



CHILD PROTECTION OMBUDSMAN

**FISCAL YEAR 2021-2022
PERFORMANCE PLAN**

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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 the child protection system in Colorado. The public demanded to know more about how the systems charged with protecting Colorado's children were keeping them safe and working to prevent such tragedies in the future.

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 the citizens of Colorado and the agencies and providers tasked with protecting children. Specifically, staff independently gathering information, investigating complaints and provide recommendations to child protection agencies and providers.

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 child fatality. Prior to its passing, the CPO was unable to complete such reviews that were effective and timely. Additionally, House Bill 21-1272 updated how the CPO's records and staff expertise can be used by clarifying both are exempt from being used in court proceedings in which the CPO is not a party.

The CPO's duties and powers were also expanded in June 2021 with the passing of House Bill 21-1313. Intended to help unaccompanied immigrant children placed within Colorado's borders by the federal Office of Refugee Resettlement, House Bill 21-1313 permits the CPO to initiate reviews of the safety and well-being of such youth who are placed in Colorado residential child care facilities and monitor their care.

The CPO, housed within the Colorado State Judicial Branch, is located at the Ralph L. Carr Judicial Center in Denver. Colorado's current Child Protection Ombudsman is Stephanie Villafuerte; she 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

By design, the CPO serves as an independent, neutral problem solver that helps citizens navigate a complex child protection system in an expert and timely manner. The CPO has independent access to child protection records that are not otherwise available to the public. This allows the CPO to objectively assist citizens with concerns, investigate issues affecting the child protection system, deliver recommendations and drive systemic reform through research and education. Through objective study the CPO works to improve the delivery of services to children and families within the child protection system.

Responsibilities of the CPO

The CPO was established pursuant to C.R.S. 19-3.3-101. The agency is responsible for responding to citizens' complaints concerning actions or inactions by child protection agencies that may adversely impact the safety, permanency or wellbeing of a child. Child protection agencies are those that receive public funds to protect or care for children. This includes law enforcement, mental health agencies, child welfare services and the Division of Youth Services. All services provided to citizens are free and confidential.

Additionally, pursuant to C.R.S. 19-3.3-103, the CPO is responsible for informing on systemic changes to "...improve the safety of and promote better outcomes for children and families receiving child protection services in Colorado." Being uniquely situated to gather and share information with state and non-state entities, the CPO helps facilitate work to enhance the state's child protection system. The CPO shares recommendations and information with the public by publishing reports and other content at www.coloradocpo.org.

Jurisdiction and Environment

The CPO receives "complaints concerning child protection services. ... "Complaint" means any report or complaint made by or on behalf of a child relating to any action, inaction, or decision of any public agency or any provider that receives public money that may adversely affect the safety, permanency, or well-being of the child. The ombudsman may, independently and impartially, investigate a complaint, which may include complaints about an incident of egregious abuse or neglect or near fatality, as described in section 26-1-139, or fatality of a child, as described in part 20.5 of title 25 and section 26-1-139. The ombudsman may seek resolution of a complaint, which may include but need not be limited to referring a complaint to the state department or appropriate agency or entity and making a recommendation for action relating to a complaint." See C.R.S. 19-3.3- 103(1)(a)(I)(A).

Some examples of agencies/providers the CPO has jurisdiction to review include human service agencies, youth corrections, law enforcement, educators, medical professionals and treatment providers.

Pursuant to C.R.S. 19-3.3-101 to 110, 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 acquired records/documents in a court proceeding in which the CPO is not a party.
- 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.

Summary of Fiscal Year 2020-2021 Quarter 2 Performance Evaluation

During Quarter 2 (Q2) of Fiscal Year (FY) 2020-2021, the CPO worked on three Strategic Policy Initiatives (SPI) to advance the agency's work in the areas of communication and outreach, efficient and impactful practices, expanding expertise and promoting best practices. They included:

- Targeting communications and engagements to better educate and serve citizens and stakeholders.
- Implementing practices that ensure the CPO manages its caseload efficiently and effectively, allotting staff the necessary time and resources to research systemic concerns.
- Establishing the CPO as a leader in information gathering and dissemination as it relates to issues facing the child protection system.

