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CCDC supports HB21-1211 Restrictive Housing

We urge you to pass this bill.



Board of County Commissioners

May 6, 2020

Senate Judiciary Committee
Sen. Lee, Chair
Sen. Gonzalez, Vice Chair
Sen. Cooke
Sen. Gardner
Sen. Rodriguez

Dear Chairman Lee and Committee Members:

Boulder County has a long history of supporting progressive criminal and community justice reforms. Our elected leadership, including our commissioners and sheriff, along with our community have adopted policy and invested monies in programs and facilities that support integrated treatment services that reduce recidivism, racial disparities, and criminal justice costs while improving public safety. In recent years Boulder County has been active in supporting legislation and adequate funding for effective pretrial practices and a shift from a money-based to a risk-based system; best-practice systems and dedicated funding that remove barriers and provide a coordinated response to offender reentry; and more recently, evaluating the practice and policy changes implemented across Colorado's criminal justice system to reduce jail populations in light of covid-19 to identify effective interventions for use post-pandemic.

In order to ensure that reforms are effectively implemented and long-standing, we firmly believe that they must be enacted through a partnership approach between the state and local government. Legislation must be written and adopted with consideration given to implementation and must be resourced to ensure that the people interacting with the criminal justice system are receiving the services the General Assembly, our local elected officials, and our communities intend for them to receive.

To HB 1211, Regulation of Restrictive Housing in Jails, which you are scheduled to hear this afternoon, Boulder County believes successful implementation of the bill and achievement of its policy goals requires the following:

1. Additional time: The effective dates and deadlines included in the bill will be extremely difficult if not impossible to meet, putting at risk successful implementation of the bill.
2. Protection of people in these jails from self-harm or harming others: One of Boulder County's primary concerns with HB 1211 is the question of how the county will pay for the modifications and additional staffing that will be needed to meet the bill's

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implementation requirements. Even though amendments will be proposed today to utilize JBBS funding to support these efforts, that funding is not adequate to cover the implementation costs facing the counties that will be impacted by the bill.

3. Behavioral health reform: Investments must be made in our behavioral health system to provide options for ensuring that people in Colorado's jails with serious behavioral and mental health diagnoses are able to get the services they need and county jails are not faced with the prospect of utilizing restrictive housing as a tool to maintain safety of inmates and staff. Currently 32 people are waiting in the Boulder County jail to be transferred to a state mental health facility, but the facility is not accepting transfers at this time. HB 1211 does not include the necessary investments in secure mental health and therapeutic environments, as we see in other states, to ensure that people with behavioral health needs are receiving the treatment they need and deserve.

Boulder County encourages the bill sponsors and the Judiciary Committee to consider the three points above as HB 1211 makes its way through the legislative process.

Sincerely,

Mark Ruzzin
Sr. Policy Advisor
Boulder County Commissioners' Office