

District Court, Weld County, State of Colorado Court Address: 901 9 th Avenue, Greeley, CO 80631 Mailing Address: P.O. Box 2038, Greeley, CO 80632-2038	<p style="text-align: center;">▲ COURT USE ONLY ▲</p> Case Number: 2023 CV 01 Division 1
ADMINISTRATIVE ORDER NO. 2023-09 AS UPDATED 06/02/2025	
ORDER REGARDING THE COLORADO YOUTH DETENTION CONTINUUM (CYDC) OPERATION IN THE 19TH JUDICIAL DISTRICT	

**Juvenile Screening and Detention Guidelines &
 Juvenile Pre-Trial Services
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The following authorizes the Colorado Youth Detention Continuum (CYDC) to operate in the 19th Judicial District. This order covers screening, pre-trial services case management, the legal employer and governance for CYDC.

Rule 3.7 of the Colorado Rules of Juvenile Procedure (CRJP) requires the Chief Judge of each Judicial District to designate a person or persons as Officer(s) of the Court with authority to determine whether a juvenile taken into temporary custody should be released to a parent, guardian, or a responsible adult approved by the parent/guardian, or admitted to a detention or shelter facility pending notification to the Court and a detention hearing.

Each decision will hold paramount public safety and consider the best interests of the juvenile, the victim, and the community pursuant to C.R.S. §19-2.5-101, as well as the general assembly’s intent to “limit the use of detention to only those children who pose a substantial risk of serious harm to others or that are a flight risk from prosecution” by passing the Juvenile Justice Reform Act, in which it adopted section §19-2.5-304 and amended sections §19-2.5-303, §19-2.5-305, and §19-2.5- 1404.

Colorado Revised Statute §19-2.5-305(7) states “Any law enforcement officer, employee of the division of youth services, or another person acting under the direction of the court who in good faith transports any juvenile, releases any juvenile from custody pursuant to a written policy of a court, releases any juvenile pursuant to any written criteria established pursuant to this title 19, or detains any juvenile pursuant to court order or written policy or criteria established pursuant to this title 19 is immune from civil or criminal liability

that might otherwise result by reason of such act. For purposes of any proceedings, civil or criminal, the good faith of any such person shall be presumed.”

This Order is to be read together with all identified appendices. NOW THEREFORE IT IS ORDERED:

AUTHORIZATION FOR 19th JUDICIAL DISTRICT JUVENILE SERVICES PLANNING COMMITTEE (JSPC)

Members shall be appointed by the Chief Judge of the 19th Judicial District at their discretion after consultation with the Board of County Commissioners. Pursuant to C.R.S. § 19-2.5-302, the Committee shall meet as necessary to develop a plan for the allocation of resources for local juvenile services within the judicial district for the fiscal year, and the Committee is strongly encouraged to consider programs with restorative justice components when developing the plan. For mandatory members who represent a specific agency or office identified in C.R.S. §19-2.5-302, individuals shall be nominated by their respective agencies.

AUTHORIZATION FOR ADMINISTRATIVE OFFICE (F/K/A FISCAL AGENT)

The Nineteenth Judicial District approves the following activities by the legal entity in conjunction with their duties as the Administrative Office for the Colorado Youth Detention Continuum (CYDC) for the Nineteenth Judicial District (19JD CYDC):

1. Employment and human resource functions for; contracting for and by; budgeting, accounting, and financial management for; and other administrative, employment and management functions as the Administrative Office for the 19JD CYDC.
2. Administration of any screening tests or interviews, including but not limited to the “Colorado Youth Detention Screening Instrument” (CYDSI) and/or the determined instrument for screening and assessing juveniles for detention.
3. Application of the detention screening criteria adopted by the Nineteenth Judicial District in formulating a detain-or-release option.
4. Communication of the screening results and detain-or-release options to stakeholders of the detention process including the Juvenile Court of the Nineteenth Judicial District.
5. Preparation and execution of the necessary documents to effect the detention of a juvenile (including detention on electronic home monitor); the release of a juvenile to placement; and/or any other release of a juvenile to home or otherwise with or without supervision or conditions.

The above acts shall be taken only in compliance with Colorado Revised Statutes Sections: §19-1-103(94.5), §19-2.5-301, §19-2.5-302, §19-2.5-303, §19-2.5-304, §19-2.5-1404, and Rule 3.7 of the Colorado Rules of Juvenile Procedure, or pursuant to court order.

IT IS THEREFORE ORDERED,

AUTHORIZATION FOR SCREENING TEAM

The Colorado Youth Detention Continuum for the Nineteenth Judicial District, (19JD CYDC) legal entity (Administrative Office), or its designee, is hereby designated as the screening team for the 19th Judicial District. In delegating the temporary custody screening authority to the Administrative Office, or its designee, it is further directed that all screeners employed by the Administrative Office, or its designee, shall comply with the screening criteria approved by the Court.

All screeners shall electronically notify the assigned judge or magistrate of the disposition of every juvenile who is screened prior to the detention hearing, which shall be within forty-eight (48) hours, excluding weekends and holidays. The court in accordance with C.R.S. §19-2.5-305 and Rule of Juvenile Procedure 3.7(b) shall maintain control over the admission, length of stay and release of all juveniles placed in shelter or detention, except the initial admission into detention as set forth in this Administrative Order.

If the juvenile being screened by the screening team requires medical or psychological clearance prior to being transported to a detention or shelter facility, law enforcement is directed to provide this transportation to and from the medical facility providing the clearance.

SCREENING & DETENTION POLICY

Definitions:

Screening Team. “Screening team” means the person(s) designated to make recommendations to the juvenile court concerning whether a juvenile taken into temporary custody should be released or admitted to a detention or shelter facility pursuant to §19-2.5-305, C.R.S. The screening team shall be responsible for detention screening and placement and shall have the specific responsibilities contained herein. In making detention, placement or release decisions, the Screening Team shall be guided by the Children’s Code C.R.S. §19-2.5-303 and criteria development pursuant to C.R.S. §19- 2.5-1404. See Appendix A and E.

Detention. “Detention” means the temporary care of a child who requires secure custody in physically restricting facilities pending court disposition or an execution of a court order for placement or commitment. C.R.S. §19-1-303(55).

SCREENING LEVELS:

Level 1 Secure Detention

Limitations on Level 1 Secure Detention

- Level 1 Detention **IS NOT PERMITTED** for the following:
 - Juveniles who have not committed, or have not been accused of committing, a delinquent act unless otherwise found in contempt of court;
 - Delinquent and nondelinquent juveniles who have been placed in the legal custody of a county department of human or social services pursuant to a petition in dependent or neglect and are solely awaiting out of home placement;
 - Juveniles who at admission require medical care, are intoxicated, or are under the influence of drugs, to an extent that custody of the juvenile is beyond the scope of the detention facility's medical service capacity;
 - Juveniles who are solely assessed as suicidal or exhibit behavior placing them at imminent risk of suicide; and
 - Juveniles who have not committed a delinquent act but present an imminent danger to self or others or appear to be gravely disabled as a result of a mental health condition or an intellectual and developmental disability.
 - Juveniles who have been taken into custody for an alleged violation of a fish and game ordinance or a title 42 violation (unless the title 42 violation is a felony).
 - Juveniles who have been taken into custody for new alleged violation of municipal or county ordinance.

- A Juvenile **SHALL NOT** be placed in Level 1 Detention

A juvenile may not be held solely for the reasons listed in C.R.S. §19-2.5-304(3):

- Due to a lack of supervision alternatives, service options, or more appropriate facilities.
- Due to the community's inability to provide treatment or services.
- Due to a lack of supervision in the home or community.
- In order to allow a parent, guardian, or legal custodian to avoid his or her legal responsibility.
- Due to a risk of the juvenile's self-harm.
- In order to attempt to punish, treat, or rehabilitate the juvenile.
- In order to facilitate further interrogation or investigation; or
- As a response to technical violations of probation unless the results of a detention screening instrument indicates that the juvenile poses a substantial risk of serious harm to others or if the applicable graduated responses system adopted pursuant to §19-2.5-1108 allows for such a placement.

(Mandatory) Level 1 Secure Detention and not released prior to a detention hearing. Juveniles in the following circumstances shall be held in Level 1 secure detention and not released prior to a detention hearing:

- **Warrants.**
 - Juveniles who are arrested pursuant to a warrant authorized by a Judicial Officer where there is a no bond hold. Or if one of the following findings has been made, a juvenile shall be held in detention pending a detention hearing regardless of the outcome of the screen. A juvenile shall remain in detention if a judicial officer finds:
 - The juvenile presents a substantial risk of serious harm to others and community-based alternatives are insufficient to mitigate that risk, OR
 - The juvenile presents a risk of flight from prosecution and community-based alternatives are insufficient to mitigate that risk. (Flight from prosecution is distinguished from simple failure to appear and must generally be evidenced by a demonstrated record of repeat, recent, willful failures to appear at a scheduled court appearance, or requiring extradition from another state), OR
 - An arrest warrant request from the Probation Department, probation has reason to believe the juvenile would not appear, would interfere with the juvenile justice process, or poses substantial risk of serious harm to others.
 - Outstanding bench warrant or court order from a County Court where the County Court judge is clear on the arrest warrant that the juvenile is to be held in detention pending their next appearance in County Court.
 - In accordance with the Interstate Commission for Juveniles, juveniles on out-of-state warrants, including runaways, shall be held pending a detention hearing.
 - All other warrants will be screened per the state detention screening tool pending a detention hearing.