The evaluation highlighted key takeaways, such as:

- How the CPO's outreach efforts may have increased the CPO's caseloads by as much as 48 percent.¹
- How the CPO's staff development series promoted cultural competency within the agency, and the agency's commitment to integrating the principals of diversity, equity and inclusion into its work to ensure robust services for all Coloradans.
- How the CPO streamlined operational practices to support staff working remotely and ensure uninterrupted, high-quality services during the pandemic.

To access the CPO's full length Q2 Performance Evaluation, please click [here](#) or visit the website of the Colorado Governor's Office of State Planning and Budgeting.

¹ A comparison of caseload totals spanning two six-month time periods, one during the pandemic and one from the previous fiscal year, showed that the CPO's caseloads increased 47.87 percent. The CPO reviewed case information to determine whether increases were due to COVID-19 impacts and determined that the focus of calls were not solely or predominately related to COVID-19.

Fiscal Year 2021-2022 Performance Plan

Strategic Policy Initiatives

SPI 1: TARGET COMMUNICATIONS AND ENGAGEMENTS TO BETTER EDUCATE AND SERVE CITIZENS AND STAKEHOLDERS.

The CPO is statutorily required to educate citizens and stakeholders “concerning child maltreatment and the role of the community in strengthening families and keeping children safe.” See C.R.S. §19-3.3-103(2)(c). The CPO has identified the following strategies, critical processes, key metrics and outcomes as ways to become more accessible to the public and improve the consistency in which it shares its work with citizens and stakeholders.

Strategy: Provide consistent, timely and informative communications to citizens, legislators and stakeholders on issues facing the child protection system.

By communicating issues plaguing the child protection system, and recommendations for improvement, the CPO continues to fulfill the role the legislature designated for it.

Critical Process: Communicate issues the CPO has identified to citizens, legislators and stakeholders by providing consistent and timely notices of the CPO’s findings and recommendations.

Key Activities

FY 2021-22

- Send newsletters to citizens, legislators and stakeholders highlighting issues and information identified by the CPO, access to the CPO’s services and a discussion of how Colorado’s child protection system impacts communities of color.
- Survey legislators about their interest, and their constituents’ interest, in child protection issues. Analyze survey data to develop and target communications.
- Provide a CPO orientation presentation to interested new members of the General Assembly during Quarter Two.

FY 2022-2023

- If the Critical Process was not completed in FY 2022-23, determine the circumstances preventing the CPO from completing the task and develop appropriate Key Activities.

FY 2023-2024

- If the Critical Process was not completed in FY 2022-23, determine the circumstances preventing the CPO from completing the task and develop appropriate Key Activities.

Key Outcome(s) and Metrics

- Increased awareness of child protection issues, as measured by the number of newsletters sent per quarter.
- Increased contact with legislators and/or their staff, as measured by the CPO’s community outreach spreadsheet.²

² Every month, CPO staff record community outreach activities for the CPO Board in a spreadsheet, detailing conferences, trainings, meetings, presentation and other engagements with child protection system stakeholders.

Critical Process: Communicate issues the CPO has identified to stakeholders and/or ensure CPO representation in stakeholder meetings.

Key Activities

FY 2021-22

- Attend stakeholder meetings related to child protection issues.

FY 2022-2023

- Attend stakeholder meetings related to child protection issues.

FY 2023-2024

- Attend stakeholder meetings related to child protection issues.

Key Outcome(s) and Metrics

- Continual CPO presence in stakeholder meetings, as measured by the CPO's community outreach spreadsheet.

Strategy: Engage with communities to expand the CPO's statewide presence and to identify emerging issues in child protection.

The CPO will work to ensure that all communities in Colorado have equal access to CPO services and information. Expanding engagement with communities less familiar with the CPO's services – particularly populations which are overrepresented in the child protection system – will be key in creating impactful reform to all areas of Colorado's child protection system.

