



CHILD PROTECTION OMBUDSMAN of COLORADO

COLORADO CHILD PROTECTION OMBUDSMAN BOARD

PUBLIC MEETING
September 10, 2020

Record of Proceedings

Notice of this meeting was provided pursuant to the Colorado Open Meetings Law, § 24-6-402, C.R.S.

CONVENE

The meeting of the Child Protection Ombudsman Board was convened via Zoom teleconference at 8:04 a.m. by Board Chairman, Kenneth Plotz.

A quorum of the Board was present.

INTRODUCTIONS

PRESENT AT THE MEETING

Board Members on Zoom

Ken Plotz, Chairman
Simone Jones, Vice Chairman
Richard Krugman
Eldridge Greer
Karen Beye
Pax Moultrie
Victoria Shuler
Jerene Petersen
Claire Morrow
Ann Roan
Peg Rudden

Others Present

Janna Fischer, Assistant Attorney General
Stephanie Villafuerte, Child Protection Ombudsman
Jordan Steffen, Deputy Ombudsman
Tiffany Madrid, Director of Legislative Affairs and Policy
Karen Nielsen, Director of Administrative Services
Amanda Pennington, Director of Client Services
Claire Hooker, Client Services Analyst
Kristin Ladd, Client Services Analyst
Heather Coffman, Client Services Analyst

PRESENT FROM THE PUBLIC

None

INTRODUCTIONS

Pursuant to guidance handed down by the Colorado Department of Public Health and Environment regarding the spread of COVID-19, Chairman Plotz facilitated the meeting via teleconference. Board members and CPO staff participated via Zoom teleconferencing.

Ms. Villafuerte reported that the CPO has welcomed two new client service analysts and that all eight CPO allocated positions are now filled. She asked both analysts introduce themselves.

Ms. Ladd reported that she has served as a legal advocate for Colorado juveniles as a public defender and as the former executive director for the Colorado Juvenile Defender Center. She stated that she is passionate about juvenile justice issues effecting change for children in Colorado, primarily in the Division of Youth Services (DYS).

Ms. Coffman stated that she has more than 20 years of experience working with children and youth involved in the child welfare system. She reported her experience includes working as a mediator with the juvenile probation department, for the public-school district and most recently and for the Arapahoe County Department of Human Services as a permanency team supervisor.

Chairman Plotz welcomed everyone.

REVIEW AND APPROVAL OF MINUTES

July 9, 2020, Meeting Minutes

Chairman Plotz entertained a motion to approve the final minutes of July 9, 2020. Dr. Krugman made a motion to approve the final minutes of July 9, 2020, and Ms. Shuler seconded the motion. The motion passed unanimously.

PUBLIC COMMENT

None

Ms. Steffen reported to the group that the Board meetings and agenda are posted on the CPO website regularly.

EXECUTIVE DIRECTOR REPORT

Ms. Villafuerte welcomed everyone and thanked board members for their participation.

General Operations/COVID-19

Ms. Villafuerte reported that the CPO staff have continued to work remotely since March 13, 2020. She reported that she has worked with the CPO team to create a COVID-19 policy to ensure CPO employees working in the office are safe. She stated that the CPO currently has no more than 25 percent of staff working in the office at any given time.

Ms. Villafuerte stated that the CPO and other building tenants participate in bi-weekly meetings with the State Court Administrator's Office (SCAO) regarding when and how employees will resume operations at the Ralph L. Carr Judicial Center. She reported that SCAO does not have an immediate plan to re-occupy the building. Ms.

Villafuerte reported that she will update the Board if any circumstances change.

Financial Report

Ms. Villafuerte provided the Board with the CPO's final Fiscal Year (FY) 2019-20 operating budget report. She reported that the CPO closed out all expenses for FY 2019-20 in a timely manner. She reported that the CPO was approximately \$47,000 under budget.

Due to the unexpected budget deficient the state is facing, the CPO, like all state agencies, was asked to reduce its FY 2020-21 budget. The CPO was able to reduce its FY 2020-21 budget by 3 percent – approximately \$29,000.. She reported that the CPO's operating budget for FY 2020-21 is \$961,000. Ms. Villafuerte and Ms. Steffen will review the FY 2020- 21 budget and continue to assess cost saving measures.

