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EXECUTIVE ORDER

Amending and Extending Executive Orders D 2020 034, D 2020 060, and D 2020 094 Ordering the Temporary Suspension of Certain Regulatory Statutes Concerning Juvenile Justice, Regional Centers, and Behavioral Health 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 amending and extending Executive Order D 2020 034, as amended and extended by Executive Orders D 2020 060 and D 2020 094, ordering the temporary suspension of certain regulatory statutes concerning juvenile justice, regional centers, and behavioral health 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. Since then, the number of confirmed cases has continued to climb, and there is community spread throughout the State. 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 by Executive Orders D 2020 018, D 2020 032, D 2020 058, D 2020 076, D 2020 109, and D 2020 125. 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.

My administration, along with other State, local, and federal authorities, has taken a wide array of actions to mitigate the effects of the pandemic, prevent further spread, and protect against overwhelming our health care resources.

We must take action to minimize the duration of this epidemic and the disruption to our daily lives. The virus that causes COVID-19 is spread primarily by close contact between people and through respiratory droplets when an infected person coughs or sneezes. Public health experts recommend we practice "social distancing," or maintaining a physical distance of six (6) feet or more from other people, as a way to slow the spread of COVID-19.

The potential spread of COVID-19 in State facilities poses a significant threat to individuals and staff in those facilities, as well as the communities to which those individuals will return.

On April 11, 2020, I issued Executive Order D 2020 034, temporarily suspending certain regulatory statutes related to the Colorado Department of Human Services (CDHS), including Division of Youth Services centers, and public and private behavioral health facilities, to enable CDHS to respond to the pandemic and undertake efforts to prevent or contain the spread of COVID-19 in CDHS facilities.

On May 10, 2020, I issued Executive Order D 2020 060, amending and extending Executive Order D 2020 034 to temporarily suspend an additional statute so that the Division of Youth Services could take further action to prevent the spread of COVID-19 among its youth population.

On June 8, 2020, I issued Executive Order D 2020 094, extending Executive Orders D 2020 034 and D 2020 060 for an additional thirty (30) days and amending those Executive Orders so that two provisions expired concerning the juvenile parole board and juvenile commitment.

This Executive Order extends Sections II.A, II.C, II.E, II.F, II.G, II.H, and II.I of Executive Orders D 2020 034 and D 2020 060, for an additional thirty (30) days, and makes a technical amendment to Section II.I in conformity with SB 19-108, effective July 1, 2020.

II. Amendments

Section II.I of Executive Order D 2020 034, as amended and extended by Executive Orders D 2020 060 and D 2020 094, is amended to read as follows:

I. I temporarily suspend the requirement in C.R.S. § 19-2-508(4)(g) that any person who is eighteen years of age or older who is being detained for a delinquent act or criminal charge over which the juvenile court has jurisdiction, or for which charges are pending in district court pursuant to a direct filing or transfer, be detained in the county jail in the same manner as if such person is charged as an adult.

III. Duration

Executive Order D 2020 034, as amended and extended by Executive Orders D 2020 060, D 2020 094, and this Executive Order, shall expire thirty (30) days from July 8, 2020, unless extended further by Executive Order. In all other respects, Executive Order D 2020 034, as amended and extended by Executive Orders D 2020 060 and D 2020 094, shall remain in full force and effect as originally promulgated.

GIVEN under my hand and the Executive Seal of the State of Colorado, this eighth day of July, 2020

Jared Polis
Governor