



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



ANNUAL REPORT
FISCAL YEAR 2023-24

LISTEN

INVESTIGATE

RESOLVE

IDENTIFY TRENDS

LASTING CHANGE

LETTER FROM THE OMBUDSMAN

Dear friends and community partners,

It is my pleasure to present the Office of the Colorado Child Protection Ombudsman's Annual Report. This is the eighth year that I have had the privilege of leading this organization and to co-create with our team, thousands of people and community partners to build a quality child protection system that provides services to children and families in an effective, efficient and compassionate manner.

Child welfare systems across our state serve some of our most vulnerable children, youth and families. These systems are designed to support families and to protect children from harm through an array of prevention and intervention services. Once families enter the Colorado child protection system, our agency works with them to ensure that they receive the best quality services possible.

This year our agency worked with more than 1,200 citizens to address concerns that they have about the state's child protection system. Our work took us into the lives of parents, young adults, children, extended families and child protection professionals across the state. In many of these instances, individuals confided in us the deeply personal experiences that brought them into the state's child protection system. They also shared the challenging and often frustrating interactions they experienced once in the system. In each case, our team helped these individuals navigate challenges and, in many instances, find resolutions to their concerns.

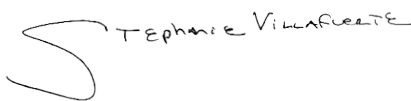
Additionally, we took the experiences that they shared and used this information to promote child protection reform. While we are statutorily charged with conducting systems reform work, we also consider it our moral imperative to do so. We believe that every person who contacts our agency has a unique voice that provides us and the entire child protection community with an opportunity to reflect, learn and grow.

During the past year, our systemic policy work has been reflected in three different projects. Two projects involve our two community task forces. One task force is addressing the disproportionate impact of mandatory child abuse reporting laws on Colorado children and families and our second task force is building systems of care for youth who run away from out-of-home placements, such as foster care and residential treatment facilities. In each instance, these task forces were formed because of citizens who came to our agency and expressed concerns that Colorado could and should do better for its children and families.

Our third project is designed to prioritize the experiences of youth who are in the child protection system. This year we started the Tori Schuler Youth Collective, a program that is dedicated to helping us connect with children, youth and young adults who have experience with the Colorado child protection system. We have already learned a great deal from these youth who share with us what is working, what is not and how we can improve the quality of care for all of them.

In the end, our agency is only as successful as the people who are willing to share their experiences and our ability to listen and integrate their experiences into our work. Our commitment today and in the years to come is to remain humble and vigilant learners who transform individual experience into systems of change that we can all be proud of. This report reflects this year's listening and learning.

Sincerely,



Stephanie Villafuerte

Colorado Child Protection Ombudsman



CONTINUED GROWTH

CPO TOTAL CASE ACTIVITY IN FY 2023-2024

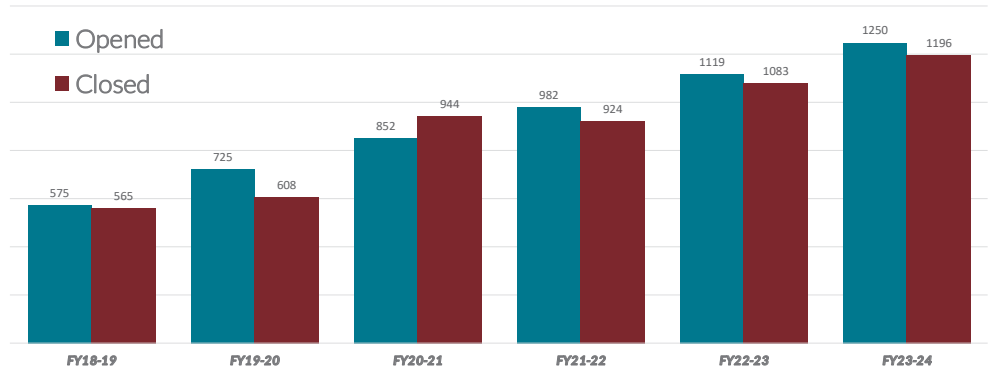
Fiscal Year 2023-24 marked the fifth consecutive year the Office of the Colorado Child Protection Ombudsman (CPO) experienced an increase in the number of cases it received from citizens. In total we opened a record 1,250 cases – demonstrating an almost 12 percent increase compared to the previous fiscal year. Similar to previous years, there are several factors that the CPO attributes to this increase in cases. These include increased outreach and education efforts to child protection professionals and children and youth. However, this year, the CPO saw a significant increase in the number of cases involving clients who had previously worked with the CPO. During the fiscal year, 30 percent of the clients served by the CPO were repeat clients. We were extremely excited to see so many clients return and seek the services of the CPO. Additionally, the number of cases referred to the agency by county departments of human services nearly doubled.

