



OFFICE *of* COLORADO'S
**CHILD PROTECTION
OMBUDSMAN**



ANNUAL REPORT
FISCAL YEAR 2021-2022

LISTEN

INVESTIGATE

RESOLVE

IDENTIFY TRENDS

LASTING CHANGE

LETTER FROM THE OMBUDSMAN

Dear friends and community partners,

I am honored to present this Fiscal Year 2021-22 annual report to you. In 2010, the Colorado General Assembly created the Office of Colorado's Child Protection Ombudsman (CPO). Their intention was to create a state agency dedicated specifically to children and families who receive services from Colorado's child protection systems. In addition to helping citizens problem solve each year, we were also tasked with making recommendations to the legislature to improve the safety and outcomes for all children and families receiving services in Colorado.

I am pleased to say that our agency not only met these goals but exceeded them during FY 21-22.

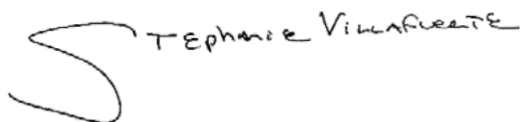
The CPO has been an independent agency for only six years. During this time, we have grown from 3 to 10.5 staff members and gone from 580 cases during Fiscal Year 2016-17 to 982 cases in FY 21-22. We experienced a 15 percent increase in cases compared to the previous year, and a 70 percent increase in cases since we opened our doors as an independent agency in 2016.

This year, like every year, we focused heavily on providing Colorado citizens with strong customer service. We provided expert, timely, one-on-one assistance for citizens who receive services from agencies such as child welfare, behavioral health and the Division of Youth Services. Our staff engage in rigorous training to ensure they have the skills to really listen to citizens' concerns and help them problem solve. It is not unusual for our staff to spend up to an hour on the phone with a client and additional hours researching their case and working with them to jointly build solutions. Our goal is to make citizens feel heard, respected and to leave them more informed about their situation than before they contacted us.

This past year, the CPO also deepened its public policy and community stakeholder work through multiple initiatives, including the launch of the CPO's Public Policy Advancement Center. This year we facilitated two large scale public policy discussions to address harmful gaps in our state's mandatory child abuse reporting law and in our state's response to youth who run away from foster care and residential child care facilities. To address these significant problems, the CPO worked with 90 different stakeholders to pass two pieces of significant legislation which established two multidisciplinary task forces to examine complex safety issues and to make recommendations for system improvements. These task forces will be housed in the Public Policy Advancement Center and will center on the experience and voices of family and youth to ensure those who experience these systems have direct input on how these systems can work better.

To date, the CPO's successes and accomplishments are due to the work of an entire team of people including the CPO Advisory Board and staff. We have also been successful because of the support we receive from our community partners. I am proud to say that we continue to meet the increasing demand for our services while at the same time refining and deepening our approaches to helping people and creating systemic reform.

Sincerely,



Stephanie Villafuerte

Colorado Child Protection Ombudsman



CONTINUED GROWTH

CPO TOTAL CASE ACTIVITY IN FY 2021-2022

In Fiscal Year 2021-22, we opened a record number of cases. In total, we opened 982 cases. That total reflects a 15 percent year-over-year increase of our cases. It also reflects our commitment to informing communities about our services, as we attribute the rise in our caseload to our education and outreach efforts. Approximately 68 percent of the questions and concerns we received were from family members – including mothers, fathers, grandparents and other relatives. We also received numerous questions and concerns from foster and adoptive parents, youth, state legislators and professionals that serve youth and families.

A significant portion of our cases were related to behavioral health issues (28 percent), domestic violence issues (10 percent), sex abuse issues (8 percent) and child custody issues (15 percent). Approximately 18 percent of cases were related to specific child welfare practices – such as family visitation, kinship placements, father engagement, the use of safety and risk tools and records access. We also had several cases about the care and treatment of youth within Division of Youth Services' (DYS) youth services centers, and several cases raised the question of whether Colorado's child protection system is designed to adequately serve under-resourced families, families of color and children with disabilities.

Regardless of whether we hear about an issue once or multiple times, we review each of our cases with care and an eye toward systemic improvement. We extensively analyze our cases to identify issues and create change.

