

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0112.01 Anna Petrini x5497

SENATE BILL 25-043

SENATE SPONSORSHIP

Michaelson Jenet and Amabile, Cutter

HOUSE SPONSORSHIP

Bradfield and English,

Senate Committees

Judiciary
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING YOUTH INVOLVEMENT WITH THE JUSTICE SYSTEM, AND,**
102 **IN CONNECTION THEREWITH, CLARIFYING MATTERS RELATED**
103 **TO DETERMINATIONS OF INCOMPETENCY, AND ESTABLISHING**
104 **A GRANT PROGRAM TO PROVIDE DEFLECTION 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/>.)

Legislative Oversight Committee Concerning the Treatment of Persons with Behavioral Health Disorders in the Criminal and Juvenile Justice Systems. Current law establishes the youthful offender system in the department of corrections as a sentencing option that

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

provides a continuum of services. **Section 1** of the bill:

- Revises certain legislative declaration provisions to emphasize lasting behavioral changes in preparation for reentry, accountability, healthy relationship building, and offender and staff safety;
- Adds language related to housing arrangements and equitable treatment for youthful offenders, including youthful offenders with disabilities;
- Adds a requirement for rehabilitative treatment and life skills programming and, in certain cases, for individual and family therapy and substance use disorder treatment;
- Elaborates on clinician evaluations, tailored treatment plans, and client manager requirements for youthful offenders; and
- Imposes an annual reporting requirement beginning in January 2026.

Section 2 of the bill applies the standards for determining competency in juvenile delinquency cases to juveniles who have charges directly filed against them in adult court, juveniles whose cases are transferred to adult court, or juveniles subject to concurrent court jurisdiction.

Section 3 of the bill permits bridges court liaisons to access juvenile competency evaluations and related information.

Current law sets forth procedures for court determinations of a juvenile's competency in juvenile justice proceedings. **Section 4** of the bill requires a court to dismiss the case against a juvenile if the court makes a final determination that the juvenile is incompetent to proceed and the juvenile's highest charged act is a class 2 misdemeanor, a petty offense, a drug misdemeanor, or a traffic offense.

Under current law, one year after a court finds a juvenile charged with a level 4 drug felony is incompetent to proceed the court shall enter a finding the juvenile is unrestorable to competency and shall determine whether a management plan is necessary for the juvenile. The bill reduces the time from one year to 6 months.

The bill imposes certain limitations on a case management plan's contents in cases that involve sexual conduct and addresses court responses when a juvenile or a juvenile's parent or guardian fails to engage with a management plan's ordered services.

Section 5 of the bill requires that a person sentenced for a delinquent act committed as a juvenile receive credit for any period of confinement prior to sentencing.

Section 6 of the bill creates the deflection and community investment grant program (grant program) in the office of adult and juvenile justice assistance in the division of criminal justice to provide grants to eligible nonprofit and tribal applicants to implement a

mixed-delivery system of trauma-informed health and development deflection programs for youth, including Native American youth.

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

2

3 **SECTION 1.** In Colorado Revised Statutes, 19-2.5-703.5, **amend**
4 (1) introductory portion as follows:

5 **19-2.5-703.5. Waiver of privilege - exchange of information -**
6 **admissibility of statements.** (1) When the court determines that a
7 juvenile is incompetent to proceed, any claim of confidentiality or
8 privilege by the juvenile or the juvenile's parent or legal guardian is
9 deemed waived within the case to allow the court and parties to determine
10 issues related to the juvenile's competency, restoration, and any
11 management plan developed by the court pursuant to section 19-2.5-704
12 (3). The district attorney, defense attorney, guardian ad litem, the
13 department, any competency evaluators, any restoration treatment
14 providers, BRIDGES COURT LIAISONS, and the court are granted access,
15 without written consent of the juvenile or further order of the court, to:

16 **SECTION 2.** In Colorado Revised Statutes, 19-2.5-704, **amend**
17 (2.5)(a) introductory portion, (2.5)(a)(I), (2.5)(a)(II), (3)(a), and (3)(b);
18 and **add** (2.3), (3)(b.5), and (3)(d) as follows:

19 **19-2.5-704. Procedure after determination of competency or**
20 **incompetency.** (2.3) IF THE COURT MAKES A FINAL DETERMINATION
21 PURSUANT TO SECTION 19-2.5-703 THAT THE JUVENILE IS INCOMPETENT
22 TO PROCEED AND THE JUVENILE'S HIGHEST CHARGED ACT CONSTITUTES A
23 CLASS 2 MISDEMEANOR, A PETTY OFFENSE, A DRUG MISDEMEANOR, OR A
24 TRAFFIC OFFENSE, THE COURT SHALL IMMEDIATELY DISMISS THE
25 DELINQUENCY PETITION OR CHARGES, AS APPLICABLE, AGAINST THE