Critical Process: Engage with the CPO's listserv to determine which communities the CPO is contacting, how to increase the CPO's statewide presence and to identify emerging issues in the child protection system.

Key Activities

FY 2021-22

- Survey the CPO's listserv to:
 - Identify who is and who is not part of the CPO's listserv;
 - Determine strategies to engage with underrepresented communities;
 - Gather feedback regarding awareness of CPO services;
 - Identify those interested in receiving additional materials; and
 - Identify emerging child protection issues.
- Share listserv with underrepresented communities.

FY 2022-2023

- If the Critical Process was not completed in FY 2021-22, determine the circumstances preventing the CPO from completing the task and develop appropriate Key Activities.

FY 2023-2024

- If the Critical Process was not completed in FY 2022-23, determine the circumstances preventing the CPO from completing the task and develop appropriate Key Activities.

Key Outcome(s) and Metrics

- Increased awareness of the CPO, as measured by an increase in the CPO's listserv subscribers.
- The identification of emerging child protection issues, as indicated by survey results.

Critical Process: Engage youth impacted by the child protection system to increase CPO services provided to youth clients.

Key Activities

FY 2021-22

- Distribute youth-specific materials describing the CPO's services to agencies, providers and communities serving youth in out-of-home placements.
- Complete outreach campaigns to increase the CPO's direct contact with youth clients, including those in DYS youth centers and out-of-home placements. Discuss their experiences, needs and how the CPO may better serve them.
- Update the CPO's internal database to allow CPO staff to track calls received by youth clients.

FY 2022-2023

- If the Critical Process was not completed in FY 2021-22, determine the circumstances preventing the CPO from completing the task and develop appropriate Key Activities.

FY 2023-2024

- If the Critical Process was not completed in FY 2022-23, determine the circumstances preventing the CPO from completing the task and develop appropriate Key Activities.

Key Outcome(s) and Metrics

- Increased distribution of youth-specific written materials, in both English and Spanish, as measured by the number of materials distributed.
- Increased number of engagements with youth impacted by the child protection system, as measured by the number of presentations and/or focus groups hosted by the CPO.
- Increased services to youth, as measured by an increase in cases initiated by youth.

Critical Process: Engage parents, relatives or other caregivers of children involved in the child protection system – including biological parents, foster parents, adoptive parents – to increase CPO services provided to these clients.

Key Activities

FY 2021-22

- Distribute parent-specific materials describing the CPO's services to agencies, providers and communities serving parents, including foster parents, adoptive parents and parents of youth in DYS youth centers.
- Complete outreach campaigns to increase the CPO's direct contact with parent clients, including foster parents, adoptive parents and parents of youth in DYS youth centers. Discuss their experiences, needs and how the CPO may better serve them.

FY 2022-2023

- If the Critical Process was not completed in FY 2021-22, determine the circumstances preventing the CPO from completing the task and develop appropriate Key Activities.

FY 2023-2024

- If the Critical Process was not completed in FY 2022-23, determine the circumstances preventing the CPO from completing the task and develop appropriate Key Activities.

Key Outcome(s) and Metrics

- Distribution of parent-specific written materials, in both English and Spanish, as measured by the number of materials distributed.
- Number of engagements with parents impacted by the child protection system, as measured by the number of presentations and/or focus groups hosted by the CPO.
- Increased services to parents, relatives or other caregivers, as measured by an increase in cases

initiated by parents, relatives or other caregivers.

Critical Process: Engage mandatory reporters – including specific services providers, educators, medical providers and mental health professionals – and the child protection legal community to increase CPO services provided to these clients.

Key Activities

FY 2021-22

- Complete outreach campaigns to at least four organizations/agencies/providers per year.
- Provide educational opportunities to interested entities about the CPO's services.
- Update the CPO's internal database to allow CPO staff to track calls received by mandatory reporters and the child protection legal community.

FY 2022-2023

- If the Critical Process was not completed in FY 2021-22, determine the circumstances preventing the CPO from completing the task and develop appropriate Key Activities.

