



Good afternoon members of the Senate Judiciary Committee,

I am writing you today to share Colorado Counties Inc position on **SB21-071 Limit The Detention of Juveniles**.

SB21-071 recognizes and is in response to two realities: 1.) a decrease number of youth in the Division of Youth Services (DYS) due to the pandemic and a desire to limit the risk of spread in DHS facilities and 2.) poor restorative outcomes for children and youth who are placed by judges into DHS.

The focus of counties in this discussion lies in this question: “where will these youth go?”. In many instances, it is not safe for a youth to return home. So, if they cannot go home and there is not room for these kids in a detention center because the cap has been reached, where will they go and how will they receive the treatments they need to get back on track?

Colorado has never invested and does not have a ‘middle’ step. And, in the absence of an appropriate ‘middle’ step, these youth will end up in the child welfare system and will likely be placed either in a foster home or congregate care setting, both of which are in short supply in Colorado. Without meaningful programs, placement alternatives and capacity, these youth will not receive the supports they need. They will be shifted into the child welfare system - a system that lacks the capacity to meet their needs and is currently under federal pressure to reduce the number of kids in certain care settings.

The above explains why CCI took an initial position of ‘oppose unless amended’.

For the last several weeks, however, we have been working with the ACLU and Sen. Buckner to discuss the interaction this singular policy change will have on the child welfare system. This afternoon, an amendment will be offered that adds a study component to SB21-071. This addition is critical to understanding the extent of the DHS to child welfare shift, the resource needs driven by this shift and, most importantly, the outcomes for juvenile offenders and the additional supports they will undoubtedly need. Please support this amendment.

The appropriate bed cap levels are also a point of debate. As of this writing, counties are inclined to follow the lead of CDHS regarding the appropriate bed cap level.

County commissioners will reconvene roughly 24 hours after your hearing. At that point, we will revisit our position considering the amendments adopted in committee.

In the meantime, **we urge you to adopt L.001 which is the ‘study’ amendment.**

Thank you for your consideration,

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