

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 20-0889.02 Jerry Barry x4341

SENATE BILL 20-187

SENATE SPONSORSHIP

Lee,

HOUSE SPONSORSHIP

Gonzales-Gutierrez,

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 CONCERNING THE THERAPEUTIC GROUP TREATMENT PILOT PROGRAM
102 IN THE DIVISION OF YOUTH SERVICES.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

In 2019, the general assembly authorized the division of youth services to expand a pilot program to implement therapeutic group treatment by adding an additional pilot program. Rather than expanding to 2 separate programs, the bill extends the term of the existing program and requires a final evaluation of the pilot program.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

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

2 **SECTION 1.** In Colorado Revised Statutes, 19-2-203, **amend**
3 (4)(b) introductory portion, (4)(b)(I), (4)(b)(III), (4)(b)(IV), (4)(b)(V)(G),
4 (4)(b)(V)(K), (4)(b)(V)(M), (4)(b)(VI), (4)(b)(VII), and (4)(b)(VIII) as
5 follows:

6 **19-2-203. Division of youth services - created - interagency**
7 **agreements - duties of administrators of facilities in connection with**
8 **voter registration and casting of ballots - reports - pilot programs -**
9 **fund - definitions - repeal. (4) Pilot program - competitive bid**
10 **process - fund created - repeal. (b)** The division shall implement ~~two~~
11 ~~pilot programs~~ A PILOT PROGRAM to aid in the establishment of a
12 division-wide therapeutic and rehabilitative culture. The pilot ~~programs~~
13 PROGRAM will test the efficacy of a therapeutic group-treatment approach
14 and the ability of the division to keep ~~youths~~ YOUTH and staff safe
15 without the use of seclusion and mechanical restraints other than
16 handcuffs. In administering the pilot ~~programs~~ PROGRAM, the division
17 shall:

18 (I) Provide treatment to at least ~~thirty-five youths~~ TWENTY YOUTH
19 committed to the division's care. ~~divided into groups of no more than~~
20 ~~fifteen.~~ In selecting ~~youths~~ YOUTH to participate in the pilot ~~programs~~
21 PROGRAM, the division shall ensure that the ~~youths~~ YOUTH SELECTED
22 reflect a representative cross section of ~~youths~~ YOUTH committed to the
23 division's care with respect to age and history of violence.

24 (III) Create teams of ~~youths~~ YOUTH and staff by assigning each
25 staff member to a group of ~~youths~~ YOUTH, to which group the staff
26 member remains assigned throughout the pilot ~~programs~~ PROGRAM;

1 (IV) Require staff assigned to the pilot ~~programs~~ PROGRAM to be
2 trained as youth specialists and have or acquire substantial knowledge of
3 rehabilitative treatment, de-escalation, adolescent behavior modification,
4 trauma, safety, and physical management techniques that do not harm
5 ~~youths~~; YOUTH. THE DIVISION SHALL NOT assign ~~no~~ staff members to the
6 pilot ~~programs~~ PROGRAM solely as security staff and SHALL maintain a
7 ratio of staff to ~~youths~~ YOUTH that meets or exceeds nationally recognized
8 standards and reflects best practices;

9 (V) Operate healthy, trauma-responsive organizational
10 environments as demonstrated through prosocial, safe, and non-violent
11 interaction by:

12 (G) To the extent possible, ensuring that each youth in the pilot
13 ~~programs~~ PROGRAM remains with ~~his or her~~ THE YOUTH'S group and
14 dedicated staff member during waking hours, except for specialized
15 treatment or educational services;

16 (K) Phasing out completely within the first year of ~~each~~ THE pilot
17 program the practice of placing ~~youths~~ A YOUTH alone in a room or area
18 behind a locked door from which egress is prevented, except during
19 sleeping hours, and avoiding isolation of ~~youths from their~~ A YOUTH FROM
20 THE YOUTH'S peers;

21 (M) Providing continuity of services and relationships through a
22 seamless case management system and assignment of a dedicated case
23 manager to each youth ~~which case manager~~ WHO serves as the primary
24 advocate for the youth and ~~his or her~~ THE YOUTH'S family and works
25 actively with both throughout the pilot ~~programs~~ PROGRAM;

26 (VI) Contract through a competitive bid process with an
27 independent third party to facilitate, coach, and train staff and leadership

1 throughout the course of the pilot ~~programs~~ PROGRAM. The independent
2 third party must have expertise in systemic cultural transformation of a
3 youth correctional system from a punitive correctional culture to a
4 rehabilitative and therapeutic culture. The independent third party must
5 have experience training staff in providing relationship-based,
6 group-centered, trauma-responsive care and decreasing violence against
7 ~~youths~~ YOUTH and staff in facilities. The independent third party shall
8 assist with implementation of the pilot ~~programs~~ PROGRAM, provide
9 training for staff working in the pilot ~~programs~~ PROGRAM, and provide at
10 least one three-quarter-time to full-time consultant to provide
11 on-the-ground mentorship, coaching, and training to pilot program staff
12 members throughout the pilot ~~programs~~ PROGRAM. The consultant shall
13 ~~also~~ provide training to the division's leadership regarding the
14 philosophies and techniques used in the pilot ~~programs~~ PROGRAM. On or
15 before January 1, 2018, and continuing through June 30, ~~2020~~ 2021, the
16 division shall begin working actively with the contracted independent
17 third party to take the necessary steps to commence the ~~first~~ pilot program
18 as soon as possible, which must begin to ~~serve youths~~ SERVING YOUTH no
19 later than July 1, 2018. ~~As soon as possible, but no later than January 30,~~
20 ~~2020, the division shall begin working with the second contracted~~
21 ~~independent third party to commence the second pilot program, which~~
22 ~~must begin to serve youths no later than July 1, 2020.~~