1 JUVENILE.

2 (2.5) (a) If the court finds a juvenile is incompetent to proceed,
3 THE JUVENILE'S HIGHEST CHARGED ACT IS NOT INCLUDED IN THE CHARGES
4 SPECIFIED IN SUBSECTION (2.3) OF THIS SECTION, and the juvenile has been
5 incompetent to proceed for a period of time that exceeds the time limits
6 set forth in this subsection (2.5), the court shall enter a finding that the
7 juvenile is unrestorable to competency and shall determine whether a
8 management plan for the juvenile is necessary pursuant to subsection
9 (3)(a) of this section. The time limits are as follows:

10 (I) If the highest charged act constitutes a CLASS 1 misdemeanor
11 ~~a misdemeanor drug offense, a petty offense, or a traffic offense,~~ OR A
12 LEVEL 4 DRUG FELONY and the juvenile is not restored to competency after
13 a period of six months, the court shall find the juvenile unrestorable to
14 competency;

15 (II) If the highest charged act constitutes a class 4, 5, or 6 felony,
16 or a level 3 ~~or 4~~ drug felony, and the juvenile is not restored to
17 competency after a period of one year, the court shall find the juvenile
18 unrestorable to competency;

19 (3) (a) If the court finally determines pursuant to section
20 19-2.5-703 or 19-2.5-703.5 that the juvenile is incompetent to proceed
21 and cannot be restored to competency in the reasonably foreseeable
22 future, the court shall enter an order finding the juvenile unrestorable to
23 competency and shall determine whether a CASE management plan for the
24 juvenile is necessary, taking into account the public safety and the best
25 interests of the juvenile. IF THE COURT DETERMINES A CASE MANAGEMENT
26 PLAN IS UNNECESSARY, THE COURT MAY CONTINUE ANY TREATMENT OR
27 PLAN ALREADY IN PLACE FOR THE JUVENILE. If the court determines a

1 CASE management plan is necessary, the court ~~shall~~ MUST develop the
2 CASE management plan after ordering that the juvenile be placed OR
3 CONTINUE PLACEMENT in the least-restrictive environment, taking into
4 account the public safety and best interests of the juvenile. ~~If the court~~
5 ~~determines a management plan is unnecessary, the court may continue~~
6 ~~any treatment or plan already in place for the juvenile.~~ IN ORDER TO
7 DEVELOP AN APPROPRIATE CASE MANAGEMENT PLAN, THE COURT MAY
8 ORDER ANY MEMBER OF THE JUVENILE'S PROFESSIONAL TEAM TO CONSULT
9 WITH THE JUVENILE, THE JUVENILE'S PARENT OR LEGAL GUARDIAN, OR
10 OTHER INDIVIDUALS, INCLUDING THE JUVENILE'S DEFENSE ATTORNEY,
11 GUARDIAN AD LITEM, OR TREATMENT PROVIDER, TO DEVELOP A PROPOSED
12 MANAGEMENT PLAN TO PRESENT TO THE COURT FOR CONSIDERATION. THE
13 COURT SHALL NOTIFY ANY INDIVIDUAL, ORGANIZATION, OR AGENCY THAT
14 IS IDENTIFIED AS RESPONSIBLE FOR THE JUVENILE OR RESPONSIBLE FOR
15 IMPLEMENTATION OF THE MANAGEMENT PLAN. The management plan
16 must, at a minimum, address treatment for the juvenile, identify the party
17 or parties responsible for the juvenile, and specify appropriate behavior
18 management tools if ~~they~~ THE TOOLS are not otherwise part of the
19 juvenile's treatment.

20 (b) The management plan may include:

21 (I) Placement options included in article 10.5 or 65 of title 27;

22 (II) A treatment plan developed by a licensed mental health
23 professional;

24 (III) An informed supervision model, UPON THE COURT FINDING
25 ON THE RECORD SUPPORTED BY INFORMATION THAT THE UNDERLYING
26 CHARGE IS RATIONALLY RELATED TO THE NEED FOR THE USE OF AN
27 INFORMED SUPERVISION MODEL;

1 (IV) Institution of a guardianship petition; or
2 (V) Any other remedy ~~deemed appropriate by~~ the court DEEMS
3 RATIONALLY RELATED TO MITIGATING COMMUNITY SAFETY CONCERNS.

4 (b.5) NOTWITHSTANDING SUBSECTION (3)(b) OF THIS SECTION, THE
5 MANAGEMENT PLAN MUST NOT INCLUDE:

6 (I) DETENTION OF THE JUVENILE OR COMMITMENT OF THE
7 JUVENILE TO THE DIVISION OF YOUTH SERVICES, A COUNTY JAIL,
8 COMMUNITY CORRECTIONS, OR THE COLORADO MENTAL HEALTH
9 INSTITUTE AT PUEBLO; OR

10 (II) WORK RELEASE.