The CPO is working with SCAO's budget analysts to finalize the agency's budget request for FY 2020-. She reported that, like all state agencies, the CPO is being asked to cut an additional 7 percent from its budget. Ms. Villafuerte stated that she will continue working with SCAO to analyze the CPO's budget and how to best accommodate the additional cuts.

There was discussion about whether the CPO can receive funding from outside sources. Ms. Fischer reported that she will research the issue.

Legal Services Report

Ms. Villafuerte provided the Board with the CPO's final FY 2019-20 legal services report. She reported that the CPO spent \$566 more than the anticipated legal budget. She reported that when the CPO goes over budget, the funding does not come out of the CPO's operating budget but rather it comes from the attorney general's budget.

Ms. Villafuerte stated that the CPO has a FY 2020-21 legal services budget of \$13,000. She reported that the CPO is provided a statement from the attorney general's office that reflects the specific charges. She reported that the CPO continues to utilize the Attorney General, Mr. Finke's and Ms. Fischer's expertise.

Upcoming Presentations

Ms. Villafuerte reported that the CPO continues to be a part of presentations on a national level. She stated that she is co-hosting a Webinar on September 16, 2020, with the United States Ombudsman Association's Children and Families Chapter that will examine two approaches to reviewing child deaths and other critical incidents to hold systems accountable and promote children's safety.

Ms. Steffen reported that she is looking forward to attending the presentation because she plans to highlight how this is a baseline function of other ombudsman partners across the. She also stated that she is continuing to work on the CPO's child fatality special initiative. She reported that the time frame was adjusted due to COVID-19 and that the agency plans to release an issue brief regarding current processes for reviewing child maltreatment deaths this fall.

Ms. Villafuerte reported that she is also a member of the American Bar Association's Section of Alternative Dispute Resolution Committee and that she and three other Ombudsman are doing a presentation in November 2020 regarding the role of the child protection ombudsman during COVID-19 and the many case-specific and systemic practice issues they saw as a group, various solutions they found for citizens and what gaps and voids the ombudsman can fill that are not addressed by other governmental agencies.

Ms. Villafuerte stated that she will share these presentation details to the Board in they would like to participate.

PROGRAM UPDATES

Client Services Team

Program Overview

CPO Cases and Clients -Ms. Pennington reported that the CPO opened 112 new cases during July and August of 2020. She stated that, currently, the CPO's Client Services Team has 196 open cases, which have been split between two analysts and herself. Ms. Pennington reported that she is glad to have two new members on the team and that Ms. Coffman will be taking cases after she has onboarded with the team.

There were questions regarding the CPO's call volume during the pandemic. Ms. Pennington reported that statewide and nationally there were fewer reports being made to child welfare agencies. This is largely a result of mandated reporters, such as teachers, having direct contact with children in youth. Despite the decrease in calls to child welfare agencies, the CPO has experienced a significant increase in its call volume. She attributed this influx of cases to client services analysts' efforts to monitor whether child welfare practices and services were impacted – or inaccessible – as a result of the COVID-19 outbreak.

Working with Stakeholder Partners - Ms. Pennington reported that members of the Client Services Team continue to participate in committees and groups such as the Colorado Department of Human Services' (CDHS) Child Fatality Review Team, the Colorado Department of Public Health and Environment's Colorado Fatality Prevention Systems' state team, the Division of Child Welfare/Division of Youth Services Crossover Youth Working Group, the Juvenile Justice Reform Committee, the DYS Restraint and Seclusion working group and the CDHS's Colorado Trails user group.

There was discussion about Ms. Pennington's participation in the Juvenile Justice Reform Committee. Ms. Pennington will provide the Board with additional information about the committee and its work.

Outreach and Education

County Recognition Letters – Ms. Pennington reported that in July 2020, the Client Services Team began producing and distributing county recognition letters. She stated that these letters acknowledge strong case practices and exceptional efforts by county human services departments in serving children and families. At this time, the CPO has delivered recognition letters to six county departments including Denver, Jefferson, Saguache, Pueblo, Garfield and Arapahoe. These letters have been well received by county departments. Ms. Pennington stated that the CPO is currently working to determine the best way to showcase these letters on its website.

