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Gilliam youth center reform plan hailed

By Carol Kreck
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Overcrowded and dangerous, Denver's Gilliam Youth Services Center soon may become a model for juvenile detention centers in the state, if not the country.

An unsigned settlement of a federal class-action lawsuit filed last December by the American Civil Liberties Union caps the center's population at 78.

Recently, inmate population has risen to

more than 200 in a facility designed to hold 64.

Under the old system, Gilliam often locked up children who'd committed minor traffic offenses or missed a court appearance with serious offenders.

Just last month, an 18-year-old filed a federal civil rights suit alleging he'd been sexually assaulted at Gilliam where he'd

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Accord in ACLU suit expected to make Gilliam into a model

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been taken for a traffic offense. Under the new intake system, that kind of offender probably wouldn't have been jailed at Gilliam in the first place.

A new intake process will hold Gilliam's population to 78 serious offenders, said Jerald Adamek, director of the state division of youth services.

The balance of youths may pay fines, bond out, be turned over to child welfare or mental health agencies, or go to less restrictive, less expensive residential facilities.

"Gilliam will no longer be a dumping ground," Adamek said. "Cops no longer will have to mutter, 'I've got this kid in the back of my car, and I don't know what the hell to do with him.'"

That the settlement still isn't signed remains a point of contention. A hearing was scheduled this morning to determine why Barbara McDonnell, executive director of the state department of human services, hadn't yet signed the document.

"We're very pleased," said ACLU attorney David Miller, who filed the suit on behalf of six youths who had been incarcerated at Gilliam.

The suit alleged severe overcrowding with as many as five children packed into a small, bare room designed for one.

Some cells lacked sinks or toilets and the walls of some were smeared with blood, urine and feces.

The suit said Gilliam was dangerous to children and staff. Kids allegedly were locked up for long periods to prevent rioting.

Young children were confined with older, more hardened offenders. Kids suffered sexual assaults, broken bones and wounds that required stitches.

Given the complexity of the issues and the speed with which the agreement was reached, Miller said "the settlement could almost be used as a model throughout the state and perhaps the country because it addresses many problems frequently seen in these detention centers."

Among those who won't necessarily be dumped at Gilliam after the settlement are youths who missed a municipal court appearance and have outstanding bench warrants.

"We understand Denver has some 7,000 municipal warrants," Adamek said. "Police gang impact units aren't picking up substantially more kids with weapons, but they're rounding up an awful lot of outstanding bench warrants."

Statewide, 48 percent of youths jailed in detention facilities are re-

leased in 48 hours. If they can be released that quickly, "Why should they be there in the first place?" Adamek asked.

"Our preference would be that intake take place outside of Gilliam — once a kid is in the building, it's tough to get him out," Adamek said.

Settlement terms also include reducing the inmate-staff ratio to 10-1 during days and 20-1 during sleeping hours, giving Gilliam the lowest staff-youth ratio in the state. Also, the settlement improves medical and mental health services and links kids with more help on their release from Gilliam.

"When they leave, they're going someplace, their parents are going someplace," Adamek said.

Youths and their families may get post-release help from child welfare, Planned Parenthood or drug-and-alcohol services, for example.

Education is a key facet of the agreement. Miller said Gilliam was so overcrowded that "many kids were not getting any access to education."

"Also, a high percentage of the plaintiffs and a high percentage of all the residents at Gilliam need special education," Miller said.

Under the agreement, that will be provided in expanded classrooms at Gilliam by Denver Public Schools, which also was named in the suit.

Adamek said the settlement made sense for many reasons.

"If we hadn't done this, the state of Colorado would have had to pay a

hell of a lot more money in attorneys' fees, especially if the state lost. As part of the settlement, \$80,000 in fees will be paid to the AC.U.

Money for extra staff already was allocated by the legislature in anticipation of a new detention center — for which the city of Denver still hasn't found a site.

In two years when the new facility is built, the legislature will have to spend \$750,000 more for staff because the agreement dictates the youth-staff ratio at Gilliam cannot rise.

Miller said money also will be saved by preventing further litigation against the state because of conditions at Gilliam.

The population at the facility already was down to about 130 because the Denver Juvenile Court had been working with other agencies to provide alternatives to detention in anticipation of the settlement said chief Judge Dana Wakefield.

Miller said other terms of the settlement could kick in before signature. After it's signed, implementation begins in 90 days.

"My greatest hope is that the state not allow the system to deteriorate to the point where this happens again," Miller said.

Further, he said, Gilliam doesn't stand alone. "Our goal was to address the problems at Gilliam, but also to draw attention to problems in other detention centers as well."