAR THEREAFTER, THE
39 DEPARTMENT OF HUMAN SERVICES SHALL INCLUDE AN UPDATE
40 REGARDING THE WORKING GROUP'S FINDINGS IN ITS REPORT TO THE
41 MEMBERS OF THE APPLICABLE COMMITTEES OF REFERENCE IN THE SENATE
42 AND HOUSE OF REPRESENTATIVES AS REQUIRED BY THE "STATE
43 MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT

1 (SMART) GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF TITLE 2. THE
2 REPORT CONCERNING THE WORKING GROUP'S FINDINGS MUST INCLUDE THE
3 FOLLOWING:

4 (I) AN ANALYSIS OF THE PERFORMANCE STANDARDS AND
5 OUTCOME MEASURES DEVELOPED BY THE WORKING GROUP PURSUANT TO
6 SUBSECTION (6) OF THIS SECTION;

7 (II) THE NUMBER OF YOUTH CURRENTLY IN DETENTION A WAITING
8 PLACEMENT IN A COMMUNITY SETTING;

9 (III) THE CAPACITY, NEEDS, AND BARRIERS TO SUPPORTIVE
10 ALTERNATIVE PLACEMENTS;

11 (IV) AN ANALYSIS OF THE AVAILABILITY OF, DEMAND FOR, AND
12 AVAILABILITY AND USE OF FUNDING FOR ALTERNATIVE PLACEMENTS AND
13 RESIDENTIAL TREATMENT FACILITIES, INCLUDING BUT NOT LIMITED TO
14 QUALIFIED RESIDENTIAL TREATMENT PROGRAMS, NONQUALIFIED
15 RESIDENTIAL TREATMENT PROGRAMS, RESIDENTIAL COMMUNITY
16 PLACEMENTS, AND SHELTER PLACEMENTS;

17 (V) AN ANALYSIS OF THE NUMBER OF YOUTH PLACED IN AN
18 ALTERNATIVE PLACEMENT AND THE LENGTH OF STAY IN THE PLACEMENTS;

19 (VI) AN ANALYSIS OF THE INVOLVEMENT OF JUVENILES AND THEIR
20 FAMILIES, AND THE JUVENILES' AND FAMILIES' SATISFACTION WITH,
21 ALTERNATIVE PLACEMENTS;

22 (VII) AN ANALYSIS OF THE AVAILABILITY OF AND NEED FOR
23 COMMUNITY-BASED SERVICES IN EACH JUDICIAL DISTRICT AND COUNTY,
24 TO ASSIST IN KEEPING CHILDREN IN THE FAMILY HOME, AND THE TYPES OF
25 COMMUNITY-BASED SERVICES OFFERED IN EACH JUDICIAL DISTRICT AND
26 COUNTY;

27 (VIII) AN ANALYSIS OF THE AVAILABLE MONEY FOR
28 COMMUNITY-BASED SERVICES IN EACH JUDICIAL DISTRICT AND HOW IT IS
29 USED, INCLUDING THE AMOUNT OF MONEY SPENT ON DIFFERENT TYPES OF
30 COMMUNITY-BASED SERVICES;

31 (IX) AN ANALYSIS AND TRACKING OF ALLEGED AND ADJUDICATED
32 JUVENILE OFFENDERS WHO ARE PLACED IN OR SERVED BY COUNTY
33 DEPARTMENTS THROUGH CHILD WELFARE SYSTEMS, AND THE IMPACT ON
34 THOSE COUNTY DEPARTMENTS;

35 (X) RECOMMENDATIONS TO ENHANCE THE CONTINUUM OF
36 COMMUNITY-BASED SERVICES AND PLACEMENT OPTIONS FOR ALLEGED
37 AND ADJUDICATED JUVENILE OFFENDERS, INCLUDING RECOMMENDATIONS
38 TO IMPROVE AVAILABILITY AND QUALITY OF SHELTER FACILITIES;
39 FAMILY-TYPE PLACEMENTS, INCLUDING BUT NOT LIMITED TO FOSTER
40 CARE; AND COMMUNITY-BASED SERVICES FOR JUVENILES;

41 (XI) RECOMMENDATIONS REGARDING THE REDUCTION OF
42 AVAILABLE DETENTION BEDS AND THE ALLOCATION OF DETENTION BEDS
43 ACROSS THE STATE; AND

1 (XII) RECOMMENDATIONS FOR FUTURE DATA COLLECTION AND
2 REPORTING.

3 (b) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORT
4 REQUIRED IN THIS SUBSECTION (8) CONTINUES INDEFINITELY."

5 Renumber succeeding section accordingly.

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