Law Enforcement Arrest of Juvenile Pursuant to Probable Cause.

- (See Appendix B for charges meeting the presumptive standard of substantial risk of serious harm pursuant to C.R.S. §19-2.5-305(3)(a)(V)(A-C).)
 - Alleged to have committed, conspired, or attempted to commit a crime of violence pursuant to C.R.S. §18-1.3-406.
 - Alleged to have used, possessed, and threatened the use of a deadly weapon (C.R.S. §18-1-901(3)(e)) or alleged to have caused serious bodily injury or death to another person (C.R.S. §19-1-901(1)(p)).

- Alleged to have committed possessing a dangerous or illegal weapon, as described in section §18-12-102; possession of a defaced firearm, as described in section §18-12-103; unlawfully carrying a concealed weapon as described in section §18-12-105; unlawfully carrying a concealed weapon on school, college, or university grounds, as described in section §18-12-105.5; prohibited use of weapons, as described in section §18-12-106; illegal discharge of a firearm, as described in section §18-12-107.5; illegal possession of a handgun by a juvenile, as described in section §18-12-108.5, or escaped from a secure Department of Human Services facility.

Overrides/Exceptions to Level 1 Detention Policies

Limitations on Level 1 Detention and Mandatory Level 1 Secure Detention

- Override into Level 1 detention (without screening into Level 1). Juveniles who do not score into Level 1, via the Colorado Youth Detention Screening Instrument (CYDSI) or criteria above, may receive an override into detention, based on the following criteria:
 - Substantial risk of flight from prosecution and community-based alternatives to detention are insufficient to reasonably mitigate that risk. Flight from prosecution is distinguished from simple failure to appear and must generally be evidenced by a demonstrated record of repeat failures to appear at a scheduled court appearance.
 - Currently being supervised on CYDC pre-trial supervision, diversion or probation; and the supervising officers feel the juvenile is a flight risk or presents a substantial risk of serious harm to others.
 - Victim resides within the same residence and no appropriate kinship care is available.
 - Prior criminal history.

Override OUT of Level 1 detention (after scoring into Level 1). Juveniles who do score into Level 1 secure detention, via the CYDSI or criteria above, may receive an override out of Level 1 secure detention, based on the following criteria:

- Juvenile is between the ages of 10-12 years old. A juvenile who is ten years of age and older but less than thirteen years of age may not be detained unless the juvenile has been arrested for a felony or a weapons charge. C.R.S. §19-2.5-304(2) (see also Appendix B);
- The 19th CYDC has reached detention bed capacity and it has been determined that the juvenile being screened poses less risk to community compared to the juvenile who would be released through Emergency Release process. Juveniles who may be released per the detention screening instrument and this order shall be issued a Juvenile Appearance Bond in court for the first detention hearing date and time following arrest.
- Juvenile who is screened into detention primarily based on history and has significant protective factors.

- The arresting officer believes detention inappropriate for the juvenile.
- Identified as a high-risk victim and they have appropriate supervision.
- The juvenile's CYDC, probation, or diversion officer believes detention is inappropriate for the juvenile.

Any recommendation to override into or out of Level 1 detention must be accompanied by the screener's reasons in writing for making that recommendation. If approval from a judicial officer for an override is requested, any such writing must indicate the name of the judicial officer who authorized the override. Such writing may be in any form and will be included in the screening packet.

JUVENILES CHARGED WITH ACTS OF DOMESTIC VIOLENCE

When a juvenile is charged or accused of a delinquent act that constitutes an act of domestic violence, they shall be detained only if the detention screening instrument indicates secure detention or if the charges require detention pursuant to Appendix B.

- Juveniles who may be released per the detention screening instrument and this order shall be issued a Juvenile Appearance Bond in court for the first detention hearing date and time following arrest.

LAW ENFORCEMENT AGENCIES MAY USE A PROMISE TO APPEAR (PTA) TO INITIATE CERTAIN DELINQUENCY PROCEEDINGS AFTER AGREEMENT WITH THE OFFICE OF THE DISTRICT ATTORNEY FOR THE NINETEENTH JUDICIAL DISTRICT.

In accordance with C.R.S. §19-2.5-303(5), a law enforcement officer may serve a written Promise to Appear for juvenile proceedings based on any delinquent act that would constitute a misdemeanor or petty offense upon the juvenile and the juvenile's parent, guardian or legal custodian as an alternative to taking a juvenile into temporary custody. The Promise to Appear will be in a form approved by the Office of District Attorney for the 19th Judicial District. This notice and promise to appear shall be signed by the juvenile and the juvenile's parent, guardian, or legal custodian, and the appearance date shall be three Wednesdays out from when the promise to appear is served upon the juvenile and the juvenile's parent, guardian, or legal custodian. The form approved by the Office of District Attorney for the 19th Judicial District must contain the current phone number, address, and website for the regional Office of the State Public Defender in Greeley, Colorado, contain a statement advising the parent, guardian, or legal custodian to apply for court-appointed counsel at least five days before the juvenile's appearance date, and contain the following language:

You have the right to the assistance of a lawyer. A lawyer can be appointed if the juvenile and the juvenile's parent, guardian, or legal custodian lack adequate resources to retain a lawyer, or if the juvenile's parent, guardian or legal custodian refuses to retain a lawyer for the juvenile. To determine if the juvenile is eligible for a court-appointed lawyer, or to apply for a court-appointed lawyer, the juvenile's parent, guardian, or legal custodian is advised to contact the Office of the State Public Defender.

PLACEMENT BASED ON SCREENING. Based upon the screening assessment and subject to the provisions above, the screening team shall have the authority prior to a detention hearing, to place/refer a

juvenile based on the screening results below:

If the Juvenile is screened to:

Level 1. Secure Detention. (“Detention” is defined in §19-1-103(55))

- The screening team shall contact staff at Prairie Vista Youth Services Center or Platte Valley Youth Services Center, or any CDHS facility as necessary, to authorize placement of the Juvenile in secure detention.
- A screening packet will be provided to the Youth Services Center, as attached Appendix C

Level 2. Staff Secure. (“Staff Secure” is defined in §19-2.5-103.)

- If available, the screening team may place the Juvenile in a staff secure facility.
- If a staff secure facility is not available, the screening team shall assess pursuant to protocol.

Level 3. Shelter (or Department of Social or Human Services) (“Shelter” is defined in §19-1- 103(126)

- If available, the screening team may place a Juvenile in a shelter facility.
- If a shelter facility is unavailable, the screening team shall assess pursuant to protocol.

Level 4. Home Detention. (“Home Detention” is not defined in §19-1-103)

- Home detention sets the expectation to allow the Juvenile to only leave their home for Court Appearances, Medical Appointments or Meetings with Professionals. They must always be in the presence of a parent/guardian or responsible adult.
- The screening team may release the Juvenile to a parent/guardian or responsible adult, under the condition of home detention with a Juvenile Appearance Bond, at a specific time within 48 hours, excluding weekends and holidays. Specific times will be the same designation as detention hearing dates and times.
- If the Juvenile fails to appear in response to the Juvenile Appearance Bond, the court shall issue a bench warrant for the arrest of the juvenile.
- The form of a Juvenile Appearance Bond will be substantially similar to Appendix F.

Level 5. Release to Parent/Guardian/Responsible Adult.

- Juvenile may be released pending the filing of a petition by the District Attorney.
- No detention hearing is scheduled for Level 5 releases.

If detention is not appropriate, the following guidelines shall govern the release of a juvenile to a parent or other responsible adult:

- If a juvenile’s parent or parents are available, the juvenile shall be released to such parent or parents.
- If a juvenile’s parent or parents are available but refuse to take the juvenile, the juvenile shall be released to the Department of Human or Social Services. The Department may thereafter, without further order of the court, release the juvenile to a parent, relative or other responsible adult.
- If a juvenile’s parent is not available, the child may be released to another responsible adult, or if

none is available, to the Department of Human or Social Services. The Department may thereafter, without further order of the court release the juvenile to a parent, relative, or other responsible adult.

- A law enforcement agency shall issue a PR Bond to the Juvenile to appear at the next available detention hearing (Monday, Wednesday or Friday at 10:30 a.m.). The appearance shall be in person. Conditions of the PR Bond will be as follows: 24-hour accountability to parents, follow household rules, lockdown at home.
- See, Appendix F for a Juvenile Appearance Bond.