CPO CASE HISTORY	TOTAL # OF CASES
Fiscal Year 2015-16	580
Fiscal Year 2016-17	577
Fiscal Year 2017-18	611
Fiscal Year 2018-19	575
Fiscal Year 2019-20	725
Fiscal Year 2020-21	852
Fiscal Year 2021-22	982
Fiscal Year 2022-23	1119
Fiscal Year 2023-24	1250

For the third consecutive year, we saw an increase in the number of cases brought to the agency by youth. During FY 2023-24, we received a total of 92 cases from youth clients. Of the youth-initiated cases closed by the CPO, half of them involved youth currently residing in the Colorado Department of Human Services' Division of Youth Services (DYS).

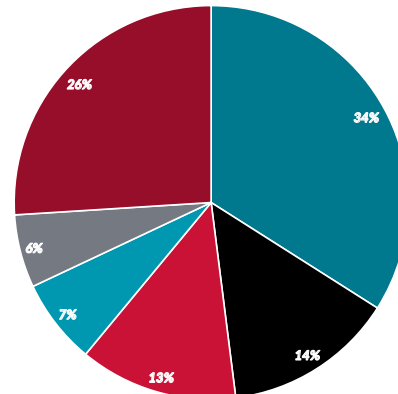
More than half of the total cases opened during the past fiscal year were brought to us by families of children and youth involved with the child protection system. In particular, reports filed by mothers accounted for 43 percent – 407 cases – opened by the CPO. Some of the issues most frequently raised included youth safety in the DHS, foster homes and residential facilities. We also reviewed several cases that involved ensuring youth access to education, mental health services and helping parents access necessary and required services – such as adequate parenting time.