CPO CASE HISTORY	TOTAL # OF CASES
Fiscal Year 2021-22	982
Fiscal Year 2020-21	852
Fiscal Year 2019-20	725
Fiscal Year 2018-19	575
Fiscal Year 2017-18	611
Fiscal Year 2016-17	577

Case Highlights



CASE #1

The CPO was contacted by a youth living in a DYS youth services center. The youth shared concerns that the center's kitchen staff were serving undercooked chicken and "rotting" fruits and vegetables. The CPO connected with the youth center's director to learn more about the required food safety procedures and whether they were aware of the food safety concerns. The director explained how food safety is monitored and the CPO was connected with the food services director for DYS. This director provided additional documentation demonstrating the youth center's food temperature log, which showed the internal cooking temperatures of cooked food items that had been served in the center for the previous month. The CPO confirmed that the internal temperatures of all chicken dishes were recorded at or above 165 degrees, the safe internal temperature per the DYS' safety standards. The food services director also ensured the CPO that anyone residing at the youth center may raise concerns about the food as they arise. The CPO shared this knowledge with the youth who contacted the agency. The CPO later followed up with the youth, who stated that the food service improved. They also reported that all youth living in the youth center were surveyed about their opinions of the food after the CPO contacted the youth center. The youth also reported that all youth had been served a special meal recently that they thought it was particularly good.



CASE #2

The CPO received a call from an attorney who was concerned that a county human services department was retaliating against a parent – primarily because the parents' rights to another child had been terminated several years prior. The attorney stated that the court reports in the case contained inaccurate information, the parent was not being invited to important meetings and the county department was not meeting with the parent regularly. The attorney was concerned that a motion had been filed with the court to terminate the parent's rights to the child, based on inaccurate information. The CPO reviewed the case. While the CPO could not confirm any intentional retaliation by the county department, it did find that caseworkers were not holding required monthly meetings with the parent, the parent was not being included in educational meetings and there was inconsistent and inaccurate information in the case file. When the CPO raised these concerns with the county department, the department agreed. The county department committed to meeting with the parent to review the treatment plan, something that had not been done for more than two years. Ultimately, the county department withdrew their motion to terminate the parent's parental rights.



CASE #3

The CPO was contacted by staff at a residential child care facility (facility), who were concerned that a youth living at the facility did not require the intensive care and programming offered. Staff were concerned that the agencies and providers involved in the youth's case were not working effectively to find a more appropriate placement for the youth. This youth – who had resided at the facility for about 70 days – has complex needs. The CPO reviewed the case, including records that documented the efforts made by the facility and other agencies and providers to find a new placement for the youth. The CPO's review included meeting with multiple agencies and providers to understand how these various entities were communicating and coordinating with one another. Ultimately, the CPO was able to work with the facility, agencies and providers involved in the case to break down communication barriers. These efforts helped all the entities involved work towards a more appropriate placement for the youth.



CASE #4

A parent whose child had been removed from their custody contacted the CPO. The parent was upset because they had completed everything a county human services department asked them to do, but their child had not yet been returned to their care. The CPO reviewed the case and found that the caseworker agreed the parent had completed their required treatment but recommended that a relative maintain permanent custody of the child. The CPO spoke with the county department. The county department reported that they did not realize the parent wanted full custody of the child. The CPO encouraged the parent to make sure the caseworker and guardian ad litem knew, in writing, their desire for custody. The parent did this, and a new custody hearing was scheduled with the court.

FISCAL YEAR HIGHLIGHTS



Launch of Public Policy Advancement Center

During the past fiscal year, we launched an innovative new program to address pressing issues facing Colorado's child protection system. We call it the "Public Policy Advancement Center." The Public Policy Advancement Center brings together professionals from across Colorado's child protection service array, families, youth and other community members, to discuss multidisciplinary, multifaceted issues – all with the aim of improving the way Colorado safeguards its children and families. It creates space for robust policy discussions that explore the breadth and depth of issues, and it supports problem solving by integrating input from those with lived experience, subject matter experts and the best available research. We are pleased to share that the Public Policy Advancement Center is preparing to administer two critically needed task forces – the Mandatory Reporting Task Force and the Timothy Montoya Task Force. For more information about these task forces, please see below.



Improving Colorado's Mandatory Reporting Law

On September 15, 2021, we published an issue brief detailing our study of Colorado's mandatory reporting law. Our study revealed an inconsistent understanding of the law, a fragmented system of mandatory reporter trainings and a general lack of supports to help mandatory reporters perform the job asked of them – namely, to report suspected child abuse and neglect. The study also raised questions of whether mandatory reporting disproportionately impacts families of color, under-resourced communities and individuals with disabilities, and how best to support such groups. Shortly after our issue brief was published, we began working with members of Colorado's General Assembly to improve the law. Our work culminated in the creation of House Bill 22-1240, "Mandatory Reporting." With the ratification of this bill, our Public Policy Advancement Center is positioned to convene a two-year task force to analyze mandatory reporting's effects, processes, trainings and resources, for the ultimate goal of supporting the safety and well-being of Colorado's children and families.



