

Office of Civil and Forensic Mental Health



COLORADO
Department of Human Services

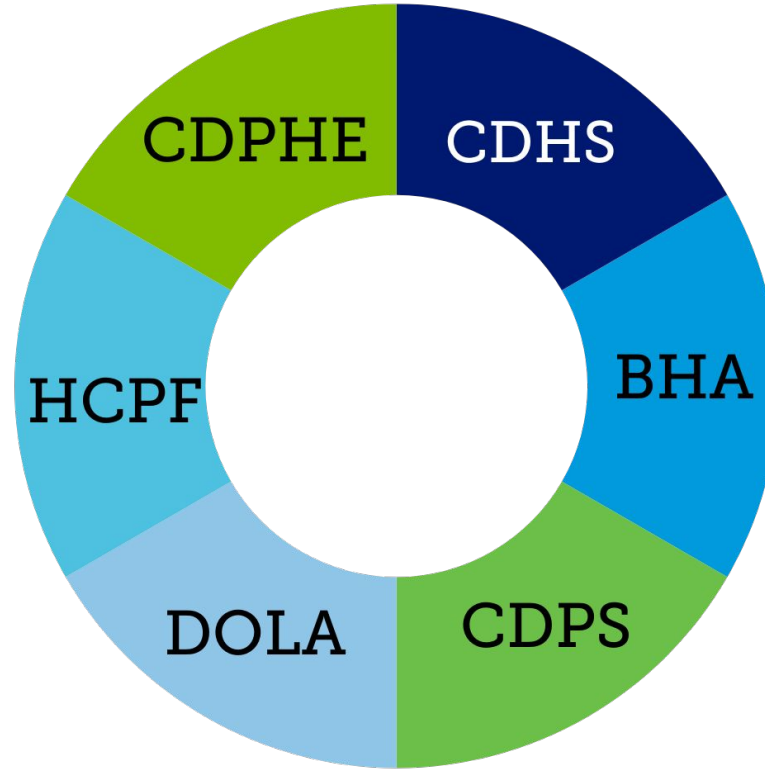
Agenda

1. Behavioral Health Landscape in Colorado
2. Competency and Consent Decree
3. The Waitlist
4. Successes and Solutions
5. The Fines Committee

Leora Joseph

Director, Office of Civil and Forensic Mental Health

Behavioral Health Landscape in Colorado



Office of Civil and Forensic Mental Health

Mental Health Hospitals

Provide inpatient behavioral health services for civil and forensic patients

Forensic Services

Provide evaluation, treatment and case management to the forensic population statewide

Mental Health Transitional Living Homes

Provide a less restrictive setting for individuals with severe mental health conditions

What is Competency?

Competency is a legal construct that refers to an individual's current capacity to function meaningfully and knowingly in a legal proceeding.

Competency services are about due process in criminal cases, *not* about holistic mental health treatment.