CASES BY FISCAL YEAR



RELATIONSHIP TO CHILD

- Mothers
- Relatives
- Fathers
- Child/Youth
- Community Member
- Other



CASE HIGHLIGHTS



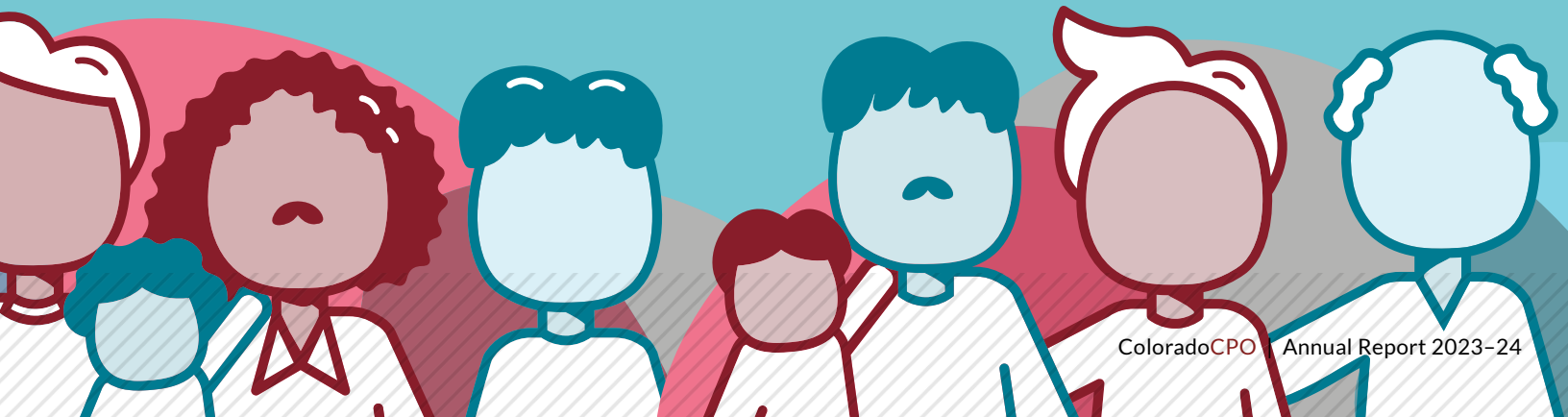
Case #1

The mother of a 13-year-old called the CPO with concerns about her son's safety inside a DYS youth center. The mother reported that her son's face was slammed into a metal door frame while staff attempted to physically restrain him. The impact resulted in a gash on the youth's face that required a series of stitches to close. This was one of many restraints the youth experienced while in the DYS' care. The CPO reviewed the case, including a report written by one of the staff that was involved with forcing the youth to the ground. In that report, the staff wrote that the youth was making verbal threats towards the staff after the youth's phone conversation with his family was disconnected. That phone call was with his mother, discussing details about an upcoming ceremony to celebrate the youth's brother who had recently passed away. According to the report, the staff justified physically forcing the youth to the ground because the youth allegedly made threatening statements. In addition to the written report by staff the CPO also reviewed video of the incident. The CPO watched the staff force the youth to the floor and his face hit the doorway. But the video did not contain any audio that would help the CPO confirm the youth had made verbal threats toward staff. This was just one of many cases in which the CPO reviewed a case involving a DYS youth who was physically restrained because staff claimed they either made threatening remarks or ignored staff's verbal directions. However, none of the videos produced by the DYS included audio that would help confirm staff's justification of the restraint. Ultimately, the CPO produced a brief detailing how the safety and well-being of youth may be compromised without better surveillance inside DYS facilities. The CPO will continue to work with the Colorado General Assembly to improve surveillance within DYS facilities.



Case #2

The CPO was contacted by the mother of two children who were residing in a Colorado foster home. The mother was concerned that a firearm was accidentally discharged in the foster home while her children were in a different room. No one was harmed in the incident, but the CPO reviewed the case and quickly found concerns with how the event was reviewed and documented by the agency in charge of licensing and monitoring the foster home. This agency is commonly referred to as a child placement agency, CPA. The CPO's review confirmed that the firearm was discharged after the foster father cleaned the firearm and was placed back inside a closet. Foster parents are permitted to keep a firearm in their home, so long as certain safety protocols are followed. The CPA correctly followed state regulations when reviewing the incident and ensured the father attended necessary firearm safety classes. However, the CPO also found that the CPA failed to create and enter a report about the incident into the statewide child welfare database, Trails. Reports of such incidents are required to be submitted into the database so that county child welfare services and the CDHS – which are legally responsible for children and youth in foster care – are made aware of the incident. This information can be crucial when these entities are working to determine whether to place children and youth in a particular foster home. The CPO contacted the CPA and presented them with the regulation requiring the report be submitted. The CPA stated it did not think the incident originally qualified under the regulation. However, after working with the CPO, the agency recognized the need for the report to be entered into Trails to ensure all child welfare professionals have complete information when considering placing children in the care of the foster parents.



CASE HIGHLIGHTS



Case #3

A 17-year-old transgender youth contacted the CPO while living in a treatment center located in a different state. The youth had received information about the CPO before leaving Colorado and sought the agency's help in obtaining gender-affirming medical care. The youth told the CPO she was placed in a treatment facility in a state that is legally prohibited from providing gender affirming care. Colorado facilities are currently allowed to provide such care. She was placed there because there were no available placements in Colorado. The youth reported to the CPO that she felt "stuck" in the out-of-state facility and that her legal representation was not helping her move to a different treatment center. The CPO reviewed the case and found that the judge that placed the youth in the out-of-state treatment center did so reluctantly. The youth's history of running away from care and other behaviors had resulted in her being denied admittance to several facilities in Colorado. The judge ordered the out-of-state placement to avoid the youth being forced to live in a hotel – without any therapies or services – until a different placement option became available. The CPO continued to follow the case and found that, while the local county department was continuing efforts to find a placement in Colorado, the youth's counsel had failed to follow through in assisting these efforts. Because the youth stated she was not receiving clear and meaningful communications about her case, the CPO worked to provide her updates regarding her case. Ultimately, the youth was transferred to a placement in Colorado. The youth remained in contact with the CPO during this transition and was grateful for the agency's attention to her case. She stated that she will continue to use the CPO as a resource and will ensure other transgender youth are aware of the CPO's services.