Letters of Compliance Concern – Ms. Pennington stated that the Client Services Team completed 53 compliance letters during FY 2019-20, compared to 14 letters completed during FY 2018-19. She reported that the analysts continue to draft and distribute letters of compliance concern to agencies and supervising entities. The CPO has met with several county departments during the past few months to discuss these letters, and the utility they serve for county departments, clients and the public. Ms. Pennington stated that these conversations have been in-depth, and the CPO is working to find ways to continue improve these letters.

CPO Annual County Department Data Report – Ms. Pennington reported that in August 2020, the CPO distributed the Annual County Data Reports to all 59 county departments. She stated that these county department-specific reports included a detailed summary of the CPO's work with each county department, including a breakdown of the number of CPO cases involving each county department during Fiscal Year 2019-20 and how the CPO resolved each case. She reported that several county departments have shared that the reports were well received and appreciated by staff on all levels.

Ms. Pennington will send a copy of the county recognition letter, letter of compliance concern and county department data report to the Board.

Upcoming Presentations

Ms. Pennington reported that the Client Services Team will host the third Division of Child Welfare/CPO Quarterly Informational Session on September 21, 2020. This meeting allows the CPO to engage with staff from county departments and the CDHS, and to share current projects, discuss the annual reports, introduce new CPO staff and provide an opportunity to address any questions or concerns.

She further reported that on September 15, 2020, she will participate in a Facebook Live episode with Hope Communities to discuss the CPO's services and how we are supporting families during the pandemic.

Trainings

Ms. Pennington reported that the CPO team will be participating in a training on cultural competency, diversity and inclusion on October 7, 2020. She further stated that the Client Services Team will be attending the Strengthening Families Conference, the Office of the Child Representative and Public Defender's Conference in the next few weeks.

Public Policy

Stakeholder Engagement

Division of Youth Services – Ms. Madrid reported that the CPO has continued to engage with the DYS to learn about, and contribute to, the DYS' response to COVID-19. She stated that the CPO has also continued to organize the Juvenile Facilities Roundtable and participated in calls related to the Governor's executive regarding all DYS youth centers. She stated that the CPO has been monitoring placements at DYS youth centers and ensuring youth in DYS youth centers are able to connect with their families.

Colorado Department of Human Services' Statute Review Group – Ms. Madrid stated that on August 28, 2020, the CDHS resumed the Statute Review Group meetings with stakeholders from across the state. She stated that the CPO is continuing to participate to ensure gaps within Colorado's Children's Code are addressed with the best interests of children, youth and families at the forefront of consideration. Ms. Madrid stated that unlike the meetings that took place during the past fiscal year, which focused on strengthening the Children's Code as it relates to the Family First Prevention Services Act (FFPSA), meetings this fiscal year will explore other issues that need to be addressed in the Children's Code.

Family First Prevention Services Act (Family First Act) – Ms. Madrid reported that Colorado has until October 2021 to opt into FFPSA. Ms. Madrid stated that the CPO is participating in an implementation group.

Colorado Partnership for Thriving Families – Ms. Madrid reported that the CPO is working to support the Colorado Partnership for Thriving Families' Proof of Concept to create a child and family well-being system. She stated that the Proof of Concept was recently selected to receive technical support and assistance from The United States Children's Bureau, Casey Family Programs, Prevent Child Abuse America and the Annie E. Casey Foundation. She stated that the project aims to create the conditions for strong families and communities where children are healthy, valued and thriving. Ms. Madrid reported that the CPO is plugging into this opportunity to help align Colorado's health, prevention and child welfare systems by sharing evidence-based strategies and expertise around systems alignment, community engagement and program sustainability.

2021 Legislative Session Prep

Ms. Madrid reported that the CPO is diligently working to prepare for the upcoming 2021 legislative session. She stated that the CPO will send out surveys to help identify the child protections issues that are important to

citizens and legislators.

There was discussion regarding whether the CPO will going to champion any legislation during the upcoming session. Ms. Villafuerte stated that she and CPO staff continue to assess potential legislation but have not committed to any efforts.

FY 2020-21 SMART Act Q4 Performance Evaluation

Ms. Madrid reported that the CPO completed its fourth quarter SMART Act Performance Evaluation. She reported that the evaluation details the agency's progress towards its short- and long-term goals between April 1, 2020, and June 30, 2020, and can also be found on the CPO's website.