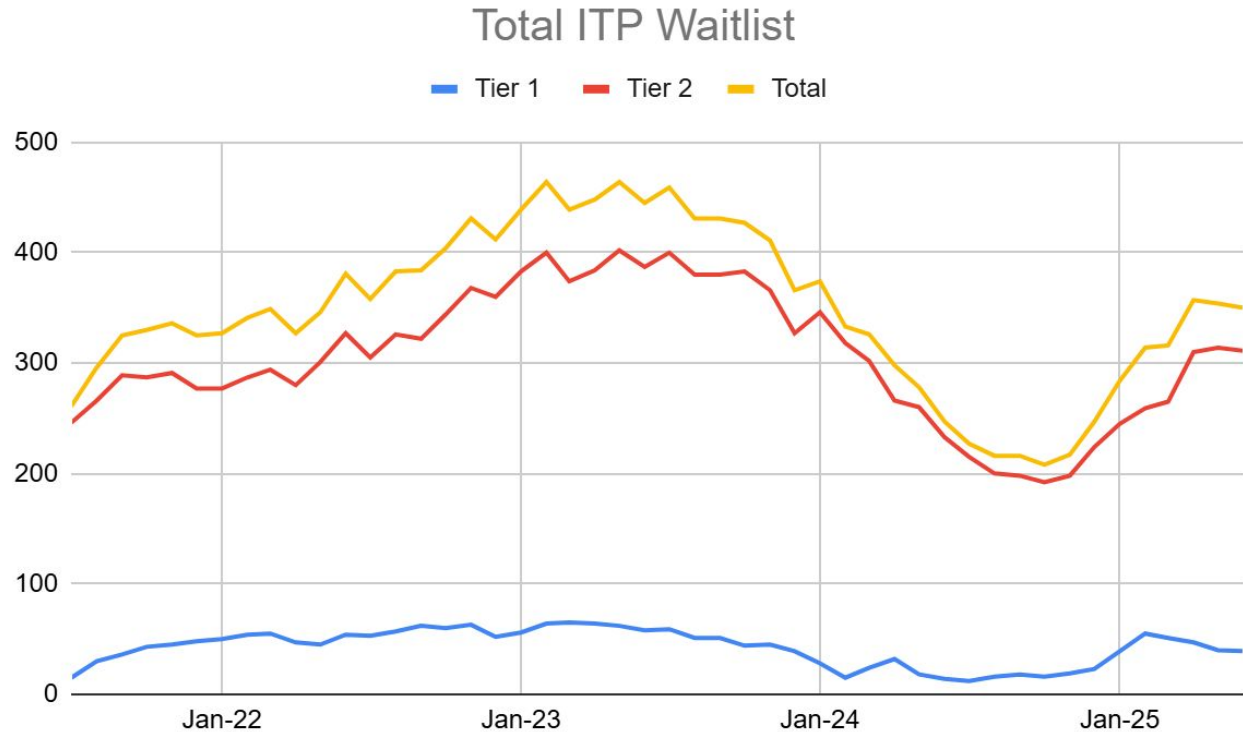
The Consent Decree

- CDHS was sued in 2011 for failure to provide timely competency evaluations and restoration treatment which has created a significant waitlist of pretrial detainees. The delays in services violate their constitutional rights.
- CDHS has been subject to requirements resulting from the lawsuit since then and is currently under a 2019 consent decree.
- **CDHS was in compliance in 2020 with admission timeframes - the waitlist fell to 49 individuals with the full capacity of beds open.**

Waitlist trends

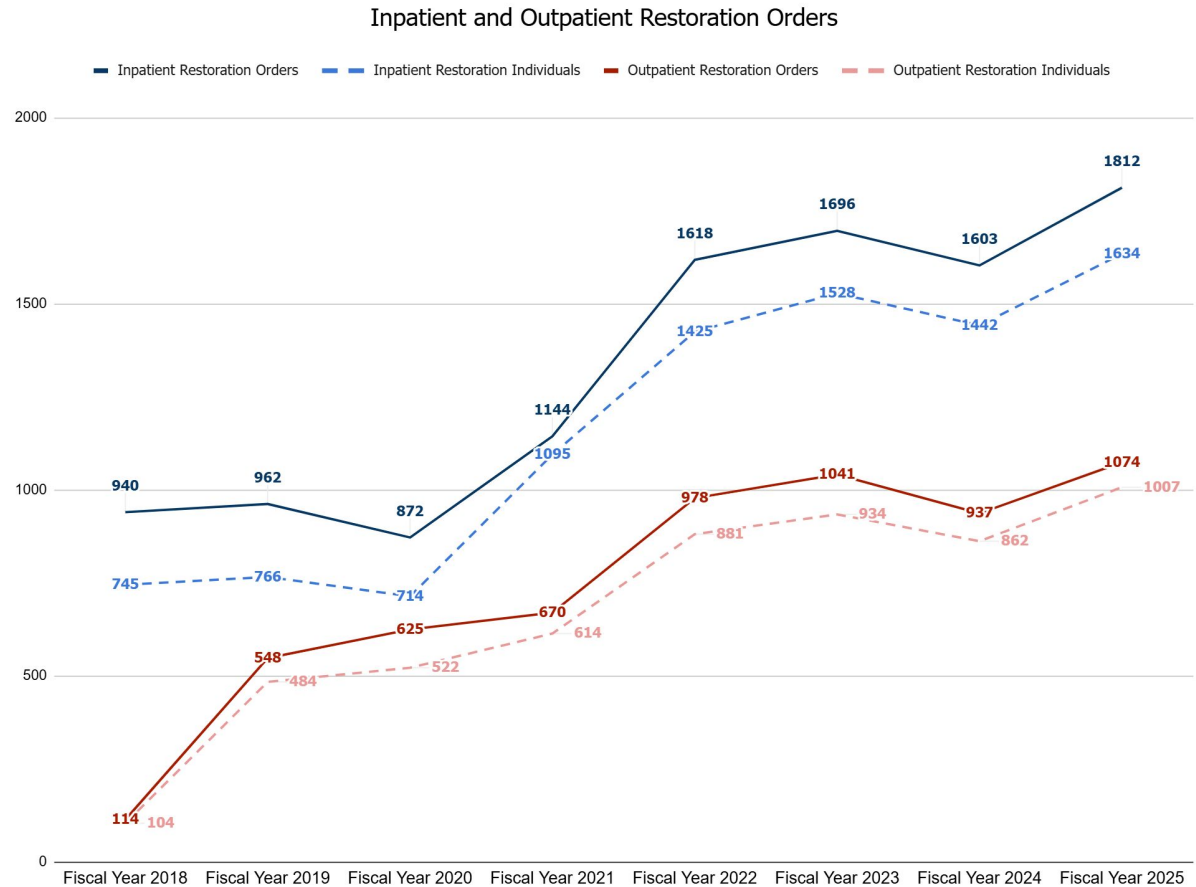
There was a **significant decrease in the waitlist in 2024** as new beds were added and staff retention efforts were successful.

The waitlist is creeping back up due to **significant increases in court orders and lengths of stay.**



Waitlist trends

From 2018 to 2025, there has been a **92.8% increase** in inpatient restoration treatment court orders.



Successes

Salary Increases for Staff
+ hiring bonuses

Competency Dockets

Mental Health Transitional
Living Homes

Outpatient Restoration
Program

Fort Logan
Competency Unit

Contracts with
Private Hospitals

The Fines Fund

Apply via coloradocompetencysolutions.com

- The fines OCFMH pays related to the consent decree go into a fund managed by Disability Law Colorado, OCFMH and the Special Masters appointed to oversee the consent decree.
- The fund disburses money to local programs aimed at reducing the waitlist.
- Some of the funded programs provide:

Temporary housing for
restoration clients

Treatment and wrap-around
services for priority populations

Resources for
competency dockets

Coordination between services in
the community and jails

Thank you!
Questions?



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