11 ==

12 (d) ANY ENTITY RESPONSIBLE FOR CONNECTING THE JUVENILE TO
13 SERVICES, SERVICE COORDINATION, OR CASE MANAGEMENT MAY REPORT
14 TO THE COURT ON THE JUVENILE'S OR THE JUVENILE'S PARENT'S OR LEGAL
15 GUARDIAN'S ENGAGEMENT IN THE SERVICES ORDERED IN THE
16 MANAGEMENT PLAN. IF THE JUVENILE OR THE JUVENILE'S PARENT OR
17 LEGAL GUARDIAN DOES NOT ENGAGE IN THE SERVICES ORDERED IN THE
18 MANAGEMENT PLAN, THE COURT MAY ALTER THE MANAGEMENT PLAN OR
19 TAKE OTHER ACTION AS NECESSARY AND PERMITTED BY LAW, INCLUDING,
20 BUT NOT LIMITED TO, REFERRAL TO A LOCAL COLLABORATIVE
21 MANAGEMENT PROGRAM, TO THE EXTENT THAT A LOCAL COLLABORATIVE
22 MANAGEMENT PROGRAM EXISTS AND PROVIDES CASE MANAGEMENT
23 SERVICES; ORDERING A DEPARTMENT OF HUMAN SERVICES INVESTIGATION
24 PURSUANT TO SECTION 19-3-501 (1); OR FILING A DEPENDENCY AND
25 NEGLECT PETITION PURSUANT TO SECTION 19-3-501 (2)(b) IF THERE IS
26 CURRENT INFORMATION THAT THE JUVENILE HAS SUFFERED ABUSE AS
27 DEFINED IN SECTION 19-1-103 (1) AND THE BEST INTERESTS OF THE

1 JUVENILE REQUIRE THAT THE JUVENILE IS PROTECTED FROM RISK OF
2 FURTHER ABUSE.

3 == ==

4 **SECTION 3.** In Colorado Revised Statutes, **add** part 28 to article
5 33.5 of title 24 as follows:

6 PART 28

7 DEFLECTION AND COMMUNITY INVESTMENT

8 GRANT PROGRAM

9 **24-33.5-2801. Short title.** THE SHORT TITLE OF THIS PART 28 IS
10 THE "DEFLECTION AND COMMUNITY INVESTMENT GRANT PROGRAM
11 ACT".

12 **24-33.5-2802. Definitions.** AS USED IN THIS PART 28, UNLESS THE
13 CONTEXT OTHERWISE REQUIRES:

14 (1) "AREA OF HIGH NEED" MEANS:

15 (a) A CITY OR ZIP CODE WITH RATES OF YOUTH ARREST OR
16 CITATION THAT ARE HIGHER THAN THE SURROUNDING COUNTY AVERAGE,
17 BASED ON AVAILABLE DATA; OR

18 (b) A CITY OR ZIP CODE IN A RURAL OR URBAN COMMUNITY WHERE
19 THERE IS A DISPARITY BETWEEN THE RACIAL OR ETHNIC COMPOSITION OF
20 THE ARRESTED OR CITED YOUTH POPULATION AND THE RACIAL OR ETHNIC
21 COMPOSITION OF THE SURROUNDING COUNTY POPULATION.

22 (2) "DEFLECTION" MEANS AN EXTRAJUDICIAL RESPONSE TO A
23 YOUTH'S CONDUCT THAT IS DESIGNED TO PREVENT THE YOUTH'S FORMAL
24 INVOLVEMENT OR FURTHER INVOLVEMENT IN THE JUSTICE SYSTEM.

25 (3) "DEFLECTION PROGRAM" MEANS A PROGRAM THAT PROMOTES
26 POSITIVE YOUTH DEVELOPMENT BY RELYING ON DEFLECTION AND AIMS TO
27 DIVERT YOUTH FROM JUSTICE SYSTEM INVOLVEMENT AT THE EARLIEST

1 POSSIBLE POINT.

2 (4) "ELIGIBLE APPLICANT" MEANS AN ELIGIBLE TRIBAL
3 GOVERNMENT, TRIBAL ORGANIZATION, OR NONPROFIT COMMUNITY-BASED
4 ORGANIZATION THAT MEETS THE REQUIREMENTS OF SECTION
5 24-33.5-2805.

6 (5) "GRANT PROGRAM" MEANS THE DEFLECTION AND COMMUNITY
7 INVESTMENT GRANT PROGRAM CREATED IN SECTION 24-33.5-2803.

8 (6) "GRANT RECIPIENT" MEANS AN ELIGIBLE APPLICANT THAT THE
9 OFFICE SELECTS TO RECEIVE MONEY THROUGH THE GRANT PROGRAM.

10 (7) "MIXED-DELIVERY SYSTEM" MEANS A SYSTEM OF ADOLESCENT
11 DEVELOPMENT AND EDUCATION SUPPORT SERVICES DELIVERED THROUGH
12 A COMBINATION OF PROGRAMS, PROVIDERS, AND SETTINGS THAT INCLUDE
13 PARTNERSHIPS BETWEEN COMMUNITY-BASED NONPROFIT ORGANIZATIONS
14 AND PUBLIC AGENCIES AND THAT IS SUPPORTED WITH A COMBINATION OF
15 PUBLIC AND PRIVATE FUNDS.

16 (8) "NONPROFIT ORGANIZATION" MEANS A TAX-EXEMPT
17 CHARITABLE OR SOCIAL WELFARE ORGANIZATION OPERATING PURSUANT
18 TO 26 U.S.C. SEC. 501(c)(3) OR 501(c)(4) OF THE FEDERAL "INTERNAL
19 REVENUE CODE OF 1986", AS AMENDED.