As used in this Order, a responsible adult means a person who, at the officer's discretion:

- Is at least 21 years of age.
- Is not under the influence of alcohol or drugs.
- Has no outstanding warrants
- Is mentally competent to accept responsibility for the juvenile; and
- Is able and willing to accept financial responsibility and to provide suitable shelter for the juvenile.

This order specifically adopts the Emergency Bed Management and Emergency Release Procedures outlined and attached as Appendix D1 and D2.

AFTER A JUVENILE IS INITIALLY DETAINED, A COURT MAY ONLY FURTHER DETAIN A JUVENILE IF:

A juvenile poses a substantial risk of serious harm to others, or is a substantial risk of flight from prosecution, and community-based alternatives are insufficient to mitigate the risk of serious harm to others or flight from prosecution.

In certain cases involving weapons and certain enumerated felony crimes of violence, the Colorado General Assembly has declared a rebuttable presumption exists that the juvenile is a substantial risk of serious harm to others and therefore the juvenile is to be detained unless the court finds the presumption has been rebutted. C.R.S. §19-2.5-305(3)(a)(V)(A-C).

At the conclusion of a detention hearing, a hearing to revoke or modify bond security or conditions, or a hearing where the juvenile is appearing on summons having not posted bond, the court, when presented with sufficient information to determine the juvenile poses a substantial risk of serious harm to others or a substantial risk of flight from prosecution, may take the following actions (among others):

- Detain the juvenile in accordance with C.R.S. §19-2.5-304, 305.
- Release the juvenile on an unsecured personal recognizance bond with appropriate conditions that are in the juvenile's best interest and such conditions may include participating in a pre-adjudication services program; or
- Release a juvenile without bond or in lieu of bond and order the juvenile to participate in a pre-adjudication services program.

Any bond authorized by the court for a juvenile will be substantially similar to the example attached to this Administrative Order as Appendix G. The bond form may be amended, modified, or adjusted at any time to suit the unique needs of a juvenile without the necessity to amend this Administrative Order.

Unless the District Attorney consents, a juvenile may not be released in lieu of bond if that juvenile has been accused of having committed a delinquent act that constitutes a felony or class one misdemeanor and,

- The juvenile has been found guilty of a delinquent act constituting a felony or class one misdemeanor within one year prior to the juvenile detention.
- The juvenile is currently at liberty on another bond of any type; or
- The juvenile has a delinquency petition pending in any district or juvenile court for which probable cause has been established.

CYDC, THE OFFICE OF DISTRICT ATTORNEY, AND THE ARIZONA RISK-NEEDS ASSESSMENT (ARNA)

Pursuant to §19-2.5-402(4)(a), The Weld County Office of District Attorney must perform a risk screening, using an approved risk screening tool, on every juvenile referred to its office (with limited exceptions). The risk screening tool approved in Colorado is the Arizona Risk-Needs Assessment (ARNA), a validated tool used in many other states. The Nineteenth Judicial District authorizes and approves of CYDC administering the ARNA to any juvenile in the following circumstances: as a designee of the Office of District Attorney as part of a diversion assessment; prior to or following an initial advisement hearing on a PTA or a summons; or as part of the detention screening process. CYDC may use the outcome from the ARNA to inform recommendations to The Office of District Attorney for purposes of a diversion assessment. CYDC may use the outcome from the ARNA to inform recommendations to the court at any time during the detention screening process or during a delinquency case including at a detention hearing, a first advisement hearing, or as part of ongoing assessment during pretrial supervision. The ARNA and any information obtained from a juvenile in the course of any screening, including any admission, confession, or incriminating evidence, obtained from a juvenile in the course of any screening or assessment in conjunction with proceedings pursuant to this section or made in order to participate in a diversion or restorative justice program is not admissible into evidence in any adjudicatory hearing in which the juvenile is accused and is not subject to subpoena or any other court process for use in any other proceeding or for any other purpose.

AUTHORIZATION FOR PRE-TRIAL RELEASE SERVICES, PURSUANT TO C.R.S. §19- 2.5-606

When a juvenile is ordered or directed to comply with the CYDC pre-trial services program, the Court authorizes that CYDC may use established supervision methods. The supervision methods defined in statute include releasing the juvenile without formal supervision and/or any one or more of the following:

- (a) periodic telephone communications with the juvenile.
- (b) periodic office visits by the juvenile to the pre-adjudication service agency.
- (c) periodic visits to the juvenile's home.
- (d) under specific conditions, periodic drug testing of the juvenile or mental health or substance use treatment for the juvenile which treatment may include residential treatment.

- (e) periodic visits to the juvenile's school.
- (f) domestic violence or child abuse counseling for the juvenile, if applicable.
- (g) electronic or global position monitoring of the juvenile or lockdown.
- (h) work release for the juvenile, if school attendance is not applicable or appropriate under the circumstances; or
- (i) juvenile day reporting and day treatment programs.
- (j) SOMB established supervision methods for juveniles accused of sex offenses, See SOMB Standards Introduction and Standard 11.000 Informed Supervision Protocol. The SOMB Juvenile Informed Supervision Protocol, the attendant appendices, and concepts included within the protocol, including school supervision plans and limits on internet or phone use, are established supervision methods for juveniles accused of sexual offenses.

When the juvenile court orders a juvenile to participate in the CYDC Pre-Trial Services case management program the CYDC program will continue to screen and assess the juvenile to determine the appropriate level of supervision or restrictions. The 19JD CYDC Pre-Trial Services Program shall provide a written explanation of its policies, procedures, and expectations to all juveniles ordered to CYDC.

Consistent with any ongoing screening or assessment, and subject to any limitations set forth below, CYDC may utilize best practice guidelines for supervision, to include any of the following:

- Any of the methods authorized under C.R.S. §19-2.5-606(4). Unless specifically limited by the court as a condition of bond, the use of the methods authorized in C.R.S. §19-2.5-606(4) shall be at the discretion of CYDC.
- Electronic or global position monitoring of the juvenile, broken down by Level System.

Although this Administrative Order authorizes the use of certain established supervision methods for juveniles, the juvenile court retains the authority to amend, expand, restrict, enhance, vacate, define or clarify any bond or release order and/or conditions for any juvenile at any time. The juvenile court may do so on its own motion or on the motion or request of any party, subject to the Colorado’s Victim’s Rights Amendment, statutes, court rules, and other legal authority.

AUTHORIZATION FOR ACCESS TO DELINQUENCY RECORDS TO PERSONS AND ENTITIES THAT HAVE A LEGITIMATE INTEREST IN DELINQUENCY PROCEEDINGS.

CYDC pre-trial case managers.

Because CYDC pre-trial case managers are not part of the CYDC screening team, the case managers do not have access to screening documents. See §19-1-304(1)(a) (limiting inspection of juvenile court records to an enumerated list of individuals and entities; CYDC pre-trial staff are not on the list). Section §19-1-304(b) authorizes the juvenile court to permit inspection of juvenile delinquency court records by “any other person having a legitimate interest in the proceedings.” See §19-1-304. Documents filed with the court for

detention hearings (affidavit for warrantless arrest, CYDSI , and hearing assessment &/or referral form) contain information regarding the type of crime alleged; indicators of repeat alleged delinquent behavior; indicators of risk of harm to the juvenile or to the community; information on the availability and viability of family or community resources, including parents, relatives, and peers; information on the juvenile's educational status and history; information on the juvenile's mental health status and history; information on the juvenile's substance use history; information on the juvenile's involvement with other people and agencies such as Guardians ad Litem, probation officers, or the Department of Human Services; information on the parents' wishes; information on the juvenile's strengths and weaknesses and his or her current wishes; and contact information such as names, addresses, and telephone numbers. Such information is also helpful in developing, designing, and implementing an initial pre-trial supervision plan when a juvenile is placed on pre-trial supervision. By ordering pre-trial supervision, the court expects that a CYDC pre-trial case manager engage in this assessment, development, design, and implementation. Accordingly, the CYDC pre-trial services case manager has a legitimate interest in the proceedings. Access to and inspection of certain detention hearing documents will assist the CYDC pre-trial case managers in discharging their responsibilities and meeting the court's expectations. Section 19-1-303 also emphasizes the importance of sharing of information if an assessment center were involved. The court, through this administrative order, provides its consent to the CYDC pre-trial case managers to have access to the detention hearing documents, including any mandatory orders of protection, in order to assist them in performing their job duties. Further, the Court provides its consent to the CYDC Screening Team to have access to the CYDC Pre-Trial release Case Manager's Court Reports & Warrant Requests.

School District's point-of-contact for justice-involved-students.