Making out-of-home placements safer and more effective

During the summer of 2021, we convened several stakeholder meetings with Colorado's residential treatment providers for youth in need of intensive behavioral health and psychiatric services. These meetings centered on how Colorado can make out-of-home placements safer and more effective, especially for youth with runaway behaviors. The conversations we had echoed many we have had with families – families with deep-rooted concerns. In one case, we heard from the mother of 12-year-old Timothy Montoya. She described how Timothy was hit and killed by a car shortly after running away from his out-of-home placement, and how she didn't believe anything was being done to prevent such an occurrence from happening to another family. In the fall of 2021, we promptly started working with members of Colorado's General Assembly to address the quality of out-of-home placements. Our work culminated in the creation of House Bill 22-1375, "Child Residential Treatment and Runaway Youth," which created the Timothy Montoya Task Force to Prevent Children from Running Away from Out-Of-Home Placement. This critical task force will analyze what constitutes runaway behaviors, and will work to create a consistent, prompt and effective response to children who run away from their out-of-home placement.



Recognizing Strong Work in Child Protection

Given our unique position within the child protection system, we believe it is important to highlight issues that are impacting the delivery of services to children and families. But we also work to acknowledge and highlight strong and innovative work. Through our case reviews, we often observe elements of practice that not only meet the minimums outlined in rule and law, but also align with best practice standards. Examples include efforts by agencies and providers to communicate with clients in an honest, clear and transparent manner, efforts to locate and sustain family connections for children, and creative ways that agencies and providers have addressed service delays or barriers. The CPO believes in the importance of highlight this work as it demonstrates a commitment to client-centered, solution-focused and trauma-informed work with Colorado families.

Connecting with the Community

During the past fiscal year, we continued our efforts to connect with Colorado citizens to share what we are learning about the child protection system and how we are working to improve our own practices. Below are highlights from several of our efforts.



Youth Outreach

During the past fiscal year, we have continued to prioritize youth outreach to improve how we engage with youth impacted by the child protection system and improve the services we provide them. To do this we worked with stakeholders and youth to improve connections during individual cases, as well as agency-wide efforts. Those efforts include the formation of the CPO Board Youth Voice Subcommittee. This subcommittee utilized the expertise and connections of CPO Board members to connect with and learn from other organizations that work with youth in Colorado. The subcommittee also completed a review of the CPO's youth-specific materials to identify improvements and is working to develop ongoing reviews to ensure these materials are fresh and engaging.

We remained committed to elevating youth voice by partnering with a national research and design lab called Think of US. Focused on improving the lives of those in foster care, Think of US helped us engage foster youth by facilitating discussions about youth needs, helping us better understand what is most important to youth who may need assistance from the CPO. We are also working on a national level to engage youth impacted by child protection services. Child Protection Ombudsman Stephanie Villafuerte was selected by the American Bar Association to serve on its Commission on Youth at Risk Advisory Committee. The commission's mission is to address the legal needs of children, youth and young adults who are disadvantaged or marginalized due to legal system involvement, poverty, race, national origin or ethnicity, gender or gender identification, disability, or religion.



National Presence

We continue to serve as an innovative leader among child protection ombudsmen offices across the country. We have worked to elevate the work of child protection ombudsman nationally, as well as lead discussion regarding how to improve how such agencies serve children, youth and families. We presented to national organizations and worked with states such as New Mexico, New York, Kansas and others to establish and promote ombudsmen offices.

CPO PROGRAM UPDATES

UNACCOMPANIED IMMIGRANT CHILDREN AND YOUTH

During the past fiscal year, we worked diligently to fulfill the requirements of House Bill 21-1313, which requires us to review and monitor the care of unaccompanied immigrant children who are residing in state-licensed facilities but who remain in the custody of the federal Office of Refugee Resettlement (ORR). We continue to establish relationships with professionals and agencies who support and serve unaccompanied immigrant children, including the ORR, the Colorado Department of Human Services, legal representatives, advocates and medical professionals.

We conducted two scheduled and supervised site visits to the state-licensed facility that serves this population. During these visits we had the opportunity to learn about the facility and the residential services that are provided to this population. However, our attempts to access the youth and programming during unscheduled visits have been denied.

Unfortunately, we have encountered administrative and bureaucratic challenges in effectively accessing the facility that currently houses this population. As a result, we have not been able to fully execute the duties outlined in state law. We remain committed to serving this population and are actively working with our legal counsel – the Colorado Attorney General’s Office – to resolve these barriers.

Despite these issues, we have worked to ensure that the youth have access to our office. We asked the facility to program the CPO’s hotline number into phones at the facility, which youth have access to on a regular basis. This helps ensure the youth can call us confidentially at any time. We’ve distributed posters that describe our services to the facility. These posters were translated and printed in four different languages – English, Spanish, Keq’chi, and K’iche’ – which are the most utilized languages in the programs. Because the CPO has not been provided access to the facility, we cannot confirm facility staff have hung the posters or programed the CPO’s hotline number into the phones.