20 (9) "OFFICE" MEANS THE OFFICE WITHIN THE DIVISION OF CRIMINAL
21 JUSTICE THAT FOCUSES ON ADULT AND JUVENILE JUSTICE ASSISTANCE.

22 (10) "REFERRING AGENCY" MEANS AN ORGANIZATION, AGENCY,
23 OR DEPARTMENT THAT REFERS YOUTH TO DEFLECTION PROGRAMS,
24 INCLUDING, BUT NOT LIMITED TO, AN EDUCATION, LAW ENFORCEMENT,
25 BEHAVIORAL HEALTH, OR PUBLIC HEALTH ENTITY.

26 (11) "TRAUMA-INFORMED" MEANS AN APPROACH THAT INVOLVES
27 AN UNDERSTANDING OF ADVERSE CHILDHOOD EXPERIENCES AND THAT

1 RESPONDS TO SYMPTOMS OF CHRONIC INTERPERSONAL TRAUMA AND
2 TRAUMATIC STRESS ACROSS THE LIFESPAN OF AN INDIVIDUAL.

3 (12) "YOUTH" MEANS A CHILD, AS DEFINED IN SECTION 19-2.5-102,
4 WHO IS SUBJECT TO:

5 (a) A JUVENILE COURT'S JURISDICTION PURSUANT TO SECTION
6 19-2.5-103;

7 (b) A COUNTY COURT'S CONCURRENT JURISDICTION PURSUANT TO
8 SECTION 19-2.5-103;

9 (c) A COUNTY COURT'S JURISDICTION FOR A TRAFFIC OFFENSE; OR

10 (d) A MUNICIPAL COURT'S JURISDICTION.

11 **24-33.5-2803. Deflection and community investment grant**
12 **program - created - policies.** (1) THE DEFLECTION AND COMMUNITY
13 INVESTMENT GRANT PROGRAM IS CREATED IN THE OFFICE WITHIN THE
14 DIVISION OF CRIMINAL JUSTICE. THE PURPOSE OF THE THREE-YEAR,
15 COMPETITIVE GRANT PROGRAM IS TO PROVIDE GRANTS TO ELIGIBLE
16 APPLICANTS TO IMPLEMENT A MIXED-DELIVERY SYSTEM OF
17 TRAUMA-INFORMED HEALTH AND DEVELOPMENT DEFLECTION PROGRAMS
18 FOR YOUTH, INCLUDING NATIVE AMERICAN YOUTH.

19 (2) THE OFFICE SHALL ADMINISTER THE GRANT PROGRAM AND,
20 SUBJECT TO AVAILABLE APPROPRIATIONS, SHALL AWARD GRANTS AS
21 PROVIDED IN THIS PART 28.

22 (3) SUBJECT TO PUBLIC COMMENT FROM DIRECTLY IMPACTED
23 STAKEHOLDERS, THE DEPARTMENT MAY ADOPT POLICIES FOR THE
24 ADMINISTRATION OF THE GRANT PROGRAM.

25 **24-33.5-2804. Office duties.** (1) THE OFFICE HAS THE FOLLOWING
26 DUTIES:

27 (a) DEVELOP A COMPETITIVE APPLICATION PROCESS, INCLUDING

1 DEADLINES, FOR AN ELIGIBLE APPLICANT TO APPLY FOR A GRANT
2 CONSISTENT WITH THE REQUIREMENTS OF SECTION 24-33.5-2805. INITIAL
3 GRANT AWARDS MUST BE DISTRIBUTED NO LATER THAN JUNE 30, 2026.

4 (b) CONTRACT WITH A TECHNICAL ASSISTANCE PROVIDER
5 PURSUANT TO SECTION 24-33.5-2806 AND A RESEARCH AND EVALUATION
6 PARTNER PURSUANT TO SECTION 24-33.5-2807; AND

7 (c) SUPPORT GRANTEE DATA COLLECTION AND ANALYSIS AND
8 REQUIRE GRANTEES TO DEMONSTRATE OUTCOMES OF THE DEFLECTION
9 PROGRAMS THAT RECEIVED A GRANT AWARD.

10 **24-33.5-2805. Application - eligibility - awards.** (1) TO RECEIVE
11 A GRANT, AN APPLICANT MUST SUBMIT AN APPLICATION TO THE OFFICE IN
12 ACCORDANCE WITH ANY POLICIES ADOPTED BY THE EXECUTIVE DIRECTOR
13 OF THE DEPARTMENT. AT A MINIMUM, THE APPLICATION MUST INCLUDE
14 THE FOLLOWING INFORMATION:

15 (a) THE TYPES OF DEFLECTION SERVICES THAT WILL BE PROVIDED;

16 (b) VERIFICATION THAT THE APPLICANT IS SERVING AN AREA OF
17 HIGH NEED; AND

18 (c) AN OFFICIAL LETTER FROM AT LEAST ONE REFERRING AGENCY
19 DEMONSTRATING THE AGENCY'S INTENT TO REFER YOUTH TO THE
20 DEFLECTION PROGRAM TO PROVIDE THE YOUTH WITH TRAUMA-INFORMED
21 HEALTH AND DEVELOPMENT SERVICES IN LIEU OF WARNING, CITATION, OR
22 ARREST. FOR REGIONAL APPLICATIONS DESCRIBED IN SUBSECTION (2)(c)
23 OF THIS SECTION, LETTERS OF INTENT ARE REQUIRED FOR EACH
24 JURISDICTION PROPOSED IN THE APPLICATION.

