



April 20, 2015

To: Members of the House Public Health and Human Services Committee

Re: SB 204 Autonomy of Child Protection Ombudsman

Senator Newell asked me to give you the history behind the Office of the Child Protection Ombudsman from my perspective as a League of Women Voters of Colorado member who served as an adoptive parent and community volunteer on the original work group that developed the work plan for the Office. The Office was created by statute in 2010 but efforts to establish such an office go back to at least 1/11/2008 when Rep. Debbie Stafford convened a meeting to discuss the need for an Office of the Child's Ombudsman in Colorado.

When Colorado's Office of the Child Protection Ombudsman was created by statute in 2010, most of the supporters wanted it housed outside of the state Department of Human Services so that it could be totally independent. The only opposition that I can remember came from CDHS and the counties – the entities that would be investigated by the Ombudsman. Those of us who wanted the office placed outside of CDHS agreed to its placement within CDHS because that was the only way the bill would have passed at the time. We felt it was important to get the office up and running and then monitor how it was working and if changes needed to be made.

There have been problems that we have become aware of that, to us, indicate that the office should be housed where it will be entirely independent of those it investigates and free from political pressure.

- No one applied after the first RFP was released. I have heard that only one or two entities applied after the second RFP was released.
- The original Ombudsman resigned due to what appeared to be problems with CDHS. The entity that holds the current contract which is up for renewal has indicated it will not reapply because it can't give the taxpayers their money's worth if the Ombudsman's Office is not independent of CDHS (Denver Post article 3/31/15).
- The State Auditor's report of June 2014 pointed out that "an actual or perceived lack of independence of the Ombudsman program can hinder the Program's operation and public trust in it." It also pointed out that the fact that CDHS has control of the program's contract "can affect the Program's investigative function and may make the staff hesitant to conduct investigations and issue reports that reflect negatively upon the Department."
- On 3/31/2015, the Denver Post reported that CDHS unsuccessfully tried through rule changes to give itself more control over the hiring and firing of the Ombudsman and over when to publicly release the Ombudsman's investigative findings.
- In Senate Health and Human Services on 3/19/2015, there was testimony from the Ombudsman's Office that citizens would call the office with a concern but choose not to proceed when they learned the office is located within CDHS.

I hope that this information provides you with helpful information as you consider this bill.

Carla Bennett

League of Women Voters of Colorado