Case #4

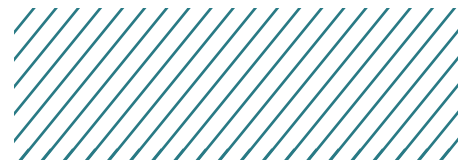
The CPO reviewed a case in a rural jurisdiction in which the wrong person was found to be responsible for the neglect of two teenagers. During its review, the CPO learned that child welfare services became involved with the family after a firearm was accidentally discharged at a party hosted at the teenagers' home. The teenagers' parents were home during the party and were aware that alcohol and drugs were being used by under-aged guests. The parents did not maintain supervision of the party. During the party, a firearm was accidentally discharged, and a guest suffered a non-life-threatening injury to their leg. The child welfare worker assigned to the case incorrectly identified the person responsible for the lack of supervision as a 20-year-old guest of the party. As a result, the parents were never assessed by child welfare services as to whether they could properly supervise and care for the teenagers. After the CPO informed the county department of this error, the department quickly moved to correct the issue. Ultimately the parents were founded for failure to supervise their children. Additionally, the 20-year-old incorrectly accused of failing to supervise the teenagers had the finding removed from their record. In discussing the case with the county department, the CPO learned that the department was struggling to recruit and maintain experienced staff. Without experienced staff, the department was struggling to maintain quality control of its cases. This is one of a number of cases the CPO has reviewed in which staffing issues have contributed to errors in handling child welfare cases. The CPO continues to monitor this trend.



She stated she will continue to use the CPO as a resource...



FISCAL YEAR HIGHLIGHTS



Timothy Montoya Task Force to Prevent Children and Youth from Running Away from Out-of-Home Care

During the 2022 legislative session, the Colorado General Assembly created the Timothy Montoya Task Force to Prevent Youth from Running from Out-of-Home Placement through House Bill 22-1375. This task force was placed in the CPO's Policy Collaborative for Children & Families and met 12 times during FY 2023-2024. The task force has addressed a range of topics including ways to prevent youth from running from out of home placements to developing appropriate responses when they return. The CPO has provided a great deal of research detailing how other states have approached similar issues in their states. Speakers from Texas and Vermont as well as local nonprofits such as Foster Source have shared their experiences and perspectives at task force meetings. In recent months, the task force's focus has worked to finalize recommendations intended to develop standard, statewide programs to better serve these youth. On October 1, 2023, the task force issued its 2023 Interim Report, and its final report will be published on October 1, 2024.



Mandatory Reporting Task Force

The Colorado General Assembly created the Mandatory Reporting Task Force during the 2022 legislative session with House Bill 22-1240. The task force was placed in the CPO's Policy Collaborative for Children & Families, and the CPO has convened the task force 17 times during FY 2023-2024. To support the work of the task force, the CPO created many resources compiling related policies used in other states, including an interactive 50-state comparison of mandatory reporting laws. Task force meetings also included presentations from external speakers, including employees from the state of New York's warmline system and Evident Change, a decision-support tool creating organization. The final report of the task force will be published and submitted to the Governor and General Assembly by January 1, 2025. In its final months, the task force is working on finalizing its recommendations for changes to improve the state's mandatory reporting laws and child protection system.



Addressing Transparency and Practice Concerns in Washington County

During the summer of 2023, we notified the CDHS of serious child welfare practice concerns at the Washington County Department of Human Services (WCDHS). These concerns were the result of complaints filed with the CPO, alleging general and systemic practice concerns by the WCDHS. In total, we received eight complaints involving six distinct families and 10 children. The agency reviewed child welfare and court documentation in these cases and ultimately identified 64 potential violations of state regulation and law. These potential violations included concerns about WCDHS' ability to assess child safety concerns, develop appropriate interventions for families and attempts to keep families intact. The CPO urged CDHS to do a systemic review of WCDHS' practices including speaking with children and families directly about their experiences with the WCDHS practices. Six months later CDHS stated it did not identify any pervasive practice issues and refused to interview any children or families involved in the cases. While the CPO was disappointed by the quality of the CDHS' review, the CPO continues to monitor cases from Washington County to ensure children and families are receiving fair and quality services.