CRITICAL INCIDENT REVIEWS

During July 2021, we announced the launch of our independent process for reviewing incidents of egregious abuse, near fatalities and child deaths caused by abuse and neglect. In doing so, we joined the majority of child protection ombudsman offices across the country already doing this critical work. To demonstrate the need for our independent process, we published an issue brief detailing the gaps in Colorado’s long-standing child fatality review processes. The brief illustrates that approximately 39 percent of child maltreatment death reviews do not result in public facing reports that detail findings and recommendations for systems improvement – information that may be useful for preventing future fatalities.

The goal of our independent review process for incidents of egregious abuse, near fatalities and child deaths caused by abuse and neglect is to learn more about the decisions that took place during an incident, and the factors that contributed to each decision.

In September of 2021, we received a generous grant from the Casey Family Foundation which allowed us to partner with Collaborative Safety, LLC to begin incorporating principles of Safety Science. Safety Science is an evidence-based approach to understanding everyday work, performance outcomes, critical incidents and organizational culture within complex systems. By using Safety Science, we aim to build a culture of safety within Colorado’s child protection system, one capable of promoting improvements to underlying systemic issues.

We hosted two educational sessions for statewide partners interested in learning more about Safety Science and our review process. During the past year, our team received advanced practical training and technical assistance from Collaborative Safety, LLC. This included specialized interview training to help us better engage with agencies and services providers during our reviews, and training on Collaborative Safety’s unique database and mapping tool, which we use to complete our reviews.

We conducted two reviews during the past fiscal year. In completing these reviews, we facilitated meetings with agencies, including front line staff and supervising staff. We were impressed and enthused by the level of engagement and honesty displayed as the professionals worked together to understand complex situations. Here are some examples of the feedback we received from the staff we engaged:

“ I felt very comfortable engaging because we were already comfortable with the work the CPO does, we trust their work. This process was no different. There was a clear intentionality to allow everyone an opportunity to speak.”

“ When I first heard about Safety Science being used, I was doubtful when it would happen and then I was able to participate in one of the reviews. I love the intent. This case was heavily scrutinized by other agencies, but it didn’t feel like that in the review. I expected everyone to be guarded, but everyone was tuned in and excited to work through the process.”

CPO ADVISORY BOARD

The CPO Advisory Board is an independent, nonpartisan board comprised of 12 members. Four members are appointed from each branch of government and all members serve for a period of four years. Each position on the Board requires a certain set of experience or expertise. The Board was established to provide a mechanism of oversight for the Child Protection Ombudsman, however, its role is much broader. The CPO team routinely relies on the expertise of its Board to expand and guide its work. Members have decades of experiences and include child welfare professionals, judges, doctors, attorneys, county commissioners, human service directors, foster parents and advocates.

This year, Board Chair Ann Roan and Child Protection Ombudsman Villafuerte established a board member education session during each of the bi-monthly Board meetings. During these sessions, board members share updates about their professional work, solicit advice and/or share their expertise and experiences impacting the child protection system. The Board was unanimously in favor. The sessions have included discussions on the impacts of the federal Family First Prevention Services Act on the child protection system, the importance of sibling connections, the distinct roles of people involved in a child protection case, the difference between involuntary and non-court involved child welfare cases and the difference between child welfare and school district truancy petitions.

CPO BOARD OF DIRECTORS

Ann Roan, *Board Chair*
Benjamin Rounsborg
Hon. Amanda Hopkins
Hon. Kenneth Plotz

Governor Appointments
Judith Martinez, *Vice Chair*
April Lane
Aaron Miltenberger
Jerene Peterson

Senate President Appointment
Victoria Shuler

Senate Minority Appointment
Wendy Buxton Andrade

Speaker of the House Appointment
Dr. Coral Steffey

House Minority Leader Appointment
Brian Bernhard

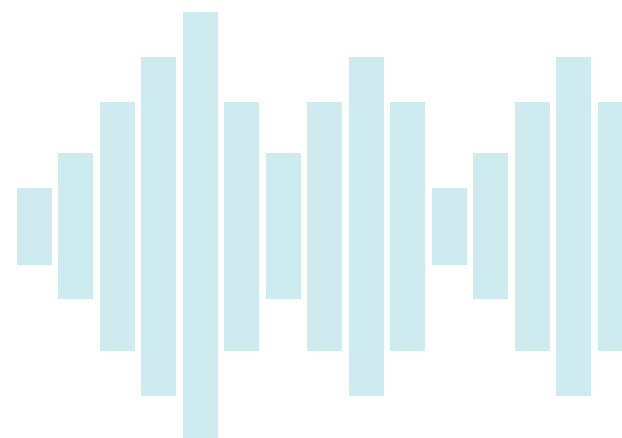
ABOUT

OUR MISSION

Ensuring that the state's child protection system consistently provides high-quality services to every child, family and community in Colorado.

CPO STAFF

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*
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