25 (2) (a) TO BE ELIGIBLE TO RECEIVE A GRANT, AN APPLICANT MUST
26 BE:

27 (I) A NONPROFIT ORGANIZATION;

1 (II) A FEDERALLY RECOGNIZED INDIAN TRIBE, AS DEFINED IN 25
2 U.S.C. SEC. 1603 (14);

3 (III) A TRIBAL ORGANIZATION, AS DEFINED IN 25 U.S.C. SEC. 1603
4 (26);

5 (IV) AN URBAN INDIAN ORGANIZATION, AS DEFINED IN 25 U.S.C.
6 SEC. 1603 (29); OR

7 (V) A PRIVATE ENTITY, WHOSE BOARD OF DIRECTORS IS MAJORITY
8 CONTROLLED BY NATIVE AMERICANS, AND WHICH IS FISCALLY SPONSORED
9 BY A NONPROFIT ORGANIZATION.

10 (b) TO BE ELIGIBLE TO RECEIVE A GRANT, AN APPLICANT MUST BE
11 A NONGOVERNMENTAL ENTITY, WITH THE EXCEPTION OF A TRIBAL
12 GOVERNMENT APPLICANT, AND MUST NOT BE A LAW ENFORCEMENT OR
13 PROBATION ENTITY.

14 (c) APPLICANTS FROM TWO OR MORE LOCAL JURISDICTIONS MAY
15 JOINTLY APPLY FOR A GRANT AWARD TO DELIVER DEFLECTION PROGRAM
16 SERVICES ON A REGIONAL BASIS AND MAY RECEIVE A JOINT GRANT AWARD
17 THAT IS THE AGGREGATE OF THE AMOUNT EACH INDIVIDUAL ELIGIBLE
18 APPLICANT WOULD HAVE RECEIVED HAD EACH INDIVIDUAL ELIGIBLE
19 APPLICANT APPLIED INDEPENDENTLY.

20 (3) THE OFFICE SHALL REVIEW THE APPLICATIONS RECEIVED
21 PURSUANT TO THIS SECTION. IN AWARDING GRANTS, THE OFFICE SHALL
22 GIVE PRIORITY TO ELIGIBLE APPLICANTS IN COMMUNITIES, INCLUDING
23 RURAL COMMUNITIES, THAT:

24 (a) DEFLECT YOUTH AT THE EARLIEST POSSIBLE POINT OF JUSTICE
25 SYSTEM INVOLVEMENT;

26 (b) SERVE OTHERWISE UNDER-RESOURCED COMMUNITIES;

27 (c) EMPLOY INDIVIDUALS WHO HAVE LIVED EXPERIENCE AS A

1 YOUTH IN THE JUSTICE SYSTEM; OR

2 (d) DEMONSTRATE EXPERIENCE EFFECTIVELY SERVING YOUTH
3 POPULATIONS WHO ARE JUSTICE SYSTEM-INVOLVED OR AT RISK OF SYSTEM
4 INVOLVEMENT.

5 (4) (a) SUBJECT TO AVAILABLE APPROPRIATIONS, ON OR BEFORE
6 JUNE 30 EACH YEAR OF THE GRANT PROGRAM, THE OFFICE SHALL
7 DISTRIBUTE GRANTS AS PROVIDED IN THIS SECTION. THE OFFICE SHALL
8 AWARD AT LEAST TWO HUNDRED THOUSAND DOLLARS BUT NOT MORE
9 THAN ONE MILLION DOLLARS TO AN INDIVIDUAL GRANTEE OVER THE
10 COURSE OF THE THREE-YEAR GRANT PROGRAM.

11 (b) (I) SUBJECT TO AVAILABLE APPROPRIATIONS, THE OFFICE
12 SHALL DISTRIBUTE GRANT AWARDS IN THREE EQUAL ANNUAL
13 INSTALLMENTS, AS FOLLOWS:

14 (A) THE FIRST INSTALLMENT MUST BE DISTRIBUTED ON THE FIRST
15 DAY OF THE GRANT CONTRACT;

16 (B) THE SECOND INSTALLMENT MUST BE DISTRIBUTED NO LATER
17 THAN THE FIRST DAY OF THE SECOND YEAR OF THE GRANT CONTRACT; AND

18 (C) THE THIRD INSTALLMENT MUST BE DISTRIBUTED NO LATER
19 THAN THE FIRST DAY OF THE THIRD YEAR OF THE GRANT CONTRACT.

20 (II) DISTRIBUTION OF THE SECOND AND THIRD INSTALLMENTS IS
21 CONTINGENT ON THE GRANTEE FULFILLING THE GRANT OBLIGATIONS AND
22 REPORTING REQUIREMENTS PURSUANT TO SECTION 24-33.5-2807.

