



CHILD PROTECTION OMBUDSMAN of COLORADO

COLORADO CHILD PROTECTION OMBUDSMAN BOARD

PUBLIC MEETING

January 12, 2023

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 8:05 a.m. by Vice-Chair Judith Martinez

A quorum of the Board was present.

INTRODUCTIONS

PRESENT AT THE MEETING

Board Members on Zoom

Judith Martinez, Vice-Chair
Hon. Kenneth Plotz
April Lane
Brian Bernhard
Benjamin Rounsborg
Aaron Miltenberger
Charles Tedesco
Wendy Buxton-Andrade
Jerene Petersen

Others Present

Stephanie Villafuerte, Ombudsman
Jordan Steffen, Deputy Ombudsman
Janna Fischer, Assistant Attorney General

PRESENT FROM THE PUBLIC

Yolanda Arredondo, Deputy Director, Division of Child Welfare, Colorado Department of Human Services

INTRODUCTIONS

Vice Chair Martinez and Ombudsman Stephanie Villafuerte facilitated the meeting via Zoom teleconference.

Vice Chair Martinez welcomed everyone.

PUBLIC COMMENT

Deputy Director Yolanda Arredondo introduced herself to the Board and described her position with the Colorado Department of Human Services (CDHS). She stated she would be regularly attending Board meetings to stay informed about the work of the Office of Colorado's Child Protection Ombudsman (CPO). Ombudsman Villafuerte and Vice Chair Martinez welcomed Deputy Director Arredondo.

REVIEW AND APPROVAL OF MINUTES

Vice Chair Martinez entertained a motion to approve the final minutes of the meeting held on November 10, 2022. Comm. Charles Tedesco made a motion to approve the final minutes of November 10, 2022, Judge Kenneth Plotz seconded the motion. The motion passed unanimously.

EXECUTIVE DIRECTOR REPORT

Financial Report

Ombudsman Villafuerte welcomed the Board and began the meeting. As the majority of the meeting will be held in executive session, Ombudsman Villafuerte stated that her report to the Board will be condensed to save time.

Ombudsman Villafuerte briefed the Board regarding the budget for the current fiscal year. Currently, the CPO has a balance of approximately \$776,000, which places the agency exactly where it should be halfway through Fiscal Year 2022-23.

The Board was provided with a copy of the CPO's legal expenses, which showed the agency's standard allocation of \$13,000 per fiscal year. Ombudsman Villafuerte stated that, as indicated in previous meetings, the CPO has currently exceeded its allocation. Driving factors for the legal services budget was utilization of Assistant Attorney General Janna Fischer's guidance on human resource issues. Again, as discussed during previous meetings, the CPO is no longer receiving human resource support from the Supreme Court Administrator's Office (SCAO). This shift has required the CPO to rely heavily on Assistant Attorney General Fischer for support and guidance. The CPO has also required Assistant Attorney General Fischer's assistance as it continues its work to gain consistent access to the Deveraux facility, which currently houses unaccompanied immigrant children and youth.

However, Ombudsman Villafuerte explained, exceeding the CPO's allotted legal services budget does not impact the agency's overall budget, as standard practice is for any additional costs to be covered by the Attorney General's Office. The CPO does not anticipate exceeding this budget in future fiscal years, as it brings on in-house human resource management services.

Judge Plotz inquired where the CPO is in obtaining human resources support.

Ombudsman Villafuerte stated that in November 2022, the CPO hired a contract human resources manager. Unfortunately, 30 days after joining the agency, the individual hired had to resign due to a personal emergency. The CPO has posted the contract position again and it continues to assess the best way to obtain such services through the end of the fiscal year. Ombudsman Villafuerte advised the Board that the agency is considering hiring a human resources firm, which specializes in assessing the human resource needs of entities and developing strategic plans for implementing effective programs. A request for funds to cover either a contract position or the use of a specialized firm have been submitted by the agency to the Joint Budget Committee (JBC).

Budget and Supplemental Requests

Ombudsman Villafuerte briefed the Board on the progress of the CPO's Fiscal Year 2023-24 Budget Request. She stated that she presented the agency's request to the JBC on December 15, 2022. She provided the Board with a copy of the agency's request and briefed them on the six request items included. (The CPO's Fiscal Year 2023-24 Agency Summary and Budget Request may be accessed [HERE](#).) The JBC is anticipated to vote on the CPO's request on February 14, 2023.

The Board did not raise any questions regarding the CPO's Fiscal Year 2023-24 Budget Request.