23 (VII) (A) Contract through a competitive bid process with an
24 independent contractor other than ~~one of the independent third parties~~
25 PARTY described in subsection (4)(b)(VI) of this section to evaluate the
26 effectiveness and outcome of the pilot ~~programs~~ PROGRAM. Prior to the
27 start of ~~each~~ THE pilot program, the division and the contractor shall work

1 together to identify the data points to be collected throughout the pilot
2 ~~programs~~ PROGRAM, which must include, but are not limited to, data
3 concerning fights, assaults on ~~youths~~ YOUTH, assaults on staff, critical
4 incidents, restraints, mechanical restraints, seclusion, injuries to ~~youths~~
5 YOUTH, injuries to staff, criminal charges filed against ~~youths~~ YOUTH or
6 staff, grievances or complaints regarding abuse that have been filed or
7 sustained, staff absences, staff turnover, and youth educational
8 achievement. The division shall collect the data and make it available to
9 the contractor at the contractor's request throughout the pilot ~~programs~~
10 PROGRAM. For the purposes of this subsection (4)(b)(VII), on or before
11 September 1, 2017, the division shall request proposals from candidates
12 for an evaluation of the ~~first~~ pilot program. The division shall require
13 each candidate to submit its proposal to the division on or before
14 November 1, 2017, and the division shall contract with a candidate on or
15 before December 1, 2017. ~~Not later than October 1, 2019, the~~
16 ~~independent contractor described in this subsection (4)(b)(VII) shall~~
17 ~~assess~~ ON OR BEFORE OCTOBER 1, 2019, THE INDEPENDENT CONTRACTOR
18 SHALL COMPLETE AN INITIAL REPORT, AND ON OR BEFORE OCTOBER 1,
19 2021, THE INDEPENDENT CONTRACTOR SHALL COMPLETE A FINAL REPORT
20 THAT ASSESSES the data provided by the division. ~~and complete a report~~
21 ~~evaluating~~ THE INDEPENDENT CONTRACTOR SHALL PREPARE AN INITIAL
22 AND A FINAL REPORT THAT EVALUATES the effectiveness and outcomes of
23 the ~~first~~ pilot program when compared to one or more comparable
24 populations of ~~youths~~ YOUTH in the division. ~~For the purposes of this~~
25 ~~subsection (4)(b)(VII), the division shall contract for an evaluation of the~~
26 ~~effectiveness and outcomes of the first and second pilot programs when~~
27 ~~compared to one or more comparable populations of youths in the~~

1 ~~division to be completed no later than October 1, 2021.~~ THE
2 INDEPENDENT CONTRACTOR SHALL SUBMIT SUCH REPORTS TO THE
3 JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE
4 SENATE, TO THE PUBLIC HEATH CARE AND HUMAN SERVICES COMMITTEE
5 OF THE HOUSE OF REPRESENTATIVES, AND TO THE HEALTH AND HUMAN
6 SERVICES COMMITTEE OF THE SENATE, OR TO ANY SUCCESSOR
7 COMMITTEES. The division shall provide the contractors all available data
8 requested to complete the reports.

9 (B) The independent ~~contractors~~ CONTRACTOR, at least in part,
10 shall base their evaluations of the effectiveness of the pilot ~~programs~~
11 PROGRAM upon whether ~~they reduce~~ IT REDUCES the number of fights,
12 critical incidents, assaults on youths, assaults on staff, injuries to youths,
13 and injuries to staff when compared to comparable populations of youths
14 in the division, and whether ~~they reduce~~ IT REDUCES the number of
15 physical managements and mechanical restraints when compared to
16 comparable populations of youths in the division.

17 (C) ~~Not later than October 1, 2019, the first independent~~
18 ~~contractor shall complete the report described in subsection~~
19 ~~(4)(b)(VII)(A) of this section and submit it to the judiciary committees of~~
20 ~~the house of representatives and the senate, to the public heath care and~~
21 ~~human services committee of the house of representatives, and to the~~
22 ~~health and human services committee of the senate, or to any successor~~
23 ~~committees.~~

24 (D) ~~Not later than October 1, 2021, the second independent~~
25 ~~contractor shall complete the report described in subsection~~
26 ~~(4)(b)(VII)(A) of this section and submit it to the judiciary committees of~~
27 ~~the house of representatives and the senate, to the public health care and~~

1 ~~human services committee of the house of representatives, and to the~~
2 ~~health and human services committee of the senate, or to any successor~~
3 ~~committees.~~

4 (VIII) Perform the necessary construction and renovation to create
5 youth residences for the pilot ~~programs~~ PROGRAM that are home-like and
6 therapeutic, including home-like sleeping quarters and living and group
7 meeting areas.

8 **SECTION 2. Safety clause.** The general assembly hereby finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, or safety.