Timothy Montoya Task Force

August 14, 2024, Meeting Recap

Overview

The Timothy Montoya Task Force to Prevent Children from Running Away from Out-of-home Placement is legislatively charged with analyzing the root causes of why children and youth run from out-of-home care to help develop a consistent, prompt and effective response for when children and youth do run. It is also charged with assessing how to address the safety and well-being of children and youth upon their return to care.

Revisiting Recommendations 5e and 7

The meeting began with a plan to start discussing Recommendation 7, as originally scheduled, with a brief detour to revisit part of Recommendation 5 for clarification. Participants were reminded to check their emails for a survey regarding Recommendations 1 - 6, which included edits from the last meeting. The survey offers an opportunity for feedback, especially for those who were not present in the previous discussion.

Trace Faust assured that the voting on recommendations will be conducted via email to accommodate everyone, ensuring that no one's absence would hinder their ability to participate in the voting process.

Recommendation 7 - Statewide Response to Youth who Run

Doris Tolliver provided initial framing and Jordan Steffen offered further context on the development of the recommendation. Jordan explained that the term "absconder unit" was taken out to ensure it didn't carry law enforcement connotations. Instead, the recommendation envisions a multidisciplinary unit with an emphasis on a thoughtful and careful approach.

The recommendation includes two subcomponents and proposes the involvement of a third-party entity to assess and refine the approach. Jordan highlighted that the recommendation is part of a broader continuum of work. The need for the response unit has been identified, and the focus now is on the creation and implementation of the unit, with third-party consultants helping to ensure it meets the intended goals, including adapting to different parts of the state, taking into account local nuances such as resource availability.

Data Sharing

Sergeant Brian Cotter raised concerns about the recommendations being overly broad, especially regarding information sharing. He suggested that the recommendations should be more specific about the information members of the unit would have access to and that there should be a clear mandate for county departments of human services to share information with the unit.

Jenelle Goodrich stressed the importance of clearly defining the roles and responsibilities of those involved in the unit to avoid any potential for inappropriate access to sensitive data.

Jordan sought clarification on how the recommendations tie into the broader framework established in Recommendation 1A, particularly regarding the sharing system for data and information across the continuum of care. The current intention is for all relevant information about a youth to be incorporated into this system, ensuring it follows the youth consistently, but Jordan offered to include specific language to ensure that access to and use of data is strictly for the purpose of the youth's recovery and preventing further runaways.

Sergeant Cotter interpreted Recommendation 1A as focusing on collecting de-identified data to inform general responses to various situations involving children. He believed the purpose of 1A was to use statistical samples to tailor responses to children based on certain categories or situations, rather than creating a specific database for individual children that would inform a particular response. Jordan clarified that the intention behind 1A is indeed to create a functioning database that not only collects de-identified data for broader analysis but also holds specific information about individual children. This would allow the system to track and enter criteria and response types for youths who run from care.

Chair Stephanie Villafuerte suggested that the language in Recommendation 7 should remain general, providing high-level guidance for those who will implement the project. She proposed that the recommendation could simply state that information sharing between law enforcement, county departments of human services, and the Colorado Department of Human Services shall occur, with consideration given to other necessary forms of information to aid in the recovery of children. Existing confidentiality agreements and background checks are already in place for Trails users and these arrangements could be referenced without going into too much detail.

Lynette Overmeyer emphasized the need to include provisions for sharing medical and mental health information, particularly for youth over 15 who hold their own privilege. Michelle Bradley suggested including youth over 18 who have opted to remain in the foster care system. Sergeant Cotter expressed concerns, arguing that it is not reasonable to dedicate resources to individuals who can opt out of a program. While law enforcement will investigate missing persons cases,

their authority and options are limited once individuals reach adulthood, making the situation more nuanced.

Third Party Vendor to Develop Implementation Plan

There was agreement that while Recommendation 7 should provide broad guidance, the specifics would be detailed in the public-facing implementation plan developed by the third-party vendor. This plan will include precise details and operational procedures.

Recommendation 5e - Assessing the Viability of Temporary Placements for Youth

The goal of the next section of the meeting was to clarify the specifics of what needs to be assessed with the recommendation and how to frame the request for a third-party entity. Instead of directly developing the temporary placements, the recommendation now suggests asking a third-party entity to evaluate the viability of such placements. This involves determining legal feasibility, existing resources, and the potential number of youth who could benefit annually. Sergeant Cotter suggests that the first step should be to determine if temporary placements are lawful under federal law. This needs to be established before any further steps or recommendations are made.

There was some confusion in the task force about whether the goal is to make a specific recommendation for implementing temporary placements or to request further research on the feasibility of such placements.

The discussion revealed the need to clarify some issues:

- *Legislation and Existing Programs:* Investigate if recent legislation or existing programs for homeless youth or similar populations can be leveraged or adapted for this context.
- *Impact on Education:* Consider the potential negative effects of temporary placements on a child's education, especially concerning prolonged absences.
- *Definition and Duration*: Define what "temporary" means in this context to avoid ambiguity and ensure it doesn't lead to prolonged stays that undermine the program's goals. Lynette suggested using "short-term stabilization units" or "short-term stabilization placements."
- *Guardrails*: Implement strong guidelines to prevent misuse or unintended consequences, such as extended stays beyond the intended purpose.
- *Purpose*: The goal is to stabilize youth in a short-term setting and then help them return to their original placement, rather than serving as a holding facility. Stephanie stressed the importance of understanding what the children need and how to prevent running away, rather than just providing a new type of placement.
- *Placement Reentry*: Aim to create conditions where placements are more willing to take youth back after stabilization, addressing the current reluctance due to past absences.

