

**Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 14-0091.01 Michael Dohr x4347

SENATE BILL 14-064

SENATE SPONSORSHIP

Ulibarri, Guzman

HOUSE SPONSORSHIP

Salazar,

Senate Committees

Judiciary
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING RESTRICTING THE USE OF LONG-TERM ISOLATED**
102 **CONFINEMENT FOR INMATES WITH SERIOUS MENTAL ILLNESS.**

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://www.leg.state.co.us/bills summaries>.)

The bill requires the department of corrections to review the status of all offenders held in long-term isolated confinement within 90 days after the effective date of the bill. If the review determines that the offender is seriously mentally ill, the department shall move the offender from long-term isolated confinement to a mental health step-down unit,

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

a prison mental hospital, or other appropriate housing that does not include long-term isolated confinement. The department may not place a seriously mentally ill offender in long-term isolated confinement and must do a mental health evaluation prior to placing an inmate in long-term isolated confinement prior to placement to determine whether the placement is allowed.

The bill dictates the type and manner that discipline is applied to seriously mentally ill inmates. The bill provides seriously mentally ill inmates with the opportunity for therapy and out-of-cell time.

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

2 **SECTION 1. In Colorado Revised Statutes, add 17-1-113.8 as**
3 **follows:**

4 **17-1-113.8. Persons with serious mental illness - long-term**
5 **isolated confinement - work group.** (1) **THE DEPARTMENT SHALL NOT**
6 **PLACE A PERSON WITH SERIOUS MENTAL ILLNESS IN LONG-TERM ISOLATED**
7 **CONFINEMENT EXCEPT WHEN EXIGENT CIRCUMSTANCES ARE PRESENT.**

8 **(2) (a) THERE IS HEREBY ESTABLISHED WITHIN THE DEPARTMENT**
9 **A SERIOUS MENTAL ILLNESS IN LONG-TERM ISOLATED CONFINEMENT WORK**
10 **GROUP, REFERRED TO IN THIS SECTION AS THE "WORK GROUP". THE WORK**
11 **GROUP CONSISTS OF:**

12 **(I) THE DEPUTY EXECUTIVE DIRECTOR OF THE DEPARTMENT, OR**
13 **HIS OR HER DESIGNEE, WHO SHALL CONVENE AND SERVE AS THE CHAIR OF**
14 **THE WORK GROUP;**

15 **(II) THE DIRECTOR OF CLINICAL AND CORRECTIONAL SERVICES,**
16 **WITHIN THE DEPARTMENT, OR HIS OR HER DESIGNEE;**

17 **(III) THE DIRECTOR OF PRISONS, WITHIN THE DEPARTMENT, OR HIS**
18 **OR HER DESIGNEE;**

19 **(IV) THE CHIEF OF PSYCHIATRY, WITHIN THE DEPARTMENT, OR HIS**
20 **OR HER DESIGNEE;**

1 (V) THE DIRECTOR OF BEHAVIORAL HEALTH, WITHIN THE
2 DEPARTMENT, OR HIS OR HER DESIGNEE;

3 (VI) TWO REPRESENTATIVES FROM A NONPROFIT PRISONERS'
4 RIGHTS ADVOCACY GROUP, ONE WHO IS APPOINTED BY THE SPEAKER OF
5 THE HOUSE OF REPRESENTATIVES AND ONE WHO IS APPOINTED BY THE
6 PRESIDENT OF THE SENATE; AND

7 (VII) TWO MENTAL HEALTH PROFESSIONALS INDEPENDENT FROM
8 THE DEPARTMENT WITH PARTICULAR KNOWLEDGE OF PRISONS AND
9 CONDITIONS OF CONFINEMENT, ONE WHO IS APPOINTED BY THE SPEAKER
10 OF THE HOUSE OF REPRESENTATIVES AND ONE WHO IS APPOINTED BY THE
11 PRESIDENT OF THE SENATE.

12 (b) (I) THE WORK GROUP SHALL ADVISE THE DEPARTMENT ON
13 POLICIES AND PROCEDURES RELATED TO THE PROPER TREATMENT AND
14 CARE OF OFFENDERS WITH SERIOUS MENTAL ILLNESS IN LONG-TERM
15 ISOLATED CONFINEMENT, WITH A FOCUS ON PERSONS WITH SERIOUS
16 MENTAL ILLNESS IN LONG-TERM ISOLATED CONFINEMENT.

17 (II) THE WORK GROUP HAS THE POWER TO REQUEST, ON A PERIODIC
18 BASIS, INFORMATION AND DATA FROM THE DEPARTMENT ON THE STATUS
19 OF THE DEPARTMENT'S WORK ON THE SUBJECT MATTER OF THE WORK
20 GROUP.

21 (c) THE CHAIR OF THE WORK GROUP SHALL CONVENE THE WORK
22 GROUP'S FIRST MEETING NO LATER THAN JULY 1, 2014, AND THE WORK
23 GROUP MUST MEET AT LEAST SEMI-ANNUALLY THEREAFTER. THE CHAIR
24 SHALL SCHEDULE AND CONVENE THE WORK GROUP'S MEETINGS.

25 (d) THE CHAIR SHALL PROVIDE THE WORK GROUP WITH
26 QUARTERLY UPDATES ON THE DEPARTMENT'S POLICIES RELATED TO THE
27 WORK GROUP'S SUBJECT AREA.

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