



CHILD PROTECTION OMBUDSMAN

**FISCAL YEAR 2022-2023
PERFORMANCE MANAGEMENT SYSTEM**

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Agency Overview

Background

The Office of Colorado's Child Protection Ombudsman (CPO) was established in June 2010, under Senate Bill 10-171. This legislation provided that the CPO would operate as a program through a contract with a local non-profit agency, issued and managed by the Colorado Department of Human Services (CDHS).

The program was created in response to the deaths of 12 children in Colorado who were known to child protection services. The deaths of these children in 2007 sparked an outcry by the public that there be greater oversight, accountability and transparency of Colorado's child protection system. The public demanded the state create a mechanism to examine the components of the state's child protection system, help citizens navigate the complexity of the system and provide recommendations on how to improve the system overall.

Years after its creation, legislators determined that the CPO needed independence from the agencies it was designed to review. And on June 2, 2015, Senate Bill 15-204, Concerning the Independent Functioning of the Office of the Child Protection Ombudsman, was signed into law. The new, independent CPO opened in 2016.

Senate Bill 15-204 not only transformed the original "program" into a distinct and independent state agency, but it also created the first ever Child Protection Ombudsman Board (CPO Board). Designed to ensure the accountability and transparency of the CPO, the CPO Board is required to oversee the Child Protection Ombudsman's performance and act as an advisory body.

Since its independence, the CPO has worked consistently to keep its practices aligned with national standards. The CPO is guided by standards set by organizations such as the United States Ombudsman Association and the American Bar Association. Using those standards, the CPO works to provide a clear channel between Coloradans and the agencies and providers tasked with protecting children. Specifically, the CPO independently gathers information, investigates complaints and provides recommendations to child protection agencies, providers and the state's legislature.

Further aligning the CPO with national standards, House Bill 21-1272 was signed into law on June 24, 2021. The law allows the CPO to be more responsive to citizens requesting a review of the circumstances surrounding a critical incident, such as a child fatality. Prior to its passage, the CPO was unable to complete such reviews in a timely or robust manner. Additionally, House Bill 21-1272 created additional protections for the confidential information and documents reviewed by the CPO during a case.

In June 2021 and June 2022, the CPO's duties and powers were expanded with the passage of House Bill 21-1313 and House Bill 22-1319. Intended to help unaccompanied immigrant children placed within Colorado's borders by the federal Office of Refugee Resettlement, these bills permit the CPO to initiate reviews of the safety and well-being of such youth who are placed in state-licensed residential child care facilities, as well as monitor their care.

The CPO, housed within the Colorado Judicial Branch, is located at the Ralph L. Carr Judicial Center in Denver. Colorado's current Child Protection Ombudsman is Stephanie Villafuerte. Child Protection Ombudsman Villafuerte was appointed in December 2015 by the CPO Board and took office in January 2016.

Mission

We are innovative change agents committed to informing and reforming child protection systems for children, families and communities.

Vision

Ensuring safety for Colorado's children today and envisioning a stronger child protection system for the future.

Major Agency Functions

Role of the CPO

Each year, the CPO provides free and confidential services to hundreds of citizens who have questions and concerns about the state's child protection system. These citizens include parents, grandparents, kin, youth, medical professionals, lawyers, social workers, police officers and many others.

Citizens' questions and concerns often relate to specific program areas within the state's child protection system, including child welfare, juvenile justice and behavioral health. With access to child protection records that are not otherwise available to the public, the CPO is able to independently and objectively resolve citizens' questions and concerns while concurrently identifying systemic issues impacting the child protection system.

The agency's enabling statutes are C.R.S. § 19-3.3-101 – 19-3.3-111. Pursuant to C.R.S. § 19-3.3-103, the CPO has the authority to:

- Receive complaints concerning child protection services.
- Request, access, and review any information, records, or documents, including records of third parties, that the ombudsman deems necessary to conduct a thorough and independent review of a complaint.
- Independently and impartially investigate complaints.
- Seek resolution of complaints.
- Recommend changes and promote best practices to improve the state's child protection services.
- Educate the public concerning strengthening families and keeping children safe.
- Self-initiate an independent and impartial investigation and ongoing review of the safety and well-being of any unaccompanied immigrant child who lives in a state-licensed residential child care facility and is in federal custody.

The CPO does not have the authority to:

- Investigate allegations of abuse and/or neglect.
- Interfere or intervene in any criminal or civil court proceeding.
- Testify in a court proceeding in which the CPO is not a party.
- Provide third-party records/documents acquired in the course of a case.
- Investigate complaints related to judges, magistrates, attorneys or guardians ad litem.
- Overturn any court order.
- Mandate the reversal of an agency/provider decision.
- Offer legal advice.

STRATEGIC POLICY INITIATIVES

For Fiscal Year (FY) 2022-2023, the CPO is advancing three performance goals, called Strategic Policy Initiatives (SPI):

SPI 1: OUTREACH AND EDUCATION: Educate the public and stakeholders about the CPO to ensure equitable access to services and to identify opportunities for improvement.

SPI 2: SERVICES AND PROGRAMS: Continue to develop and strengthen efficient and effective CPO practices to better serve Colorado citizens.