COMMUNICATIONS, OUTREACH AND SPECIAL INITIATIVES

Outreach Efforts

Social Media Presence

Ms. Steffen reported that the CPO continued to utilize and broaden its social media presence, primarily from its LinkedIn account. She stated that during the months of July and August 2020, the CPO posted 23 times on its account. She stated that the CPO saw a 3 percent increase in its followers since July and that the office saw a 10 percent increase in the rate of engagement with each post during the same two months.

Newsletters

Ms. Steffen reported that the CPO has continued to publish monthly newsletters to a listserv of more than 700 citizens, stakeholders and legislators. She stated that the CPO's newsletters continue to be an effective way to introduce new CPO projects and initiatives, highlight the work of other agencies and discuss best practices across the country. The CPO also plans to utilize this listserv to access and engage more citizens, legislators and stakeholders for other outreach during the legislative session.

CPO In the News

Ms. Steffen stated that on July 22, 2020, Ombudsman Villafuerte was featured in an article published in The Denver Post. The article, "Advocates Raise Alarm as COVID-19 Cases Rise Inside Colorado's Juvenile Prisons" detailed a letter delivered to Gov. Jared Polis regarding advocates' concerns about the spread COVID-19 inside DYS youth centers.

CPO Website Updates

Ms. Steffen reported that the CPO completed work to update its website during the past few months. She reported that updates to the website include, a general information video, a Spanish complaint form and language translation services. The updated website also includes a new page which houses all the CPO's Special Initiatives work. Ms. Steffen stated that this page serves as a one-stop for anyone looking for information about the CPO's past or current reports and public policy projects.

Youth and Parent Outreach/Website Library

Ms. Steffen reported that the CPO developed one-page flyers, posters and a webpage for youth clients. This page is dedicated to informing youth living in DYS youth centers and out-of-home placements about the CPO and the services the CPO may provide them. She reported that the CPO also developed a unique complaint for youth clients. This form was designed to help guide youth clients through the CPO's intake process, while also helping client services analysts gather more information so they may address youth concerns faster and more efficiently.

CPO Annual Report

Ms. Steffen reported that the CPO submitted its annual report for FY 2019-20. She stated that the report highlights the agency's activities and successes throughout FY 2019-20, including information about how the

agency has responded during the pandemic, engaged with Colorado citizens and sought to create a stronger child protection system for the future. She reported that on September 1, 2020, the report was submitted to the Colorado General Assembly, Governor Jared Polis and Chief Justice Nathan B. Coats. It has also been posted to the CPO's website.

Ms. Villafuerte reported that the CPO has been working hard with Barefoot PR last few years to try to broaden the image of the office. She asked the Board to read for the annual report and provide feedback.

Special Initiatives Projects

Adoption Assistance Rulemaking

Ms. Steffen reported that the CPO co-facilitated six teleconferences during May and June regarding proposed amendments to the second rule packet for the state's adoption assistance program. She stated that working with CDHS staff, the CPO was able to facilitate meaningful discussion with stakeholders – approximately 50 to 80 participants per call – to draft four amendments for the rule package. Ms. Steffen reported that the group reached consensus on three of the four amendments.

She reported that CDHS presented at the second rule packet to State Board in August 2020.. Ms. Steffen stated that it was exciting to see all the stakeholders at the meeting that played a part in this process. She stated that the CPO will continue to monitor the implementation of the second rule packet and will begin work on the third and final packet this winter.

EXECUTIVE SESSION

At 9:17 a.m. Chairman Plotz called for a motion to enter executive session to discuss the Ombudsman's annual evaluation. Mr. Greer made a motion to enter executive session to discuss the Ombudsman's annual evaluation. Ms. Roan seconded the motion. The motion passed unanimously.

Executive Session was held for the Board to receive legal advice pursuant to
§24-6-402(3)(a)(11), C.R.S.

The Executive Session was recorded in compliance with
§24-6-402(2)(d.5)(I)(A), C.R.S

At 9:35 a.m. Chairman Plotz returned the meeting to open session.

Chairman Plotz called for a motion to approve the timeline regarding the Ombudsman's annual evaluation. Ms. Beye made a motion to approve the timeline regarding the Ombudsman annual evaluation and Mr. Krugman seconded the motion. The motion passed unanimously.