Pursuant to HB24-1216 and Article 108 of Title 22 (Education) of Colorado Revised Statutes, a local education provider (i.e. a school district, Board of Cooperative Education, or charter school) must provide services and support to "justice-engaged students" (as that term is defined in §22-108-102). A local education provider must designate a point-of-contact person to respond to inquiries and engage with justice-engaged students. See, §22-108-104(1)(b) and (3). HB24-1216 also amended §§19-2.5-303 and 306 to encourage judges and magistrates to "take into consideration the juvenile's educational progress and ability to achieve credits toward graduation". Access to and inspection of certain juvenile delinquency documents will assist the local education provider in discharging its responsibilities. The local education provider should have information about a juvenile's bond or release conditions, and/or the contents of a mandatory order of protection. Section 19-1-304(1)(a)(XVI) provides that a principal of a school in which a juvenile is enrolled, or the principal's designee, may have access to juvenile delinquency records. The Nineteenth Judicial District believes that sharing of appropriate information between the courts, CYDC, and local education providers concerning justice-involved-students is important to support the purposes and requirements of HB24-1216 and Article 108 of Title 22. Accordingly, and for the same reasons outlined above for sharing information between the screening team and the pre-trial case manager, any local education provider through its point-of-contact has a legitimate interest in delinquency proceedings. Section 19-1-303 also emphasizes the importance of sharing of information if an assessment center were involved. To the extent that a local education provider's point-of-contact is not a principal or designee, the Nineteenth Judicial District, through this administrative order, provides its consent and authorization for a local

education provider’s point-of-contact to have access to juvenile delinquency documents, including any mandatory orders of protection, bond forms or bonds or release conditions, pre-trial case manager reports, petitions to revoke probation, or warrant requests.

AUTHORIZATION FOR RELEASE OF ELECTRONIC OR GLOBAL POSITION MONITORING DATA

Pursuant to C.R.S. §19-2.5-606(4), electronic or global position monitoring of a juvenile is available as a supervision method as a condition of pre-adjudication release. The use of electronic or global position monitoring is intended to reduce pre-adjudication detentions without sacrificing the protection of the community from juveniles who may be at risk to the public. There is no expectation of privacy in the data generated through electronic or global position monitoring. *People v. Campbell*, 425 P.3d 1163 (Colo. App. 2018). The Court may grant supervision authority to a pretrial release program/CYDC, overseen by the Administrative Office and Juvenile Services Planning Committee. Electronic or global position monitoring may be ordered by the Court or implemented at a supervising agency’s discretion as a term and condition of release. In the event that law enforcement and/or a District Attorney’s Office requests any electronic or global position monitoring data, the Court **ORDERS** the data be immediately produced upon request.

AUTHORIZATION FOR TRANSPORT

The Sheriff, or its designee, is directed to transport the juvenile following screening to a detention or shelter facility. The Sheriff, or its designee, is also directed to transport the juvenile from the detention or shelter facility to the juvenile’s detention hearing at the appointed time. The Court further directs the Sheriff, or its designee, to transport any juvenile to or from a detention or shelter facility for any Court-approved purpose. *See C.R.S. §19-2.5-1121, §19-2.5-1103, §19-2.5-1127, §30-10-514, §30-10-515.*

Based on the adoption of this Administrative Order, the Court rescinds and vacates the following Administrative Orders: 05-03 as amended; 10-06, 14-05; 15-09, 16-02 and 16-03. The subject matter of each of these orders is contained within this order.

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APPENDICES:

A = CDYSI

B= Presumptive Standard §19-2.5-305

C= Screening Packet

D1= Emergency Screening and Bed Management

D2= Emergency Screening and Release Procedures

E= Criteria for Placement in Juvenile Detention (reviewed/approved 10/24/22)

F= Juvenile Appearance Bond

G= Bond Form

Dated: June 2, 2025

BY THE COURT:



Julie C. Hoskins
Chief Judge, 19th Judicial District

COLORADO YOUTH DETENTION SCREENING INSTRUMENT DECISION TREE FLOWCHART

Any youth age 10-12 **SHALL NOT BE DETAINED** unless the youth has been charged or adjudicated for a felony and is being detained for that felony, or any of the following misdemeanor weapons charges pursuant to sections 18-12-102, 18-12-105, 18-12-106 or 18-12-108.5, C.R.S..

Name:

TRAILS ID:

DOB:

Medical: Medical Clearance Yes No Drugs/ Alcohol Yes No Medications/ Allergies Yes No	Victim: Victim notification Yes No Officer to Provide Pumpkin Sheet Yes No
Charge 1: Charge 2: Charge 3:	Fel Misd Degree Fel Misd Degree Fel Misd Degree

Risk Tool Items			
0	1	2	1. Prior delinquency cases filed
0	1	2	2. Violent/aggressive acts
0		2	3. Associates/identifies with negative peers
0		2	4. Remorse and empathy
RISK LEVEL – HIGH (Scores 4-8) RISK LEVEL – MODERATE (Scores 2-3) TO LOW (Scores 0-1)			

Risk can be mitigated in the community?	
No	Yes

SECURITY LEVEL CONSIDERATIONS		
Y	N	1. History of escape/running from non-secure placements.
Y	N	2. Potential for victimization in secure placement.
IF NONE OR #2 YES		

COMMUNITY PLACEMENT CONSIDERATIONS		
Y	N	3. Release to parent or guardian
Y	N	4. IF NO TO 3 , Release to kin or responsible adult ("parent authorizes adult to take youth?")
IF NONE		
IF YES TO 3 OR 4		

LEVEL 1 Secure Detention

LEVEL 2 Staff Secure (if available)

LEVEL 3 DHS/ Shelter Care /Foster/Kinship Home
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LEVEL 4 Home/Kinship Detention with Services
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LEVEL 5 Release (Low Risk/Low level offense)
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Level by Screening: (Check One) 1 2 3 4 5
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West's Colorado Revised Statutes Annotated

Title 19. Children's Code (Refs & Annos)

Article 2.5. The Colorado Juvenile Justice System

Part 3. Detention

C.R.S.A. § 19-2.5-305
Formerly cited as CO ST § 19-2-508

§ 19-2.5-305. Detention and shelter--hearing--time limits--findings--review--guardian ad litem
appointed--confinement with adult offenders--restrictions

...

(3)(a)(I) ...

(V) A court shall not order further detention for a juvenile who is ten years of age and older but less than thirteen years of age unless the juvenile has been arrested or adjudicated for a felony or weapons charge pursuant to [section 18-12-102](#), [18-12-105](#), [18-12-106](#), or [18-12-108.5](#). The court shall receive any information having probative value regardless of its admissibility under the rules of evidence. In determining whether a juvenile requires detention, the court shall consider the results of the detention screening instrument. There is a rebuttable presumption that a juvenile poses a substantial risk of serious harm to others if:

(A) The juvenile is alleged to have committed a felony enumerated as a crime of violence pursuant to [section 18-1.3-406](#); or

(B) The juvenile is alleged to have used, or possessed and threatened to use, a firearm during the commission of any felony offense against a person, as such offenses are described in article 3 of title 18; or

(C) The juvenile is alleged to have committed possessing a dangerous or illegal weapon, as described in [section 18-12-102](#); possession of a defaced firearm, as described in [section 18-12-103](#); unlawfully carrying a concealed weapon, as described in [section 18-12-105](#); unlawfully carrying a concealed weapon on school, college, or university grounds, as described in [section 18-12-105.5](#); prohibited use of weapons, as described in [section 18-12-106](#); illegal discharge of a firearm, as described in [section 18-12-107.5](#); or illegal possession of a handgun by a juvenile, as described in [section 18-12-108.5](#).

(VI) Notwithstanding subsection (3)(a)(IV) of this section, there is no presumption pursuant to subsection (3)(a)(V) of this section that a juvenile poses a substantial risk of serious harm to others if the item in the possession of the juvenile is alleged to be a BB gun, a pellet gun, or a gas gun.

...

C. R. S. A. § 19-2.5-305, CO ST § 19-2.5-305

Current through the Second Regular and Extraordinary Sessions, 74th General Assembly (2024). Some statute sections may be more current. See credits for details.