Ombudsman Villafuerte then discussed the CPO's Fiscal Year 2022-23 Supplemental Request. The agency is seeking supplemental funds to backfill the cost of hiring a contract client services analyst and obtaining human resources support services. The CPO's total supplemental request was for approximately \$71,000. The CPO anticipates the JBC will vote on its supplemental request in mid-January.

The Board did not raise any questions regarding the CPO's Fiscal Year 2022-23 Supplemental Request.

CPO UPDATES

2023 Out-of-Town Board Meeting

Ombudsman Villafuerte shared her excitement that the CPO would be resuming the out-of-town Board meeting during 2023. Such meetings were not held in 2020, 2021 or 2022 due to ongoing concerns regarding COVID-19. However, as such concerns have subsided, Ombudsman Villafuerte stated the CPO plans to hold the 2023 meeting in Alamosa, Colorado. She thanked Aaron Miltenberger and Judge Amanda Hopkins for agreeing to host the Board and the CPO team in September. Ombudsman Stephanie will be in contact with the Board as planning continues and details are worked out.

She explained for members who have not yet attended an out-of-town meeting that, typically, the Board and CPO team meet in the rural location on the afternoon of the first day and attend stakeholder meetings and outreach events with organizations in the community. The group then have dinner together before staying overnight. The community is then invited to attend a CPO Board meeting the next morning. A light reception is usually provided. The CPO covers expenses for board members and staff.

Ombudsman Outreach

With the new year, Ombudsman Villafuerte will also be contact board members individually, with the hope of visiting them and learning more about each of their expertise and goals for the CPO.

CPO Staff Update

Ombudsman Villafuerte shared that the CPO hired Jennifer Superka as the agency's Director of Public Policy and Legislative Affairs. She asked the Board to join her in welcoming Jennifer to the team.

2023 Legislative Session

Deputy Ombudsman Jordan Steffen provided the Board with a brief update regarding the upcoming legislative session. The 74th Colorado General Assembly convenes on January 9, 2023. Deputy Ombudsman Steffen briefed the Board on legislation the CPO anticipates it will work on.

During the 2022 legislative session, the CPO worked with Rep. Dafna Michaelson Jenet to introduce legislation to establish the Timothy Montoya Task Force to Prevent Children from Running Away from Out-of-home Placement. [House Bill 22-1375](#) also sought to establish a qualitative assurance program for Colorado's licensed residential childcare facilities. However, the quality assurance portion of the bill was dropped due to the CDHS' projected fiscal impacts.

During the summer break, several stakeholders inquired if that portion of the bill would be brought back, and they expressed support for doing so. As such, the CPO has worked with Rep. Michaelson Jenet to bring the legislation back, largely in the same form as it did in 2022. The CPO has worked with CDHS and providers for several months on this issue and is eager to bring this legislation back to the Capitol. Deputy Ombudsman Steffen stated she will continue to keep the Board updated.

The CPO has also started preliminary conversations with legislators to amend its enabling statute to address its unaccompanied immigrant youth program. As discussed in previous meetings, the CPO continues to struggle to gain consistent, uninhibited access to the only facility in the state that currently houses this population. As the CPO has worked to address this issue, it has become more apparent that addressing the language in Title 19 would remove some of the ambiguity that may be leading to different interpretations of the CPO's authority to administer the program. Deputy Ombudsman Steffen stated she will continue to keep the Board updated.

EXECUTIVE SESSION

At 8:47 a.m., Vice Chair Martinez called for a motion to enter executive session for the purposes of: (1) Receiving statutorily required training for the Board; (2) Finalizing the Ombudsman's annual performance evaluation; and (3) Addressing and receiving legal advice regarding a public complaint filed in September 2022.

Comm. Wendy Buxton-Andrade made a motion to enter executive session for the purposes described above. Brian Bernhard 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)(II), C.R.S.

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

Deputy Ombudsman Steffen attended the executive session in part, attending only the Board training.

Ombudsman Villafuerte and Assistant Attorney General Fischer attended the executive session in whole.

April Lane joined the meeting during executive session.

During executive session, Vice Chair Martinez left the meeting and named Benjamin Rounsborg as temporary vice chair.

At 9:20 a.m. Temporary Vice Chair Rounsborg returned the meeting to open session.

ADJOURN

Temporary Vice Chair Rounsborg entertained a motion to adjourn. Comm. Tedesco made a motion to adjourn, and Judge Plotz seconded the motion. The motion passed unanimously.

The Board formally adjourned the meeting at 9:23 a.m.

ATTESTATION

As Board Chair and Board Vice-Chair, I attest that these minutes of the open public meeting held on January 12, 2023, 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

03/11/2023

Date



Board Vice-Chair

03/16/2023

Date

