



## D 2022 001

### EXECUTIVE ORDER

#### Ordering the Temporary Suspension of Certain Regulatory Statutes Concerning Juvenile Justice Due to the Presence of COVID-19

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to Article IV, Section 2 of the Colorado Constitution and the relevant portions of the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701 *et seq.*, I, Jared Polis, Governor of the State of Colorado, hereby issue this Executive Order ordering the temporary suspension of certain regulatory statutes concerning juvenile justice due to the presence of coronavirus disease 2019 (COVID-19) in Colorado.

#### **I. Background and Purpose**

On March 5, 2020, the Colorado Department of Public Health and Environment's (CDPHE) public health laboratory confirmed the first presumptive positive COVID-19 test result in Colorado. I verbally declared a disaster emergency on March 10, 2020, and on March 11, 2020, I issued the corresponding Executive Order D 2020 003, as amended and extended. On March 25, 2020, I requested that the President of the United States declare a Major Disaster for the State of Colorado, pursuant to the Stafford Act. The President approved that request on March 28, 2020. On July 8, 2021, I rescinded Executive Order D 2020 003, as amended and extended, and issued Executive Order D 2021 122, the Colorado COVID19 Disaster Recovery Order, as amended and extended, which memorialized and continued the declaration of disaster, pursuant to C.R.S. § 24-33.5-704(4), from Executive Order D 2020 003.

My administration, along with other State, local, and federal authorities, has taken a wide array of actions to mitigate the effects of the pandemic and prevent further spread. Despite significant progress, there has been an increase in COVID-19 cases, largely due to the highly contagious Delta and Omicron variants. As a result, the number of persons needing medical attention or to quarantine within the Department of Youth Services has increased. The spread of COVID-19 in State facilities poses a significant threat to individuals and staff in these facilities, as well as the communities to which these individuals will return. Further, the spread of COVID-19 has led to staffing shortages.

This Executive Order temporarily suspends certain regulatory statutes related to the Division of Youth Services centers to enable the Colorado Department of Human Services

(CDHS), to respond to the pandemic and undertake efforts to prevent or contain the spread of COVID-19 in CDHS facilities and to ensure the safety and well-being of youth and staff.

**II. Directives**

- A. I temporarily suspend the provisions in C.R.S. §§ 26-20-103(1) and 26-20-104.5 regarding the use of seclusion, as defined in C.R.S. § 26-20-102(7), in secure facilities operated by the Division of Youth Services, provided that such measures are used to comply with the Centers for Disease Control and Prevention (CDC) Interim Guidance on Management of Correctional and Detention Facilities, which recommends that medical isolation and quarantine occur in a single room with a door that closes, and may also be used to ensure staff to youth ratios to protect the safety and well-being of youth and staff.

**III. Duration**

This Executive Order shall expire thirty (30) days from January 6, 2022, unless extended further by Executive Order.



GIVEN under my hand and the Executive Seal of the State of Colorado, this sixth day of January 2022.

A handwritten signature in blue ink, which reads "Jared Polis". The signature is written in a cursive, flowing style.

Jared Polis  
Governor