At 9:37 a.m. Ms. Moultrie left the Zoom meeting.

ATTORNEY GENERAL UPDATES

Judicial Department and CPO Amended Memorandum of Understanding

Chairman Plotz called for a motion to approve the amended Judicial Department and CPO Memorandum of Understanding (MOU) section 7.2.C by which work-related expenses incurred by the CPO Ombudsman that require reimbursement are approved by the Board Chair or the Chair's designee. Dr. Krugman made a motion to approve the amended Judicial Department and CPO MOU with these changes and Ms. Rudden seconded the motion. The motion passed unanimously, minus Ms. Moultrie.

CPO Document Retention Policy

There was some discussion about the changes to the Document Retention Policy, specifically the three-year retention period for case files and who approved this timeline. Ms. Villafuerte reported that the previous CPO Attorney General, Sueanna Johnson, suggested the guidelines based on corresponding timelines within the Judicial Branch. The State Archives provided the same guidance.

Ms. Villafuerte stated that this issue will be added to the agenda for the Board meeting in November 2020.

Chairman Plotz called for a motion to approve the new CPO Document Retention Policy 21-03 from the State Archives which changes the retention period for agency billings, procurement card statements, receipts and budget requests from three years plus current, totwo2 years plus current to be consistent with State Judicial Branch Accounting practices. Dr. Krugman made a motion to approve the new Document Retention Policy 21-03 and Ms. Shuler seconded the motion. The motion passed unanimously, minus Ms. Moultrie.

Ms. Fischer stated that she will send the document to Chairman Plotz for his signature following the meeting.

CPO YOUTH/PARENT OUTREACH DISCUSSION

Ms. Villafuerte reported that during the July 2020 Board meeting there was an interest in having a deeper discussion regarding how each board member may assist the CPO with the outreach. She reported that the CPO has primarily focused on child welfare clients during past 10 years and now the agency is working to expand its outreach effort to connect directly with youth.

Ms. Steffen reported that the CPO has developed a detailed, multi-phase outreach and distribution plan to reach youth and parents in the community.

Ms. Pennington stated that the CPO has created posters and flyers (both in English and Spanish) which will be delivered – physically and electronically to DYS youth centers, residential child care facilities, foster homes, group homes, child placement agencies and other organizations and agencies throughout Colorado.

Ms. Ladd discussed the CPO's specific plans and timelines within the DYS which includes, the CPO toll free phone number programmed in the DYS Blue Phones, poster and flyers in DYS facilities, CPO information included in the DYS youth and family handbooks and on DYS youth centers' websites.

The second part of the discussion focused on the Board's thoughts regarding the CPO's new materials and how to ensure the CPO's outreach materials reach the children, youth and parents the agency serves.

The group suggested the CPO organize presentations and brainstorming sessions directly with youth. The group discussed expanding the CPO's outreach to stakeholders in new disciplines, such as education, school resource officers, self-help resource centers and other community agencies.

At 10:19 a.m. Mr. Krugman left the Zoom meeting.

CLOSING REMARKS

Chairman Plotz reported that the next CPO board meeting will be held at 8:00 a.m. on Thursday, November 12, 2020, via Zoom teleconference.

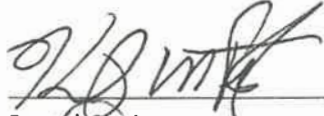
ADJOURN

Chairman Plotz entertained a motion to adjourn. Ms. Shuler made a motion to adjourn and Ms. Beye seconded the motion. The motion passed unanimously minus Ms. Moultrie and Mr. Krugman.

The Board formally adjourned the meeting at 10: 32 a.m.

ATTESTATION

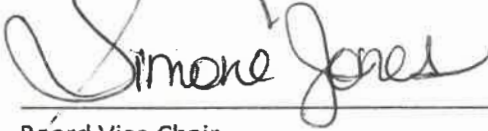
As Board Chair and Board Vice-Chair, I attest that these minutes of the open public meeting held on September 10, 2020, of the Colorado Child Protection Ombudsman Board substantially reflect the substance of the discussion and action taken related to the matters under the authority of the Board and in compliance with the Open Meetings Law, § 24-6-402, C.R.S.



Board Chair

12/9/20

Date



Board Vice Chair

12/9/20

Date