Colorado Youth Detention Screening Instrument Facesheet

TRAILS ID:	Screening Date & Time:	ETA:	Screening District #:
DYS Youth Center:	Arresting Officer:	Arresting Agency:	Interpreter Needed and for who:
Name of Youth:		Name of Screener:	
Alleged Offense(s), C.R.S., Warrants, ICJ Felonies:		Number of Prior Adjudications (events):	
Misdemeanors:			
Was weapon used a handgun?		Yes No	
Youth Gender:	Male Female Gender Queer Two-Spirit Non-Binary/ Gender Non-Conforming Unknown	Youth Age:	DOB:
Information was:	Self-Identified Not Self-Identified		
Youth Sex Assigned at Birth:	Male Female		
Information was:	Self-identified Not self-identified		
Youth Race/Ethnicity:	White Black or African American Asian Hispanic Native Hawaiian/Other Pacific Islander	American Indian or Alaskan Native Unable to Determine	
Information was:	Self-Identified Not Self-Identified		
Youth Sexual Orientation:	Heterosexual/Straight Gay/Lesbian Asexual Prefer No Labels Do Not Know/Questioning	Bisexual Pansexual Other Refuse to Answer	
Information was:	Self-Identified Not Self-Identified		
Preferred Gender Pronouns:	He/Him Ze/Zir She/Her She/They They/Them He/They Unknown	Current Region:	Current County:
Information was:	Self-Identified Not Self-Identified	None (homeless)	
Disability (e.g., physical, learning, developmental, intellectual):	Yes No	Citizenship/Alienage:	
Medications:		Bed Utilized (detention, borrowed, emergency, flex):	
Medical:		Victim:	
Medical Clearance	Yes No	Victim notification: Yes No VINE Multiple Victims	
Drugs/ Alcohol	Yes No	Victim Name(s) if available:	
Medications/ Allergies	Yes No		
Autism Spectrum:	Yes No		
Mental Health Diagnosis		Officer to Provide Pumpkin Sheet:	
Medical Clearance: (include details, suicide/homicide ideation, allergies, pregnancy etc)		Yes No	
		No Contact Order	

Current Child Welfare Involvement (e.g., open DNN case, preventative, etc):

Yes No Unknown If yes, Explain:

Sources of information used:

Interview - youth Interview - guardian

Interview – law enforcement Police records Juvenile record Existing court/CYDC/probation file

School Records Other (Specify):

N/A (Screen NOT conducted) – Reason not conducted _____

Youth Interview Information:

Were you able to interview the youth?

Yes No Youth refused – no interview

Guardian Interview Information:

Were you able to interview the guardian?

Yes No Guardian refused – no interview

Youth Address and Phone Number:

Youth Parent/Guardian Name (phone number and email):

Professionals Involved (include pre-trial, probation, parole, GAL, DHS, Attorney):

Co-Defendant(s):

Documents Required:

Copy of Warrant

Affidavit

Gang Affiliation

Bonding Sheet/Police Report

Interstate Compact Documentation

Pre-Screen CJRA Level: *Pre-Screen CJRA must be linked with admission*

Trafficking Tool Completed? **Report of Abuse/Victimization/Trafficking?**

Yes No

Relative Information Form: Yes No

Other Information:

Additional Details:

Colorado Statutory Detention Questionnaire

If yes to any, must be securely detained.

1. **WARRANTS:** A court has determined, on a warrant, that the juvenile presents a “substantial risk of serious harm to others” or “a substantial risk of flight from prosecution” and community-based alternatives are insufficient to mitigate risk; or the court has issued a warrant for the youth to be detained without any of the above findings; C.R.S. §19-2.5-303(2)(a)(II).

Yes No - (If **NO** is checked, follow the rules of the validated screening tool and local Chief Judge

AND Check Appropriate Box (Check all that apply):

Substantial Risk of Serious Harm to Others Parents Petitioning for Revocation of Bond
 Substantial Risk of Flight From Prosecution Non-Compliance of Bond Other:

- 1b. The youth is being administratively screened into secure detention pursuant to a judicial administrative order.

Yes No Writ Detention Sentence Remand Local Administrative Order

2. Rebuttable presumption that the juvenile poses a “substantial risk of serious harm to others” (C.R.S. § 19-2.5-305(3)(a)(V)(A)-(C); the juvenile shall remain in detention pending the 48-hour detention hearing.

Yes No

AND Check Appropriate Response:

Was Serious Bodily Injury indicated?

Did the offense include use of a deadly weapon?

Deadly weapon means a firearm, knife, bludgeon, or any other instrument that, in the manner it is used or intended to be used, is capable of producing death or serious bodily injury.

What type of deadly weapon?

3. Apprehended youth determined to be an **Out-of-State** Runaway, Accused Delinquent, or Absconder, must be placed in secure detention pursuant to Federal Interstate Compact on Juveniles (ICJ) Rule 6-102. Determination for lower level of care should be addressed at the scheduled Detention Hearing.
- a. Juvenile Justice Delinquency Prevention Act (JJDP) Sec. 223. 34 U.S.C 11133-a-11(a) permits secure detention for youth held in accordance with ICJ.
 - b. Per C.R.S. § 24-60-708, “*The courts, departments, agencies, and officers of this state and its political subdivisions shall enforce this compact and shall do all things appropriate to the effectuation of its purposes and intent which may be within their respective jurisdictions.*”

Yes No

Screening Outcome

<p>Level by Detention Screen: (Check One)</p> <p style="text-align: center;">1 2 3 4 5</p> <p>Statutory Detention Questionnaire (Secure Detention Admission): (Check One)</p> <p style="text-align: center;">Yes No</p> <p>Final Outcome (per Detention Screen and Statutory Detention Questionnaire):</p> <p style="text-align: center;">1 2 3 4 5</p>	<p>Reason for Decision:</p> <p>Court Finding:</p> <p>Youth Center:</p> <p>Hearing Notes:</p>
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Youth Name:	Youth DOB:	Youth Trails ID:
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Emergency Bed Procedure for the 19th JD

The following criteria must be determined by CYDC at the point of a screen into Detention, utilizing the Colorado Youth Detention Screening Assessment (CYDSI), to utilize an Emergency Bed:

- There is a legal basis for the detention.
- There are currently no services available that mitigate the substantial risk of flight from prosecution of any of the youth currently detained by the 19th District.
- There are no services available to mitigate the substantial risk of harm to the community of any of the youth currently being detained by the 19th District, including the youth being placed in the emergency bed.
- All beds allocated to the 19th District are being utilized by the 19th District.
- All of the beds at the Platte Valley Youth Services Center are being utilized.
- There are no beds available to borrow in the catchment area or within fifty miles of the initial receiving Juvenile Detention Facility (deemed as Platte Valley YSC upon implementation of HB23-1307)

Once criteria has been met, the CYDC Screener will seek approval from the Screening & Bed Management Supervisor, and note the approved use of an Emergency Bed in the Screening email.

-The Screening & Bed Management Supervisor will complete the Emergency Bed Motion and send to the CYDC Director for review and signature. This document is required to be completed and provided to the 19th Judicial District Attorney's Office immediately the morning following the admission into Detention. The District Attorney must file a petition supporting the above criteria no later than the next business day.

The Court shall then issue an order permitting the use of an emergency bed & this order is provided to the CYDC Screening & Bed Management Supervisor.

-A hearing must be held every five business days from the order permitting the use of an emergency bed from the Court, to inform the Court that the circumstances still exist and that the Juvenile still meets criteria below to be held on an emergency bed.

-A Request for Renewal of Petition to Utilize Emergency Detention Bed Motion will be completed by the Screening & Bed Management Supervisor, and sent to the CYDC Director for review and signature. This will be provided to the District Attorney's Office by the end of the fourth business day.

- The Court shall then issue an order permitting the continued use of an emergency bed & this order is provided to the CYDC Screening & Bed Management Supervisor.

Criteria for use of Emergency Bed past five business days:

- There is a legal basis for the detention.
- There are currently no services available that mitigate the substantial risk of flight from prosecution of any of the youth currently detained by the 19th District.
- There are no services available to mitigate the substantial risk of harm to the community of any of the youth currently being detained by the 19th District, including the youth being placed in the emergency bed.

- All beds allocated to the 19th District are being utilized by the 19th District.
- All of the beds at the Platte Valley Youth Services Center and Prairie Vista Youth Services Center are being utilized or were being utilized at the time the Juvenile entered the emergency bed. If a bed is available it is now at a different facility than where the juvenile is located.
- There are no available beds within our catchment area or if a bed is available it is available at a different facility than where the emergency bed is located.

***Process is repeated as needed, for extensions beyond ten business days of Emergency Bed use*

-If a Detention bed within the Judicial District's Allocation that is under the statewide detention bed cap becomes available, the juvenile utilizing a temporary emergency bed shall revert to the nonemergency detention bed and the issuance or renewal of each Court order on the 5th business day no longer apply.

-If a Detention bed becomes available within the judicial district's catchment area but at a different facility, the juvenile may, at the discretion of the judicial district, remain in the temporary emergency bed in lieu of transferring to the nonemergency detention bed in a different facility.

-Signed Orders from the Court are saved appropriately with the CYDC Program and are also provided to the Statewide Detention Bed Manager.

Emergency Release Procedure for the 19th JD

Emergency Release: The release of a youth from detention as a result of reaching the judicial district detention capacity and facility capacity and an emergency bed is unable to be utilized. C.R.S. 19-2.5-1407.3(4)

Emergency Release (ER) Meetings occur on Mondays, Wednesdays, and Fridays of each week, immediately following Detention Hearings. An Emergency Release List is established by the Juvenile Magistrate, with the feedback & input from the DA's Office, CYDC Detention & Bed Management Supervisor and the North Range Behavioral Health Detention Mental Health Specialist. Because the 19th CYDC Program has beds allocated at both PVYSC and PRV, it is a requirement to maintain two Emergency Release lists; one for each facility. These ER Meetings occur on Mondays, Wednesdays, and Fridays of each week, immediately following Detention Hearings.

