

Timothy Montoya Task Force Final Report



Colorado provides out-of-home care for some of Colorado’s most vulnerable youth.

This includes youth who are placed in our state’s foster care system as well as those youth who are placed in the state’s 24/7 residential care facilities for treatment of their severe behavioral health needs.

Ideally, these placements are designed to keep children safe while they are receiving shelter, necessities, treatment and care. However, the reality is that youth run from these placements each year and Colorado has no standardized statewide system in place to prevent them from running, protocols to actively locate them while they are gone nor a standard process to provide consistent care for them when they return. The result is that Colorado is responsible for thousands of children in its foster care and behavioral health care systems and yet, these youth can leave without adult care or supervision for days, months or perhaps longer. In some instances, youth never return at all—as was the case with 12-year-old Timothy Montoya who died in June of 2020, after he left his therapeutic facility and was hit and killed by a car.

In response to Timothy Montoya’s death the Colorado General Assembly passed House Bill 22-1375, “Child Residential Treatment and Runaway Youth,” which established the Timothy Montoya Task Force to Prevent Children from Running Away from Out-Of-Home Placement. This task force explored the challenges associated with youth who run from

care and worked to create a consistent, prompt and effective response to youth who run away from their out-of-home placements.

The task force was charged with analyzing and making recommendations to the General Assembly on how to improve the state’s laws, regulations and practices. There were several specific directives that the task force was required to address.

The task force now issues its final report. The recommendations of the task force are presented in their entirety following the order set forth in the legislation authorizing the task force. Since the final report is organized around the directives set forth in the legislation, it does not convey the overall spectrum of changes being recommended by the task force.

In sum, the task force found that there is no cohesive, statewide system in place that addresses the needs of youth who run from out-of-home placements. This summary document presents the recommendations of the task force across three distinct categories to show how they are designed to work together and create a continuum of services for youth who run from out-of-home placements.

For the full text of all recommendations please refer to [the task force’s final report](#).

Creating a Continuum of Services for Youth Who Run from Out-of-Home Placements

As the task force considered the issues, the group identified a system of care that addresses run away incidents at three levels: **Prevention, Intervention** and **After-Care**. These recommendations are summarized as follows.

Prevention: Preventing Youth from Running from Care

The task force recognized that an ideal system to reduce instances of youth running from out-of-home care would need to place a special emphasis on prevention efforts. Many issues currently arise in Colorado which could be avoided or mitigated. This group of recommendations would work together to ideally prevent youth from running from care in the first place, thereby eliminating the risks associated with running from care.

› **Create a Standard, Statewide Database for Youth Who Run from Care**

The state of Colorado currently has very little data about youth who run from care. This means that we often do not know what leads youth to run from care, what they experienced when they were away or how best to help them when they return. These recommendations would create a statewide data collection system that would both help us to better understand trends across the state as well as how to best help individual youth. See Recommendations 1A and 1B.

› **Create a Runaway Prevention Curriculum for Care Providers, Foster Families, and Youth**

There is currently no standard, required education for youth or caregivers on the risks of running away from care, or the services available to youth to help them return to care. The task force considered educational programs that already exist, such as the National Runaway Safeline's materials that include resources and services for those seeking support. These recommendations would create standard, required education for both youth and those providing them with care. See Recommendations 6D and 6E.

› **Analyze Facility Security and if Necessary, Add Additional Safety Measures to Deter Youth from Running from Care.**

Some facilities have physical infrastructure – such as locks, fencing, and alarms – to prevent youth from running, but many do not have this hardware or even know if it is allowed. This has led to a situation where youth are often able to simply walk away from care without any barriers. These recommendations would survey facilities, assess their needs, ensure facilities are appropriate for the care of youth, and if necessary, provide funding to implement trauma-informed mechanisms to keep youth from running from care. See Recommendations 6A and 6B.