FY 2023-2024

- If the Critical Process was not completed in FY 2022-23, determine the circumstances preventing the CPO from completing the task and develop appropriate Key Activities.

Key Outcome(s) and Metrics

- Completed presentations to organizations/agencies/providers, as measured by the number of presentations completed per quarter.
- Increased services to mandatory reporters and the child protection legal community, as measured by an increase in cases initiated by mandatory reporters and the child protection legal community.

Critical Process: Engage rural communities to increase CPO services provided to clients in rural areas.

Key Activities

FY 2021-22

- Complete outreach campaigns to at least two rural judicial districts per year. During the campaigns, engage with entities such as child welfare departments, court improvement programs, school districts, regional hospitals and law enforcement.
- Provide educational opportunities to interested entities about the CPO's services.

FY 2022-2023

- If the Critical Process was not completed in FY 2021-22, determine the circumstances preventing the CPO from completing the task and develop appropriate Key Activities.

FY 2023-2024

- If the Critical Process was not completed in FY 2022-23, determine the circumstances preventing the CPO from completing the task and develop appropriate Key Activities.

Key Outcome(s) and Metrics

- Completed presentations to rural communities, as measured by the number of presentations completed per quarter.

Strategy: Ensure the CPO is targeting communications and services to all of Colorado's diverse communities.

Critical Process: Identify who the CPO is serving and compare this information to Colorado demographic data.

Key Activities

FY 2021-22

- Collect and analyze client demographic data to determine which communities the CPO is serving.
- Pull and analyze child protection demographic data to identify populations that are represented throughout Colorado.
- Compare the percentage of populations the CPO is serving to the percentages of each demographic present in the child protection system to inform ongoing outreach campaigns.

FY 2022-2023

- If the Critical Process was not completed in FY 2021-22, determine the circumstances preventing the CPO from completing the task and develop appropriate Key Activities.

FY 2023-2024

- If the Critical Process was not completed in FY 2022-23, determine the circumstances preventing the CPO from completing the task and develop appropriate Key Activities.

Key Outcome(s) and Metrics

- Increase CPO service delivery to all involved in the child protection system, as measured by the number of cases initiated by demographic data.

SPI 2: IMPLEMENT PRACTICES THAT ENSURE EFFICIENT AND EFFECTIVE CPO SERVICES.

The CPO is statutorily required "to receive complaints concerning child protection services made by or on behalf of a child relating to any action, inaction, or decision of any public agency or any provider that receives public moneys that may adversely affect the safety, permanency, or well-being of the child." See C.R.S. §19-3.3- 103(1)(a). The CPO has identified the following strategies, critical processes, key metrics and outcomes as ways to help ensure efficient and effective CPO services.

Strategy: Implement practices and procedures that support CPO staff.

The high demand for CPO services requires staff to be efficient in contacting citizens, identifying their concerns and determining what is necessary to help citizens resolve their inquiry. Ensuring CPO staff are supported will, in turn, ensure the CPO is providing services in an efficient and effective manner. The Critical Processes below, combined with the CPO's policies outlined in the CPO's Case Practices and Operating Procedures, will help the CPO provide all citizens quality services.³

Critical Process: Gather feedback from CPO clients to ensure quality services for citizens.

Key Activities

FY 2021-22

- Develop a post-case-closure survey.

³ For more information about the CPO's practices and procedures, please refer to the [Office of Colorado's Child Protection Ombudsman Case Practices and Operating Procedures](#).

FY 2022-2023

- Disseminate the post-case-closure survey.
- Analyze data to identify CPO staff development and process improvement opportunities, as well as aspects of service delivery that warrant recognition.

FY 2023-2024

- Disseminate the post-case-closure survey.
- Analyze data to identify staff development and process improvement opportunities, as well as aspects of service delivery that warrant recognition.

Key Outcome(s) and Metrics

- An understanding of the opportunities and strengths, as demonstrated by the survey data.

Strategy: Ensure the CPO is continually applying a diversity, equity and inclusion lens to its services.