Addressing Systemic Issues in Child Protection

State law requires the CPO to review systemic concerns in the Colorado child protection system. During the past fiscal year, there were several instances in which the agency highlighted the systemic issues impacting how child protection services are being administered in Colorado. For example, we presented four key issues to Colorado's Child Welfare System Interim Study Committee, which was seeking solutions to systemic barriers in providing care and protection for children in Colorado. The CPO highlighted the impacts of poor communication with parents, lack of systems to monitor caseworker misconduct, the absence of a quality assurance system for residential facilities and inconsistency in how departments assess the safety and risk of children. This work has transitioned into multiple pieces of legislation and ongoing work to address these issues.

Connecting with the Community

During the past fiscal year, we continued our efforts to connect with children and families to learn more about how the Colorado child protection system is functioning and to share more about our own work. Below are highlights from several of our efforts.



Tori Shuler Youth Voice Collective

The CPO was excited to launch its Tori Shuler Youth Voice Collective program during the past fiscal year. This program is dedicated to helping us connect with children, youth and young adults who have experience with the child protection system in Colorado. The CPO has continued to prioritize the experiences and expertise of children, youth and young adults in shaping its public policy initiatives and improving how it can deliver better services directly to this population. During its first year, we held more than a dozen listening and engagement sessions with youth. These sessions were dedicated to first, asking youth how we should approach establishing this program and, second, how the CPO can inform its practices to better serve them. Based on the information gathered during its first year, the Collective will be expanding its outreach and engagement during Fiscal Year 2024-25. This will include more in-person meetings, engagements in rural Colorado and youth-driven changes to the CPO's outreach materials and connection points.



Inaugural Youth Voice Event Celebration

On January 4, 2024, the CPO proudly partnered with the Office of the Child's Representative to host the first Foster Youth Voice Celebration. During the event 17 young people with lived experience in the foster care system were recognized for their leadership and advocacy in improving laws and policies in Colorado. More than 50 people attended the event, which included presentations by some of the young people being recognized. Judge Gail Meinster presented the young people with their certificates and the event was led by the mistress of ceremonies, Tori Shuler. Ms. Shuler was also recognized for her ongoing work and more than a decade of efforts to improve the foster care system in Colorado. The CPO coordinated with the Office of the Child's Representative and other state partners to host the event.



From left: Hon. Gail Meinster, Connie Vigil, Stephanie Villafuerte, Tori Shuler and Commissioner Charles Tedesco



National Presence

We are honored at the opportunities presented each year to expand the role of ombudsman offices across the country, and to support other ombudsman offices working to address the needs of children and families. Our team is deeply engaged with the United States Ombudsman Association (USOA), working to strengthen practice among the diverse public sector ombudsman across the country. During September 2023, CPO Deputy Ombudsman Jordan Steffen was elected to serve as president of the USOA. Our work with the USOA includes working to ensure ombudsman practice is infused with principles of diversity, equity and inclusion, as well as working to aid other ombudsman offices that are facing challenges to their role and authority. Members of our team presented information about ombudsman theory and the work of the CPO in more than half a dozen states during the past fiscal year.



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 amount 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 experience and include child welfare professionals, judges, doctors, attorneys, county commissioners, human service directors, foster parents and advocates.

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*

Karen Nielsen, *Director of Administrative Services*

Amanda Pennington, *Director of Client Services*

Paul Atkinson, *Communications Manager*

Bryan Kelley, *Public Policy Analyst*

Claire Hooker, *Client Services Analyst*

Morgan Baptist, *Client Services Analyst*

Abbey Koch, *Client Services Analyst*

Marcos Saldana, *Client Services Analyst*

Meredith Sullivan, *Client Services Analyst*

CPO BOARD OF DIRECTORS

Chief Justice Appointments

Benjamin Rounsborg, *Board Chair*

Hon. Gail Meinster

Hannah Seigel Proff

Katy Saehler

Governor Appointments

Judith Martinez, *Vice Chair*

Aaron Miltenberger

Connie Vigil

Senate President Appointment

Charles Tedesco

Senate Minority Appointment

Wendy Buxton Andrade

Speaker of the House Appointment

Dr. Coral Steffey

House Minority Leader Appointment

Brian Bernhard



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