Post-Run Assessment Tool Instead of Temporary Placement

Stephanie emphasized the importance of a thorough post-assessment process for understanding why a child ran from their placement and determining if a different placement is needed. Rather than setting up new temporary shelters or placements, it may be more effective to improve and standardize the existing post-assessment processes. New recommendations for temporary placements might duplicate efforts or address issues already being handled by existing systems. Instead of new placements, a standardized post-assessment tool could be developed to make the process more effective and consistent.

Norma Aguilar-Dave agreed that there is a need for a more comprehensive assessment to understand what a child needs when they aren't succeeding in their current placement, but cautioned that caseworkers are overwhelmed with large caseloads and lack the time for in-depth clinical assessments needed to understand a child's needs after they run from placement.

Out of State Youth

Jenelle raised a concern about handling out-of-state children who are picked up while on the run. The issue is how to manage their placement and care, given that they might not have existing reports or protocols in the state they are found. Often, these children end up in juvenile detention, which may not always be appropriate. She asked whether there are specific provisions or protocols for these situations.

Lynette explained that while there is an interstate compact for handling children who have run from other states, issues arise if no run report exists from the originating state. This can leave children in limbo if their run status is not documented, making it difficult for Colorado to take action. She suggests considering measures that would allow Colorado to act even without a report from another state.

Funding Issues

Elizabeth Montoya recalled a previous discussion where it was noted that funding constraints made it impractical to maintain open beds in a short-term stabilization unit. The challenge was that keeping these units funded would also require funding for the child's previous placement, making it financially unfeasible.

Clarification and Next Steps

Jordan highlighted the need to clarify whether the recommendation is to research the viability of short-term stabilization units or to move forward with their establishment. She urged the group to decide whether they want to simply conduct research or proceed with both research and implementation of the units.

Options for Recommendation:

- Option 1: Recommend additional research on the feasibility and design of short-term stabilization units. This option focuses solely on gathering more information.
- Option 2: Recommend funding and legislation to establish STSU units, along with additional research on their composition and functioning. This option involves both recommending immediate action to create the units and conducting further research.
- Option 3: Abstention—not recommending any immediate action or research related to STSUs.

The group first voted on whether they support a recommendation around the concept of short-term stabilization units (STSUs) in general.

- Results: 9 members were in support, 2 were not, and 3 abstained.

Options for Recommendation:

- Option 1: Recommend obtaining additional research on STSUs.
- Option 2: Recommend both funding and legislation to establish STSUs, along with additional research.

The majority supported Option 2, which means the recommendation will include both funding and legislation to establish STSUs, in addition to conducting further research. Members who abstained were noted.

Integration of Research and Implementation

Stephanie suggested amending the recommendation to make it clear that a third party should handle the research and planning for the STSUs, including legal and funding considerations. This would ensure that all necessary steps are addressed before moving to legislation and funding.

The recommendation would call for obtaining a third-party consultant or institution to research and develop the necessary components for STSUs, ensuring that all legal, funding, and resource aspects are considered. The group generally agreed that implementing STSUs should involve both funding/legislation and thorough research.

Purpose and Vision

The STSUs are envisioned as short-term placements for youth in crisis, offering intensive, short-term care and planning. They aim to address immediate needs, including substance use issues, and provide follow-up support to facilitate a smooth transition back to their previous placement or a new one. Historically, similar units (acute treatment units) existed but were phased out. They provided intensive care and coordination with home schools and were funded by Medicaid or other sources. The current behavioral health system does not have an equivalent to the proposed STSUs. Existing options are

limited to higher-level treatment facilities (e.g., QRTPs) or foster homes, which may not address the immediate needs of youth as effectively.

The draft recommendation will be shared for further feedback to ensure it addresses all necessary components and aligns with the group's goals. There was also conversation on the topics of timelines and the role of the third-party consultant. There is strong support for specifying a short duration to ensure quick turnaround and avoid extended disruptions. The suggestion is to cap the stay, potentially around 21 days or less, aligning with the need for immediate stabilization without unnecessary delays. The consultant will be tasked with developing the specific criteria, including duration, but will work within the defined parameters provided by the group.

Drafting the Recommendation:

Jordan will draft the recommendation to include a clear expectation that the STSUs should be short-term with a specified maximum duration. The consultant will then be responsible for further refining this based on best practices and feasibility.

Next Steps

- The recommendations will be refined based on feedback from this meeting and reviewed in a follow-up survey. This approach allows for further input and adjustments if necessary.
- The group will receive emails with updates on recommendations 7 and 5e, followed by a comprehensive package including all recommendations.
- Two surveys will be sent out for feedback—one for recommendations 1 through 6, and another for recommendations 7 and 5e. After receiving feedback, a final comprehensive package will be sent out for review before the final vote.
- The last meeting of the task force will be on September 4th.
- The meeting ended with a reminder to check emails for important updates and to participate in the final stages of the process.