Process for consideration of a youth currently being screened for Detention, to be recommended for Judicial Override out of Detention:

To be used when the 19th CYDC has reached detention bed capacity and it has been determined that the juvenile being screened poses less risk to community compared to the juvenile who would be released through Emergency Release process. Juveniles who may be released per the detention screening instrument and this order shall be issued a Juvenile Appearance Bond in court for the first detention hearing date and time following arrest.

The CYDC screener, after consulting with the Detention & Bed Management Supervisor, is authorized to make a recommendation to the on-call judge to Emergency Release a newly screened juvenile in place of releasing a currently detained youth on the Emergency Release list.

Matrix for Judicial Override out of Detention Recommendation Eligibility:

Not Eligible for recommendation:

- Crime of Violence with SBI
- Weapons charges involving guns
- Juveniles with runaway history
- Juveniles known to be in gangs.
- Juveniles presenting with active homicidal/suicidal ideation
- Making verbal threats of harm
- Assault-DV

Eligible for recommendation:

- First offense & there is no w/o SBI
- Juveniles ages 13-14
- Third degree assault
- Harassment/Criminal Mischief-DV
- School based weapon offense for youth aged 13-14, small knife only
- Violation Protection order for alcohol or marijuana only
- Warrants that do not have underlying factors listed above (crime of violence with SBI, weapons, etc.)

1. To activate the emergency release process, ALL beds (detained and flex) (emergency beds if catchment criteria is met) at the facility must be in use and there is an impending intake. This

intake has been determined to not be eligible for a recommendation for Judicial Override out of Detention, resulting in the need for an emergency release.

- Before reaching an emergency release, send an information only email to the professionals. See example below.
 - *Good afternoon,*
Due to the current bed availability at Platte or Prairie, Juvenile name is #(1,2,3) on the Emergency Release Order from ENTER date. At this time there is not a request for release, but this email is being sent in an effort to be prepared for possible release, if needed. Parents/Guardians have not been notified at this time. Please see attached order.
Thank you,
 - Attach a copy of the most recent ER order from the court, erasing all other youths names.
 - If the case is VRA, send a separate email to the Deputy District Attorneys & Victim Advocate assigned to Division 14, notifying them of the possibility of release.
 - District Attorney's Office to follow their necessary procedures for VRA notification.

2. If an emergency release process is needed

- Contact professionals and advise them that the youth will be emergency released and parents/guardians will be contacted to pickup the youth from the facility as soon as possible.
- The youth and parent/guardian will need to report to the CYDC Office as soon as possible (subject to delays if this is an evening or weekend release) for an EHM installation & to be placed on home lockdown until the next Court date.
 - Notify Pre-Trial Release Supervisor and EHM Case Manager of this release.
- If the case is VRA, send a separate email to the Deputy District Attorneys & Victim Advocate assigned to Division 14, notifying them of the release, and the next Court date.
 - District Attorney's Office to follow their necessary procedures for VRA notification pertaining to an emergency release and notification of the next Court date.
- Screener to send Platte Valley YSC or Prairie Vista YSC the Appearance bond-ER and ER Court Acknowledgement (found in the shared folder for screeners).
 - Screener to fill out the information on these forms before sending to the facility.
 - Set a Detention hearing MWF 10:30am., div 14-- in-person appearance required.
 - Screener to ask the facility to send back the filled out paperwork.
 - Screener an email to the Professionals with date and time of release.
 - Send the filled out paperwork to the following email addresses/groups:
 - DaReports, 19th JD Delinquency, Carrie Bielenberg, Michelle Harris

**CRITERIA FOR PLACEMENT IN JUVENILE DETENTION
PURSUANT TO §19-2.5-1404, C.R.S.
Reviewed and Approved (July 26th, 2024)**

PURPOSE OF CRITERIA [§19-2.5-1404(1)(a), C.R.S.]: To promote a more uniform system of determining which juveniles are appropriate for placement in the physical custody (secure detention) of the Division of Youth Services (DYS) or contracted staff secure detention so that decisions for placement are made based on a uniform set of criteria throughout the state.

These criteria should also reduce the reliance on DYS’s secure detention facilities through the use of least restrictive placement options, while maintaining community safety, best serving the child, and administering appropriate sanctions. These criteria are not intended to interfere with law enforcement’s authority to hold or discretion to release a juvenile taken into custody, or the court’s ability to place a child in detention or impose appropriate sanctions. Building on these criteria, judicial districts may develop additional local criteria that include more stringent restrictions on the use of secure detention resources.

Statutory intent is that these criteria will be utilized by the “screening team”, in carrying out the screening function outlined in §19-2.5-303(2), C.R.S., and in following Colorado Rules of Juvenile Procedure, Rule 3.7.

Transportation of youth for placement in detention, to court proceedings or another secure or staff secure detention center shall be the responsibility of local law enforcement. If a youth is placed in detention based on a warrant from another jurisdiction, law enforcement from the judicial district that initiated the warrant must pick up the youth and transport him/her to the county of jurisdiction in accordance with the timeframes established by the court at the initial detention hearing.

THESE CRITERIA COVER THE FOLLOWING CIRCUMSTANCES:

- I. JUVENILES WHO CANNOT BE PLACED IN SECURE DETENTION**
- II. DETENTION UPON ARREST (TAKEN INTO CUSTODY)**
 - A. Arrests for New Offenses
 - B. Arrests Based on Warrants or other Court Orders, including Probation Detainers
- III. DETENTION BASED ON COURT SANCTIONS FOLLOWING ADJUDICATION**
 - A. Sentence to Detention for Delinquent Adjudication (§19-2.5-1113, C.R.S.) May Not Exceed 45 Days.
 - B. Contempt Sanction Sentence to Detention (Civil Sanction for Contempt of Court)

I. JUVENILES WHO CANNOT BE PLACED IN SECURE DETENTION

- A. JUVENILES IN ANY OF THE FOLLOWING CIRCUMSTANCES SHALL NOT BE PLACED IN SECURE DETENTION:**
 - 1. Any youth age 10-12 unless the youth has been charged or adjudicated for a felony, if committed by an adult, or any of the following misdemeanor weapons charges pursuant to section 18-12-102, 18-12-105, 18-12-106 or 18-12-108.5.
 - 2. Who have not committed, or have not been accused of committing, a delinquent act. Exceptions are 24-hour protective holds issued by a judge prior to a dependency and neglect hearing and contempt sentences as set forth in Criterion III, B, below.

3. Who have been placed in the legal custody of a county department of social/human services pursuant to a petition in dependency and neglect and are solely waiting out of home placement.
4. Who have been placed in the legal custody of a county department of social/human services pursuant to delinquency adjudication and are solely waiting out of home placement. Exception can be made by court order if the delinquent poses a substantial risk of serious harm to others or flight risk to avoid prosecution and finds that community based alternatives to detention are insufficient to reasonably mitigate risk. Flight from prosecution is distinguished from simple failure to appear and must generally be evidenced by a demonstrated record of repeat, recent willful failures to appear at a scheduled court appearance.
5. Who are committed to the legal custody of the Colorado Department of Human Services, Division of Youth Services, and are solely awaiting a DYS placement (§19-2.5-1512, C.R.S.).
6. Who are presented to detention solely as a temporary corrective or punitive measure including “time out” placement.
7. Who, at admission, require medical care, are intoxicated, or under the influence of drugs, to an extent that is beyond the scope of the detention facility’s medical service capacity. In these cases, medical clearance must be obtained prior to admission.
8. Who are solely assessed as suicidal or exhibit behavior placing them at imminent risk of suicide.
9. Who have not committed a delinquent act but present a danger to themselves as a result of a mental disturbance or developmental disability. They shall be referred for appropriate screening per §27-10-105, and/or §27-10-106, C.R.S. or as provided in §10.5 of Title 27 C.R.S.

Additionally, youth SHALL NOT be placed in detention solely:

- a. Due to a lack of supervision alternatives, service options, or more appropriate facilities,
- b. Due to the community’s inability to provide treatment or services,
- c. Due to a lack of supervision in the home or community,
- d. In order to allow a parent, guardian, or legal custodian, to avoid his or her legal responsibility,
- e. Due to a risk of the juvenile’s self-harm,
- f. In order to attempt to punish, treat, or rehabilitate the juvenile,
- g. Due to a request by a victim, law enforcement, or the community,
- h. In order to permit more convenient administrative access to the juvenile,
- i. In order to facilitate further interrogation of investigation, or
- j. As a response to technical violations of probation unless the results of a detention screening instrument indicate that the juvenile poses a substantial risk of serious harm to others or if the applicable graduated responses system adopted pursuant to section 19-2.5-1108 allows for such a placement.