23 (5) (a) A GRANTEE SHALL USE A GRANT AWARD TO DELIVER
24 DEFLECTION PROGRAM SERVICES IN AREAS OF HIGH NEED. A GRANTEE
25 SHALL PROVIDE DEFLECTION SERVICES THAT ARE EVIDENCE-BASED,
26 RESEARCH-SUPPORTED, OR GROUNDED IN PRACTICE-BASED EVIDENCE;
27 TRAUMA-INFORMED; CULTURALLY RELEVANT; GENDER-RESPONSIVE; AND

1 DEVELOPMENTALLY APPROPRIATE.

2 (b) A GRANTEE SHALL DELIVER ONE OR MORE OF THE FOLLOWING
3 DEFLECTION PROGRAM SERVICES:

4 (I) EDUCATIONAL SERVICES, INCLUDING REMEDIAL AND COLLEGE
5 PREPARATORY ACADEMIC SERVICES;

6 (II) CAREER DEVELOPMENT SERVICES, INCLUDING EMPLOYMENT
7 PREPARATION, VOCATIONAL TRAINING, INTERNSHIPS, AND
8 APPRENTICESHIPS;

9 (III) RESTORATIVE JUSTICE SERVICES, INCLUDING CULTURALLY
10 ROOTED PROGRAMMING;

11 (IV) MENTORING SERVICES, INCLUDING SERVICES THAT RELY ON
12 CREDIBLE MESSENGERS WHOSE LIVED EXPERIENCE IS SIMILAR TO THE
13 EXPERIENCE OF THE YOUTH BEING SERVED;

14 (V) MENTAL HEALTH SERVICES, INCLUDING CULTURALLY ROOTED
15 HEALING PRACTICES;

16 (VI) BEHAVIORAL HEALTH SERVICES, INCLUDING SUBSTANCE USE
17 EDUCATION AND TREATMENT;

18 (VII) HOUSING SERVICES, INCLUDING PERMANENT, SHORT-TERM,
19 AND EMERGENCY HOUSING SERVICES;

20 (VIII) PERSONAL DEVELOPMENT AND LEADERSHIP TRAINING
21 SERVICES; OR

22 (IX) PROSOCIAL ACTIVITIES, INCLUDING CULTURAL ENRICHMENT
23 PROGRAMS AND SERVICES.

24 **24-33.5-2806. Technical assistance provider.** (1) THE OFFICE
25 SHALL CONTRACT WITH A TECHNICAL ASSISTANCE PROVIDER TO SUPPORT
26 IMPLEMENTATION OF THE GRANT PROGRAM AND TO BUILD GRANTEE
27 CAPACITY TO DELIVER DEFLECTION PROGRAM SERVICES. PRIOR TO

1 DEVELOPING AND DISSEMINATING GRANT PROGRAM APPLICATION
2 MATERIALS, THE OFFICE SHALL SOLICIT AND RECEIVE INPUT FROM THE
3 CONTRACTED TECHNICAL ASSISTANCE PROVIDER IN DEVELOPING THE
4 GRANT PROGRAM APPLICATION MATERIALS. IN SELECTING A TECHNICAL
5 ASSISTANCE PROVIDER, THE OFFICE SHALL PRIORITIZE ORGANIZATIONS
6 THAT EMPLOY PEOPLE WHO HAVE LIVED EXPERIENCE AS A YOUTH IN THE
7 JUSTICE SYSTEM.

8 (2) THE TECHNICAL ASSISTANCE PROVIDER SHALL DEMONSTRATE
9 EXPERIENCE IN ALL THE FOLLOWING AREAS:

10 (a) DEVELOPMENTAL RESEARCH AND IDENTIFYING BEST PRACTICES
11 FOR SERVING YOUTH INVOLVED IN, AND YOUTH AT RISK OF INVOLVEMENT
12 IN, THE JUSTICE SYSTEM, INCLUDING CHILDREN WHO HAVE EXPERIENCED
13 COMMERCIAL SEXUAL EXPLOITATION AND YOUTH IN THE DEPENDENCY
14 SYSTEM;

15 (b) RESEARCH ON SYSTEMS THAT REFER YOUTH TO THE JUSTICE
16 SYSTEM, INCLUDING THE EDUCATION, IMMIGRATION, AND CHILD WELFARE
17 SYSTEMS AND RESEARCH ON BEST PRACTICES FOR REFERRALS;

18 (c) PRESENTING AND DISSEMINATING BEST PRACTICES ON
19 ALTERNATIVES TO INCARCERATION AND JUSTICE SYSTEM INVOLVEMENT;

20 (d) WORKING WITH AND SUPPORTING COMMUNITY-BASED
21 ORGANIZATIONS SERVING YOUTH INVOLVED IN, AND YOUTH AT RISK OF
22 INVOLVEMENT IN, THE JUSTICE SYSTEM IN COLORADO;

23 (e) COLLABORATING WITH JUSTICE SYSTEM STAKEHOLDERS;

24 (f) WORKING WITH AND SUPPORTING NATIVE AMERICAN
25 ORGANIZATIONS AND COMMUNITIES; AND

26 (g) WORKING WITH JUSTICE SYSTEM-INVOLVED YOUTH AND
27 COMMUNITIES AND ELEVATING YOUTH LEADERSHIP.

