



MEMORANDUM

To: Local Juvenile Justice Partners

From: Anders Jacobson, Director
 Division of Youth Services

Date: April 17, 2020

Subject: Governor's Executive Order D 2020 034

I want to thank you for your thoughtful responses and criteria that you sent forward for our review. I understand that any change in detention criteria can be extremely difficult and place stress on the overall system. I want to assure you that we take this issue seriously. It is imperative that we balance public safety with our responsibility to take appropriate action to prevent outbreaks of COVID-19 within our state-operated secure youth centers. This is no easy task. We are in unprecedented times and are called to take unprecedented action. My goal is to ensure the Division of Youth Services (Division) takes the best approach possible, with considerable input from our stakeholder continuum, to ensure we are making the best decisions for public safety while balancing the safety of the youth and the front-line staff who watch over them each day.

It is clear that changing eligibility criteria will not address the intended outcome of creating physical distancing within our secure youth centers and will also not address our collective concern for public safety. In addition, there is not a clear, consistent set of eligibility criteria that I believe will work for every judicial district and subsequently, this could create unintended consequences. I also do not want the Division to infringe upon judicial discretion as we understand the difficulty associated with making blanket eligibility criteria that do not allow for taking individual cases and circumstances into account.

As I have watched our detention census decrease from 240 youth to 179 youth statewide, I want to acknowledge the tremendous work that is already being done across this state to lower the detention census. Because of this work, we do not anticipate a need to create additional eligibility criteria that could limit any individual from entering secure detention.

Instead, the Division has established criteria, per the Executive order, which sets the detention bed availability by youth center. This criterion will facilitate appropriate levels of physical distancing within youth centers utilizing CDC guidelines, while also taking into account the concerns voiced around changing eligibility criteria.

Detention Bed Availability by Youth Center

Youth Center Name	Total
Adams Youth Services Center	17



Platte Valley Youth Services Center	23
Gilliam Youth Services Center	36
Grand Mesa Youth Services Center	14
Marvin Foote Youth Services Center	40
Mount View Youth Services Center	18
Pueblo Youth Services Center	12
Spring Creek Youth Services Center	40
Total	200

In addition, the Division will be discontinuing all virtual bed borrowing as the intent is to keep pod sizes at an appropriate level to achieve physical distancing. Lastly, we will allow for out of catchment bed borrowing.

The plan is to return to the current allocations and bed borrowing practices upon the expiration of the Executive Order.

I want to emphasize that this decision was not easy. There is no way to ensure all stakeholders in the process will not experience some impact. However, the goal is to reduce that impact as much as possible system-wide. What becomes most important when coming to this decision is the ability of everyone involved in the detention continuum to continue operating under our current practice. The detention bed availability will be reduced, but the control of how those beds are utilized still resides within each judicial district and catchment area. There are no additional criteria that will be added to take away that oversight and control.

I want to thank you for your collective support during this difficult and unprecedented time. As I have stated, this is not an easy decision, but a decision must be made quickly. The emphasis on youth, staff, stakeholders, and the public, is accomplished to the degree possible with the detention bed availability criteria.

Take care