› **Develop a Standard Pre-Admission Risk Assessment Tool that Measures the Likelihood that a Youth Will Run and the Risks They Face.**

When a youth is admitted to an out-of-home placement, facilities and foster families have no way of knowing their likelihood of running or the unique risks they may face if they were to run. As a result, there is often little to no information to inform how to respond to a youth who runs from care. This recommendation would develop a tool to assess youth soon after they begin their entry into foster care or residential treatment, helping to ensure that the youth receive appropriate care and participate in run-prevention efforts if necessary. See Recommendations 6C.

› **Clarify in State Law when a Facility May Intervene to Prevent Run Away Behavior**

Task force members found that there is ambiguity in the law and state regulations about a facility's ability to prevent a youth from running from care. As such, youth are often allowed to leave the premises without any intervention by facility staff. These recommendations will help bring clarity to the law so that staff know when, how and under what circumstances they may prevent a youth from leaving care. See Recommendations 5A, 5B and 5C.

› **Require Notification to Parents and Caregivers on Facility Policies and Protocols on Preventing Youth from Running from Care**

Placing a youth in out-of-home care has tremendous implications for a child's well-being.

Currently, there is no requirement for residential facilities to provide their policies on what interventions they will take to prevent a youth from running. This recommendation would both require facilities to inform caregivers of their policies and give caregivers the option to sign a waiver allowing a facility to intervene when a youth runs from care. See Recommendation 5D.

Intervention: Responding When a Youth Runs from Care

The task force learned that there are many reasons a youth will leave an out-of-home placement. These include disconnection from their biological families, behavioral health and emotional dysregulation associated with prior trauma. The task force sought to ensure that, when a youth does run away from care, a system exists to ensure there is an efficient, well-structured and trauma-informed effort to recover them.

› Create Statewide Protocols and Tools That Ensure Every Missing Youth Is Responded to in a Timely and Effective Matter.

In Colorado state law, there are few requirements about what must be done when a youth runs away from care. This often leads to inconsistent response strategies and can sometimes mean that there is no plan in place to recover youth who have run. These recommendations would help create a system where a designated group of specialists would utilize specific risk categories to determine how to best respond to youth missing from care and ensure they are safely returned. See Recommendations 3A, 3B, 3C, and 7A.

After-Care: Ensuring that Youth who Leave Care Receive Appropriate Medical and Mental Health Evaluations and Care

A lot can happen to a youth when they have run from care, and they may have new needs that did not exist prior to their departure. Once a youth is recovered, it is crucial that they be given appropriate care to not only ensure their well-being but to prevent future run attempts from occurring.

› Create Short-Term Stabilization Units for Youth to Assess Appropriateness of Current Placements and Return Plan for a Youth

Once a youth has run from out-of-home placement, there may be nowhere for them to return to because their original placement was not appropriate, or their placement may not have been held during their absence. Sometimes youth who have run are instead forced to reside in hotels or even office buildings while a new placement is found. This recommendation would develop short-term stabilization units where youth could receive appropriate, short-term care while longer-term placements are arranged for them. See Recommendation 5E.

› Develop a Standard Post-Run Recovery Tool

Youth who run from out-of-home placements may have traumatic experiences while away from care or may be returning to an environment from which they still want to run. Currently, there is no standard practice for asking a youth why they have run, what their experiences were while away, or if anything could be done to make them more likely to stay. There is also no standard practice and protocols for assessing a youth's physical and psychological well-being upon return. As a result, a youth's needs are often not addressed, and they may be just as likely to run a second time. This recommendation would develop a standard post-run recovery screening tool to ensure the youth receives proper care. See Recommendation 6C.

CONCLUSION

The Timothy Montoya Task Force to Prevent Youth from Running from Out-of-Home Placement is proud to submit this executive summary and its final report to the Colorado General Assembly, the Office of the Governor, and the people of Colorado. The task force recognizes the tragedies that too often occur when youth run away from out-of-home care and into unsafe circumstances. Task force members sincerely hope that these recommendations will help to establish a statewide system that will avoid such future tragedies through preventing runs, intervening when they do occur, and taking care of youth once they have been recovered.