Critical Process: Provide ongoing CPO staff education on diversity, equity and inclusion to help staff best serve Coloradans.

Key Activities**FY 2021-22**

- Provide CPO staff with diversity, equity and inclusion educational opportunities.

FY 2022-2023

- Provide CPO staff with diversity, equity and inclusion educational opportunities.

FY 2023-2024

- Provide CPO staff with diversity, equity and inclusion educational opportunities.

Key Outcome(s) and Metrics

- The total number of educational opportunities attended, as measured by the CPO's community outreach spreadsheet.

SPI 3: ESTABLISH THE CPO AS A LEADER ON ISSUES FACING THE CHILD PROTECTION SYSTEM.

The CPO must work to recommend “systemic change to improve the safety of and promote better outcomes for children and families receiving protection services in Colorado.” See C.R.S. §19-3.3-130(2)(e). To ensure the CPO is maintaining a quality of work that will drive change within the child protection system and sharing information in a timely manner, the agency must ensure its processes are streamlined and efficient, and that recommendations are being considered and/or implemented.

Strategy: Identify systemic issues that are pertinent to improving the child protection system.

Critical Process: Identify systemic child protection issues from CPO data to alert citizens, legislators and stakeholders to emerging or reoccurring issues.

Key Activities**FY 2021-22**

- Quarterly analyze trends within CPO data to identify any themes/topics/issues that are emergent or reoccurring.

FY 2022-2023

- Quarterly analyze trends within CPO data to identify any themes/topics/issues that are

emergent or reoccurring.

FY 2023-2024

- Quarterly analyze trends within CPO data to identify any themes/topics/issues that are emergent or reoccurring.

Key Outcome(s) and Metrics

- The identification of child protection issues, as demonstrated in trend data.

Strategy: Track and analyze recommendations to monitor CPO's impacts and progress.

The CPO has a statutory responsibility to maintain an accountable and transparent agency. Tracking and reporting the outcomes of its recommendations will provide a strong gauge for determining the CPO's impact in reforming the child protection system.

Critical Process: Track the uptake and implementation of recommendations.

Key Activities

FY 2021-22

- Determine whether recommendations are being acknowledged and/or implemented by agencies.
- Ask agencies how they are using CPO work products.

FY 2022-2023

- Determine whether recommendations are being acknowledged and/or implemented by agencies.
- Ask agencies how they are using CPO recommendations and/or work products.
- Develop reporting system to share how CPO recommendations are making an impact to the child protection system.

FY 2023-2024

- Determine whether recommendations are being acknowledged and/or implemented by agencies.
- Ask agencies how they are using CPO work products.
- Develop reporting system to share how CPO recommendations are making an impact to the child protection system.

Key Outcome(s) and Metrics

- To have a deeper understanding of how the CPO's recommendations are changing the state's child protection system, as measured by the number of recommendations acknowledged and/or implemented.

Strategy: Encourage citizens and stakeholders to use the CPO as a resource to improve the child protection system.

Critical Process: Offer ongoing opportunities for citizens, legislators and stakeholders to engage in the CPO's system work.

Key Activities

FY 2021-22

- Develop opportunities for citizens, legislators and stakeholder to engage in the CPO's work by continually offering information regarding CPO projects, initiatives, legislative efforts, etc.

FY 2022-2023

- Develop opportunities for citizens, legislators and stakeholder to engage in the CPO's work by continually offering information regarding CPO projects, initiatives, legislative efforts, etc.

FY 2023-2024

- Develop opportunities for citizens, legislators and stakeholder to engage in the CPO's work by continually offering information regarding CPO projects, initiatives, legislative efforts, etc.

Key Outcome(s) and Metrics

- Increased use of the CPO as a resource for child protection information, as measured by the number of contacts the CPO receives from citizens, legislators and stakeholders.

Conclusion

The Child Protection Ombudsman respectfully submits this report to the Joint Budget Committee and the General Assembly, as is required under C.R.S. § 2-7-204. The CPO will comply with its requirements under the statute and will submit the required reports and evaluations.