1 (3) THE TECHNICAL ASSISTANCE PROVIDER SHALL:

2 (a) PROVIDE INPUT TO THE OFFICE REGARDING THE DEVELOPMENT

3 OF THE GRANT PROGRAM'S GRANT APPLICATION MATERIALS;

4 (b) SUPPORT GRANTEEES IN ESTABLISHING AND MAINTAINING

5 RELATIONSHIPS WITH JUSTICE SYSTEM AND COMMUNITY STAKEHOLDERS,

6 INCLUDING PUBLIC AGENCIES, TRIBAL GOVERNMENTS AND COMMUNITIES,

7 NONPROFIT ORGANIZATIONS, AND YOUTH AND FAMILIES MOST IMPACTED

8 BY THE JUSTICE SYSTEM;

9 (c) PROVIDE GRANTEEES WITH TRAINING AND SUPPORT IN

10 IMPLEMENTING BEST PRACTICES AND TRAUMA-INFORMED, CULTURALLY

11 RELEVANT, GENDER-RESPONSIVE, AND DEVELOPMENTALLY APPROPRIATE

12 APPROACHES TO SERVING YOUTH;

13 (d) CREATE PEER LEARNING OPPORTUNITIES FOR GRANTEEES TO

14 LEARN FROM AND ALONGSIDE ONE ANOTHER;

15 (e) IN COLLABORATION WITH THE RESEARCH AND EVALUATION

16 PARTNER SELECTED PURSUANT TO SECTION 24-33.5-2807, PROVIDE

17 GRANTEEES WITH ADMINISTRATIVE AND TECHNICAL SUPPORT TO SUPPORT

18 COMPLIANCE WITH APPLICABLE DATA REPORTING AND PROGRAM

19 EVALUATION REQUIREMENTS, AND WITH APPLICABLE LAWS, INCLUDING

20 LAWS AROUND CONFIDENTIALITY AND DEFLECTION ELIGIBILITY; AND

21 (f) PROVIDE THE RESEARCH AND EVALUATION PARTNER SELECTED

22 PURSUANT TO SECTION 24-33.5-2807 WITH INPUT REGARDING THE

23 DEVELOPMENT OF DEFLECTION PROGRAM EVALUATION PROCESSES AND

24 METRICS.

25 **24-33.5-2807. Evaluation - reporting requirements.** (1) THE

26 OFFICE SHALL CONTRACT WITH A RESEARCH AND EVALUATION PARTNER

27 TO CONDUCT A STATEWIDE EVALUATION OF THE GRANT PROGRAM AND

1 ASSOCIATED YOUTH OUTCOMES OVER THE THREE-YEAR GRANT PERIOD.
2 THE OFFICE SHALL SOLICIT AND RECEIVE INPUT FROM THE CONTRACTED
3 RESEARCH AND EVALUATION PARTNER IN DEVELOPING THE GRANT
4 PROGRAM APPLICATION MATERIALS. THE RESEARCH AND EVALUATION
5 PARTNER MUST HAVE A DEMONSTRATED COMMITMENT TO WORKING WITH
6 COMMUNITIES IMPACTED BY THE JUSTICE SYSTEM.

7 (2) THE RESEARCH AND EVALUATION PARTNER SHALL:

8 (a) DEVELOP A COMMON ASSESSMENT INSTRUMENT FOR USE BY
9 GRANTEES TO ASSESS THE OUTCOMES AND IMPACT OF SERVICES PROVIDED
10 TO YOUTH.

11 (b) DESIGN A CENTRAL DATA REPOSITORY TO STANDARDIZE
12 GRANTEE DATA COLLECTION AND REPORTING; AND

13 (c) SUPPORT GRANTEES WITH USING THE COMMON ASSESSMENT
14 INSTRUMENT AND THE CENTRAL DATA REPOSITORY.

15 (3) THE OFFICE SHALL PROVIDE THE RESEARCH AND EVALUATION
16 PARTNER WITH RELEVANT, EXISTING DATA FOR THE PURPOSES OF
17 MEASURING OUTCOMES. MEASURED OUTCOMES MAY INCLUDE, BUT ARE
18 NOT LIMITED TO:

19 (a) REDUCTIONS IN LAW ENFORCEMENT RESPONSES TO YOUTH
20 CONDUCT INVOLVING LOW-LEVEL OFFENSES, COURT CASELOADS AND
21 PROCESSING COSTS, DAYS YOUTH SPENT IN DETENTION, PLACEMENT OF
22 YOUTH IN CONGREGATE CARE, AND SCHOOL AND PLACEMENT
23 DISRUPTIONS;

24 (b) REDUCTIONS IN THE NUMBER OF SCHOOL SUSPENSIONS AND
25 EXPULSIONS;

26 (c) IMPROVEMENTS IN YOUTH HEALTH AND WELL-BEING, HOUSING
27 AND COMMUNITY STABILITY, EDUCATIONAL ATTAINMENT, PROSOCIAL

1 ACTIVITY, AND CONNECTIONS TO EMPLOYMENT OPPORTUNITIES AND
2 MENTORSHIP; AND

3 (d) PROJECTED STATE AND LOCAL COST SAVINGS AS A RESULT OF
4 THE DEFLECTION PROGRAMMING.