II. CRITERION FOR DETENTION UPON ARREST (TAKEN INTO CUSTODY)

A. ARRESTS FOR NEW OFFENSES

1. If a juvenile is presented for screening for placement in detention for allegedly committing any one of the following offenses, the juvenile shall be placed in detention pending a detention hearing. §19-2.5-305(3)(a)(III), C.R.S.
 - a. A felony enumerated as a crime of violence in §18-1.3-406(2), C.R.S.
 - b. Any felony offense against a person, as described in Title 18, Article 3, C.R.S., with the use of, or possession and threatened use of, a firearm.
 - c. Possession of a dangerous or illegal weapon (§18-12-102, C.R.S.), possession of a defaced firearm (§18-12-103, C.R.S.); unlawfully carrying a concealed weapon (§18-12-105, C.R.S.), unlawfully carrying a concealed weapon on school, college, or university grounds (§18-12-105.5, C.R.S.), prohibited use of weapons (§18-12-106, C.R.S.), illegal discharge of a firearm (§18-12-107.5, C.R.S.) or illegal possession of a handgun (§18-12-108.5, C.R.S.).
 - d. A delinquent act of escape from custody or confinement in a secure Division of **Youth** Services facility or contracted staff-secure facility (§18-8-208(10) and §18-8-210.1, C.R.S.)
2. § 19-2.5-303, C.R.S.

2 (a) If the law enforcement officer does not release the juvenile to the care of such juvenile's parents, legal guardian, kin, or other responsible adult, the screening team shall administer a validated detention screening instrument developed or adopted pursuant to section 19-2.5-1404. The law enforcement officer, screening team, or juvenile court shall not remove the juvenile from the custody of the parent or legal guardian pursuant to this section unless the screening team or juvenile court:

- (I) (A) Finds that a validated detention screening instrument selected or adopted pursuant to section 19-2.5-1404 has been administered and the juvenile scored as detention eligible;
- (B) or there are ground to override the results of the detention screening instrument based on the criteria developed in accordance with section 19-2.5-1404; and

(II) finds that the juvenile poses a substantial risk of serious harm to others or a substantial flight risk from prosecution and finds that community based alternatives to detention are insufficient to reasonably mitigate that risk. Flight from prosecution is distinguished from simple failure to appear and must generally be evidenced by a demonstrated record of repeat, recent willful failures to appear at a scheduled court appearance.

B. ARRESTS BASED ON WARRANTS OR OTHER COURT ORDERS, INCLUDING PROBATION DETAINERS

1. If a juvenile is arrested on a district court delinquency warrant (JD), the juvenile shall be placed in detention pending a detention hearing, a reconsideration hearing, or, if a judicial officer has set bond, the juvenile shall be held in detention pending the posting of bond UNLESS LOCAL POLICY HAS BEEN ESTABLISHED TO ALLOW FOR OTHER LEVELS OF PLACEMENT FOR YOUTH UNDER WARRANTS.
2. If a Petition to Revoke or Modify Probation (PRMP) has been filed, a juvenile may be held in detention pending the revocation hearing which is to be held within 14 days from the date the juvenile comes into custody. If a Petition to Revoke or Modify Probation has not been filed, it must be filed within 72 hours of the detention hearing.

III. CRITERION FOR DETENTION BASED ON COURT SANCTIONS FOLLOWING ADJUDICATION

A. SENTENCE TO DETENTION FOR DELINQUENT ADJUDICATION (§19-2.5-1113, C.R.S.) MAY NOT EXCEED 45 DAYS. Sentences imposed by the Court are final subject to appropriate motions for reconsideration wherein the Court may consider and is encouraged to consider other placement options.

1. Mandatory Sentences:
 - a. For weapons offenses. In the case of a juvenile who has been adjudicated a juvenile delinquent for the commission of one of the offenses described in §19-2.5-305(3)(a)(III), C.R.S., the court shall sentence the juvenile to a minimum mandatory period of detention of not fewer than five days [§19-2.5-1113(2), C.R.S.]
 - b. Failure to register as a juvenile sex offender. §18-3-412.5(4)(a) & (b), C.R.S.
 - 1) Misdemeanor – 30-day minimum on first offense to fail to register; 45 day on second and subsequent
 - 2) Felony – 45-minimum on first; out of home for 1 year on second and subsequent

B. CONTEMPT SANCTION SENTENCE TO DETENTION (CIVIL SANCTION FOR CONTEMPT OF COURT)

1. Court orders sentencing a juvenile status offender to detention as a civil sanction for contempt of court must follow Colorado Rules of Juvenile Procedure, Rule 3.8. To verify compliance with Federal Law, copies of Forms 1 and 2 and the written report verifying that all dispositions other than secure confinement have been exhausted or are clearly inappropriate, must accompany the juvenile when referred to a detention facility.
2. Any confinement of a youth for contempt of a municipal court order shall not exceed 48 hours. (§13-10-113(4), C.R.S.)
3. Any confinement of a child for contempt of court for violating a valid court order in a truancy proceeding shall not exceed 48 hours.

4. If a Juvenile is arrested on district court D&N warrant (JV), the Juvenile may be held in detention prior to a detention hearing, however, that detention hearing must occur within 24 hours of admission to detention, excluding weekends and legal holidays, and the Juvenile must then be released within 24 hours of the detention hearing, excluding weekends and holidays. Weekends begin at 5 p.m. on Friday and end at 8 a.m. on Monday.
5. If the Juvenile is arrested on a warrant in a truancy proceeding, the warrant must provide for the release of the juvenile from temporary custody on an unsecured personal recognizance bond that is cosigned by the juvenile's parent or legal guardian or by a representative of the local Department of Human Services if the juvenile is in the custody of the Department of Human Services. The warrant may also direct that the juvenile only be arrested while court is in session and that he or she be taken directly to court for an appearance rather than booked into secure confinement.

JUVENILE DETENTION PLACEMENT GUIDELINES FOR COMPLYING WITH DETENTION BED ALLOCATIONS PURSUANT TO § 19-2.5-1405(d), C.R.S.

PURPOSE OF THE PLACEMENT GUIDELINES: To serve as a guide for each judicial district in developing a plan to manage the limit on the number of juvenile detention beds assigned to the judicial district in accordance with §19-2.5-1405(1)(a) and (b). Continuous intake management and monitoring of detention bed use based on the *Criteria for Placement in Juvenile Detention (Revised 10/07)*, developed pursuant to §19-2.5-1404, C.R.S., can help decrease the need to implement Emergency Release Procedures.

The *Mandatory Emergency Release Guidelines for Managing State Funded Detention Beds (10/07)* also address the ongoing need to manage bed use and should be used with these Guidelines and the *Criteria for Placement in Juvenile Detention (Revised 8/03)* in developing the local management plan.

OVERARCHING GUIDELINES IN MANAGING BED USE:

Mandatory administration of the *Juvenile Detention Screening and Assessment Guide (JDSAG)* and *Colorado Juvenile Risk Assessment (CJRA) Pre-screen* to maintain current data for detention bed use management, all juveniles presented for detention placement must have:

- The *Juvenile Detention Screening and Assessment Guide (JDSAG)* administered and the data entered in the Colorado Trails database.
- The Colorado Juvenile Risk Assessment (CJRA) Pre-Screen shall also be administered and the data entered in the Colorado Trails database. The CJRA will provide level of risk classification for each juvenile in detention and enable the use of a current and ongoing prioritization for consideration of release or other placement option based on public safety.

In determining appropriate placement for youth, the use of the least restrictive placement option, while maintaining community safety, is encouraged.

Guidelines below pertain to each criterion in the *Criteria for Placement in Juvenile Detention*

I. JUVENILES WHO CANNOT BE PLACED IN SECURE DETENTION

GUIDELINES FOR COMPLYING WITH BED ALLOCATIONS:

EXCEPTION FOR SENTENCED DELINQUENTS POSING A SERIOUS SAFETY RISK:

Delinquents sentenced to an out-of-home placement who pose a serious safety risk may be sentenced to detention if an appropriate placement by the county department of social/human services cannot be immediately arranged. These juveniles should be reviewed by the entity responsible for detention management at least weekly to determine the status of the out-of-home placement. The period of detention awaiting placement should not exceed 45 days. If circumstances change to merit consideration of a less restrictive, appropriate placement, the entity should follow local procedures to inform the court.

II. CRITERION FOR DETENTION UPON ARREST (TAKEN INTO CUSTODY)

GUIDELINES FOR COMPLYING WITH BED ALLOCATIONS:

A detention screening and assessment must be administered on all juveniles admitted to detention based on district, county and municipal warrants and court orders to establish a current priority list if Emergency Release procedures must be activated. These assessments should be updated periodically by the management entity. If circumstances change to merit consideration of a less restrictive, appropriate placement, the entity should follow local procedures to inform the court.