SPI 3: PUBLIC POLICY: Continue to serve as a leader in advancing reforms to Colorado's child protection system.

For more information about the CPO's SPI, please see the agency's SMART Act Performance Plan for FY 2022-2023, which is accessible online at coloradocpo.org/performance-reports.

PERFORMANCE MANAGEMENT SYSTEM

Approach

The CPO's performance management system utilizes the principles of Lean process improvement and is developed to help the agency implement continuous improvements. The agency prides itself on using the best available information to help improve the way it operates for Coloradoans. During regularly scheduled staff meetings, the CPO trains staff on its performance management system. Additionally, staff regularly review key metrics to assess the agency's progress towards its SPI.

The agency's approach to defining, measuring, reporting, assessing and improving its performance progress is shown on the next page. Details about each of these components are provided in the next section.



Components

The CPO's performance management system is comprised of five components, including:

- **"Define"** reflects the CPO's work to identify the strategies that will help the CPO achieve each SPI.
- **"Measure"** reflects the CPO's monitoring of key metrics that indicate how well SPIs are progressing.
- **"Report"** reflects the CPO's reporting efforts, which are designed to be transparent and accessible, while ensuring accountability and compliance with state law.
- **"Assess"** reflects the CPO's evaluation of metrics to determine areas of opportunity.
- **"Improve"** reflects the CPO's work ensure it is operating effectively and efficiently. These components are completed cyclically and as needed to ensure optimal agency performance.

Below details how the CPO is utilizing these principles for its current SPI.

	SPI 1: OUTREACH AND EDUCATION: Educate the public and stakeholders about the CPO to ensure equitable access to services and to identify opportunities for improvement.	SPI 2: SERVICES AND PROGRAMS: Continue to develop and strengthen efficient and effective CPO practices to better serve Colorado citizens.	SPI 3: PUBLIC POLICY: Continue to serve as a leader in advancing reforms to Colorado's child protection system.
Define	<ul style="list-style-type: none"> - Target communications and engagements to strengthen the CPO's statewide presence and services. - Provide consistent, timely and informative communications regarding the CPO's services, ongoing projects, ombudsman practice and findings. - Apply principles of diversity, equity and inclusion to the CPO's communications. - Encourage citizens and stakeholders to use the CPO as a resource to improve the child protection system. 	<ul style="list-style-type: none"> - Provide ongoing professional development opportunities for CPO staff. - Apply principles of diversity, equity and inclusion to the CPO's services. - Continue to develop the CPO's unaccompanied immigrant children's program – established by C.R.S. § 19-3.3- 103(1)(a.5)(I) – to better review and monitor the safety and well-being of unaccompanied immigrant children. - Continue to develop the CPO's process and procedures for reviewing egregious abuse or neglect, near fatalities or fatalities of a child, as established by C.R.S. § 19-3.3- 103(1)(a)(I)(A). 	<ul style="list-style-type: none"> - Identify and/or support systemic improvements to the child protection system. - Provide consistent, timely and informative communications regarding the CPO's public policy efforts, which may include findings and recommendations.
Measure	<ul style="list-style-type: none"> - Case closure data - Results of surveys - Communications emailed - Community outreach events - Results of surveys - Listserv subscribers - Materials distributed 	<ul style="list-style-type: none"> - Training/educational event attended - Materials distributed - Case closure data - Community outreach events - Safety Science reviews 	<ul style="list-style-type: none"> - Case closure data - Reports completed - Communications emailed - Community outreach events
Report	Performance progress will be reported to the CPO Board, General Assembly, Executive Branch and Judicial Department, in accordance with state law.		
Assess	The CPO's leadership will assess each measure to determine areas of opportunity.		
Improve	The CPO's leadership will adjust agency operations, as needed, to ensure optimal service for Coloradans.		

Timeline

The CPO's performance management system will align to the following timeline.

May/June/July 2022	<ul style="list-style-type: none">- Research and write FY 2022-2023 SMART Act Performance Plan.- Research and write FY 2022-2023 SMART Act Performance Management System.
On or before July 1, 2022	<ul style="list-style-type: none">- Submit and post FY 2022-2023 SMART Act Performance Plan.
On or before August 1, 2022	<ul style="list-style-type: none">- Submit and post FY 2022-2023 SMART Act Performance Management System.
January 2023	<ul style="list-style-type: none">- Present to legislative committees of reference.- Research, write, submit and post FY 2022-2023 SMART Act Quarter Two Performance Evaluation, which reflects Quarter One and Quarter Two updates.
June/July 2023	<ul style="list-style-type: none">- Research, write, submit and post FY 2022-2023 SMART Act Quarter Four Performance Evaluation, which reflects Quarter Three and Quarter Four updates.
October 2023	<ul style="list-style-type: none">- Research and write FY 2021-2022 SMART Act Annual Performance Evaluation.
On or before November 1, 2023	<ul style="list-style-type: none">- Submit and post FY 2021-2022 SMART Act Annual Performance Evaluation.

Conclusion

The Child Protection Ombudsman respectfully submits this report as is required under C.R.S. § 2-7-204.