5 (4) THE OFFICE SHALL MAKE AVAILABLE ON ITS WEBSITE A REPORT
6 OF GRANTEEES, PROJECTS, AND OUTCOMES AT THE STATE AND LOCAL
7 LEVELS WITHIN ONE HUNDRED EIGHTY DAYS OF COMPLETION OF THE
8 GRANT PROGRAM.

9 (5) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), ON OR
10 BEFORE DECEMBER 31, 2026, AND EACH DECEMBER 31 THEREAFTER FOR
11 THE DURATION OF THE GRANT PROGRAM, THE OFFICE SHALL SUBMIT A
12 REPORT TO THE HOUSE OF REPRESENTATIVES JUDICIARY COMMITTEE AND
13 THE SENATE JUDICIARY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES,
14 ABOUT THE GRANT PROGRAM. AT A MINIMUM, THE REPORT MUST INCLUDE
15 THE NUMBER AND AMOUNT OF GRANTS AWARDED SINCE THE LAST REPORT
16 AND A SUMMARY OF INFORMATION CONCERNING THE IMPACT OF THE
17 MIXED DELIVERY SYSTEM OF DEFLECTION PROGRAMS FOR YOUTH,
18 INCLUDING NATIVE AMERICAN YOUTH.

19 **24-33.5-2808. No disclosure of participant records.** RECORDS
20 RELATED TO THE PARTICIPATION OF A YOUTH OR A YOUTH'S FAMILY IN THE
21 DEFLECTION PROGRAM PURSUANT TO THIS PART 28 ARE NOT SUBJECT TO
22 DISCLOSURE TO A PROSECUTING ATTORNEY.

23 **24-33.5-2809. Funding for grant program. (1) THE GENERAL**
24 **ASSEMBLY SHALL ANNUALLY APPROPRIATE THE NECESSARY FUNDS TO THE**
25 **DEPARTMENT FOR USE BY THE OFFICE FOR THE PURPOSES OF THIS PART 28.**

26 (2) THE OFFICE MAY USE UP TO TWENTY-THREE AND ONE-HALF
27 PERCENT OF THE MONEY ANNUALLY APPROPRIATED, AS FOLLOWS:

1 (a) UP TO THREE PERCENT OF THE MONEY ANNUALLY
2 APPROPRIATED PURSUANT TO SUBSECTION (1) OF THIS SECTION TO PAY
3 FOR THE DIRECT AND INDIRECT COSTS THAT THE OFFICE INCURS TO
4 ADMINISTER THE GRANT PROGRAM;

5 (b) UP TO THREE PERCENT OF THE MONEY ANNUALLY
6 APPROPRIATED PURSUANT TO SUBSECTION (1) OF THIS SECTION TO
7 CONTRACT WITH A RESEARCH AND EVALUATION PARTNER AND THE
8 OFFICE'S OWN GRANT PROGRAM EVALUATION-RELATED COSTS;

9 (c) UP TO SEVEN AND ONE-HALF PERCENT OF THE MONEY
10 ANNUALLY APPROPRIATED PURSUANT TO SUBSECTION (1) OF THIS SECTION
11 TO CONTRACT WITH A TECHNICAL ASSISTANCE PROVIDER AND THE
12 OFFICE'S OWN TECHNICAL ASSISTANCE-RELATED COSTS IN CONNECTION
13 WITH THE GRANT PROGRAM; AND

14 (d) UP TO TEN PERCENT OF THE MONEY ANNUALLY APPROPRIATED
15 PURSUANT TO SUBSECTION (1) OF THIS SECTION FOR GRANT AWARDS TO
16 DEFLECTION PROGRAMS TARGETING NATIVE AMERICAN YOUTH.

17 (3) THE OFFICE MAY USE THE REMAINING MONEY ANNUALLY
18 APPROPRIATED FOR THE GRANT PROGRAM FOR GRANT AWARDS TO YOUTH
19 DEFLECTION PROGRAMS.

20 (4) THE OFFICE MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS,
21 OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF
22 THIS PART 28.

23 **24-33.5-2810. Repeal of part.** THIS PART 28 IS REPEALED,
24 EFFECTIVE JANUARY 1, 2031.

25 **SECTION 4. Act subject to petition - effective date.** This act
26 takes effect at 12:01 a.m. on the day following the expiration of the
27 ninety-day period after final adjournment of the general assembly; except

1 that, if a referendum petition is filed pursuant to section 1 (3) of article V
2 of the state constitution against this act or an item, section, or part of this
3 act within such period, then the act, item, section, or part will not take
4 effect unless approved by the people at the general election to be held in
5 November 2026 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.