Juveniles placed in detention following the detention hearing should be reviewed periodically by the management entity to assess the appropriateness of placement in a pre-adjudication service program (SECTION 19-2-302, C.R.S.). If circumstances change to merit this placement, the entity should follow local procedures to inform the court.

III. DETENTION BASED ON COURT SANCTIONS FOLLOWING ADJUDICATION

GUIDELINES FOR COMPLYING WITH BED ALLOCATIONS:

All optional, appropriate sanctions should have been considered prior to the imposition of a secure detention sentence (victim/offender mediation, restitution, community service, electronic monitoring, tracking, offense-specific treatment, etc.).

In imposing a discretionary sentence to detention consistent with §19-2.5-1113, C.R.S., the court is encouraged to consider periods of time less than the maximum of 45 days.

Weld County District and County Court Weld County, Colorado Court Address: 915 10 th Street, Greeley, CO 80632	
STATE OF COLORADO v. _____ Defendant/Juvenile Name _____	... COURT USE ONLY ...
	Case Number: _____ Division _____
JUVENILE APPEARANCE BOND	

Bond Type: PR with Co-Signor

Bond Posted For: Defendant/Juvenile

Name of Defendant/Juvenile: _____ **Date of Birth:** _____

The Defendant/Juvenile/Party, as principal, and Co-Signor (print or type): _____ as surety/parent, acknowledge that we are jointly and severally bound to the People of the State of Colorado, in the sum of **\$ZERO DOLLARS (\$0.00)**, if there is a default upon the primary condition of this Bond. The primary condition of this Bond is that the Party shall personally appear in the Weld County Court, on:

_____ (return date), at _____ (time) in Division _____ and at each place, and upon each date, to which this proceeding is transferred or continued, until entry of an order for deferred prosecution or deferred judgment, plea of guilty, nolo contendere or conviction/adjudication. We also agree to a continuance of this bond through sentencing.

NOTE: If the return date and time is a legal holiday or a weekend, the return date is a mandatory appearance on the first business day thereafter.

1. You will appear to answer the charge against you at a place and upon a date certain and at any place or upon any date to which the proceeding is transferred or continued.
2. If charged with a crime alleging domestic violence as defined in section §18-6-800.3, until the court issues a mandatory order of protection pursuant to §18-1-1001(5) or §19-2.5-607, you will not harass, molest, intimidate, tamper with, retaliate against any victim or witness to the alleged acts and you may not have any direct or indirect contact with the alleged victim.
3. If charged with driving while your driver's license is restrained solely or partially because of a conviction of DUI or DWAI (§42-4-1301), you may not drive any motor vehicle during the period of such driving restraint.
4. You may not possess or consume alcohol or marijuana. No controlled substance use except for medication currently prescribed by a physician.
5. You must sign and comply with any and all protection order(s) issued by the Court.
6. You will not violate any state or federal law or municipal ordinance.
7. You shall comply with all conditions of any other forms of court-ordered community-based supervision.
8. You are not to drive a motor vehicle without a valid driver's license and motor vehicle insurance.

If the Party fails to comply with any of the conditions of this Bond, the Court may revoke the Party's release on bail, increase the amount of bail or modify bond conditions. This Bond will be forfeited if the party does not appear in Court as required by the primary bond condition.

 Defendant/Juvenile Signature Address (Street, City, State, & Zip Code) Telephone Number

 Parent/Co-Signor Signature Address (Street, City, State, & Zip Code) Telephone Number

Executed and Acknowledged by the above named In the presence of the undersigned at _____ (address Appearance Bond was signed/executed), by: _____

 Officer Name Agency Name Badge Number

Officer Signature: _____ Date: _____ Time: _____

District Court, Weld County, State of Colorado
Court Address: 901 9th Avenue, Greeley, CO 80631
Mail Address: P.O. Box 2038, Greeley, CO 80632
Phone Number : (970)475-2400

PEOPLE OF THE STATE OF COLORADO IN THE INTEREST OF,

DRAFT DRAFT DRAFT

COURT USE ONLY

Case Number(s):
DIV. 14

APPEARANCE BOND (JUVENILE)

BOND TYPE: Cash/Property/Surety Cash only PR/Self PR/RSP Parent/Guardian

This is a Bond Authorization or a YAMS bond. When signed by the juvenile and/or parent this form constitutes the bond.

NAME OF PARTY BOND POSTED FOR: (*print or type*) _____

First Middle Last DOB

The juvenile, as principal, and (*print or type*) _____ as surety, acknowledges

to be jointly and severally liable to the People of the State of Colorado, in the amount of \$ 0 DOLLARS (\$Zero) DOLLARS, if there is a default upon the primary condition of this bond.

The primary condition of this bond is that the Party shall personally appear at **Weld County/District Court - Division 14 (Court's West), 910 10th**

Avenue, Greeley, Colorado on _____ at (*time*) _____ A.M./P.M. and at each place, and upon each date, to which this proceedings is transferred or continued, until entry of an order for sentencing (unless the written consent of the sureties is filed of record), to answer charges of: : Bond remains in effect until sentencing or further order of the Court.

CONDITIONS AFTER JUVENILE POSTS BOND

Party and Surety to comply with all orders of the Court; Party shall have no further violations of the law; Party acknowledges the existence of a mandatory restraining order under C.R.S. §19-2.5-607; Party shall immediately notify the Court of any change of mailing address, residence or telephone number; Surety to use reasonable efforts to insure compliance with terms and conditions of bond .

Juvenile to report immediately upon release and comply with all requirements of any supervision to probation parole. **ANY ORDER TO PROBATION ALLOWS PROBATION TO USE EHM OR GPS IN ITS DISCRETION** (and does not apply to any EHM sentence).

Juvenile to report immediately to, and be supervised by, pretrial services; 970-397-1354 ; 3400 W 16th Street Building 5 Suite Z Greeley, CO 80631 **ANY ORDER TO PRE-TRIAL SERVICES ALLOWS CYDC TO USE ANY ESTABLISHED SUPERVISION METHOD AUTHORIZED BY STATUTE, AND ANY ESTABLISHED SUPERVISION METHOD APPROVED BY 19TH JUDICIAL DISTRICT ADMINISTRATIVE ORDER 23-09 INCLUDING EHM, GPS, LOCKDOWN (incl. graduated levels), OR SUBSTANCE USE TESTING WITHOUT FURTHER AUTHORIZATION.**

If 18, report immediately to adult pretrial services at 901 10th Ave, Greeley, CO 970.336.7227 If juvenile turns 18 while on bond, juvenile is to report within 24 hours of turning 18 to adult pretrial services.

24 hour accountability to parents/guardian & comply with all rules of home or placement at probation/pretrial discretion.

With adult supervision at all times at prob/pretrial discretion.

Lockdown at home with release for professional appointments and school work _____ at probation discretion.

IF ANY OF THE FOLLOWING BOXES ARE CHECKED, EACH CONDITION IS NOT AT THE DISCRETION OF ANY SURTY OR PROVIDER

EHM with any or all of probation CYDC, adult pretrial (and may include GPS at discretion of provider).

Alcohol and/or drug monitoring including urinalysis, breathalyzer, or electronically.

Lockdown at home with release for professional appointments and school work _____.

Comply with mental health treatment as recommended medications taken as prescribed.

Comply with DHS placement/programming.

Until further order of the Court juvenile to remain at _____ (name of party).

Juvenile will not leave the State of Colorado without permission of the Court, consent of surety, and without providing a written waiver of extradition and acknowledge that s/he will not be admitted to bail in any other state pending extradition to this state.

No demonstration of gang association or affiliation in any manner **No use of alcohol or controlled substances without prescription**

This is a YAMS bond – youth awaiting mitigating circumstances / services. Any court finding of risk is mitigated as soon as the conditions or orders below exist and at which time the surety or designated person may execute the bond and Juvenile shall be released. The Juvenile, surety, or any other named/identified person shall comply with the conditions / circumstances / services stated below.

Juvenile to be released to Weld _____ DHS when and if appropriate placement is found; if placed, no leaving placement without permission.

Other (juvenile/parent/custodian must comply AFTER release): _____

If the Party fails to comply with any of the conditions of this bond, the Court may revoke the Party's release on bail, increase the amount of bail or modify bond conditions. This bond will be forfeited if the Party does not appear as required by the primary bond condition.

PARTY (*Signature*) _____ Address (*City, State, & Zip Code*) _____ Telephone No. _____

SURETY OTHER THAN BONDING AGENT** (*Signature*) _____ Address (*City, State & Zip Code*) _____ Telephone No. _____

EXECUTED AND ACKNOWLEDGED by the above-named in the presence of the undersigned at _____ (*name of court or facility where bond written*).

BY: _____
Deputy Clerk/Sheriff (*As to Surety/Bonding Agent*)

By: _____
Deputy Clerk/Sheriff (*As to Party*)

(*date*) _____ (*time*) _____

(*date*) _____ (*time*) _____