

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 10, 2014
Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

SB14-064 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, strike everything below the enacting clause and
2 substitute:
- 3 "SECTION 1. In Colorado Revised Statutes, **add** 17-1-113.8 as
4 follows:
- 5 **17-1-113.8. Persons with serious mental illness - long-term**
6 **isolated confinement - work group.** (1) THE DEPARTMENT SHALL NOT
7 PLACE A PERSON WITH SERIOUS MENTAL ILLNESS IN LONG-TERM ISOLATED
8 CONFINEMENT EXCEPT WHEN EXIGENT CIRCUMSTANCES ARE PRESENT.
- 9 (2) (a) THERE IS HEREBY ESTABLISHED WITHIN THE DEPARTMENT
10 A SERIOUS MENTAL ILLNESS IN LONG-TERM ISOLATED CONFINEMENT WORK
11 GROUP, REFERRED TO IN THIS SECTION AS THE "WORK GROUP". THE WORK
12 GROUP CONSISTS OF:
- 13 (I) THE DEPUTY EXECUTIVE DIRECTOR OF THE DEPARTMENT, OR
14 HIS OR HER DESIGNEE, WHO SHALL CONVENE AND SERVE AS THE CHAIR OF
15 THE WORK GROUP;
- 16 (II) THE DIRECTOR OF CLINICAL AND CORRECTIONAL SERVICES,
17 WITHIN THE DEPARTMENT, OR HIS OR HER DESIGNEE;
- 18 (III) THE DIRECTOR OF PRISONS, WITHIN THE DEPARTMENT, OR HIS
19 OR HER DESIGNEE;
- 20 (IV) THE CHIEF OF PSYCHIATRY, WITHIN THE DEPARTMENT, OR HIS
21 OR HER DESIGNEE;
- 22 (V) THE DIRECTOR OF BEHAVIORAL HEALTH, WITHIN THE
23 DEPARTMENT, OR HIS OR HER DESIGNEE;

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

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

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

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

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

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

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

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