



CHILD PROTECTION OMBUDSMAN

**FISCAL YEAR 2022-2023
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 Colorado's child protection system. The public demanded the state create a mechanism to examine the components of the state's child protection system, help citizens navigate the complexity of the system and provide recommendations on how to improve the system overall.

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 Coloradans and the agencies and providers tasked with protecting children. Specifically, the CPO independently gathers information, investigates complaints and provides recommendations to child protection agencies, providers and the state's legislature.

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 critical incident, such as a child fatality. Prior to its passage, the CPO was unable to complete such reviews in a timely or robust manner. Additionally, House Bill 21-1272 created additional protections for the confidential information and documents reviewed by the CPO during a case.

In June 2021 and June 2022, the CPO's duties and powers were expanded with the passage of House Bill 21-1313 and House Bill 22-1319. Intended to help unaccompanied immigrant children placed within Colorado's borders by the federal Office of Refugee Resettlement, these bills permit the CPO to initiate reviews of the safety and well-being of such youth who are placed in state-licensed residential child care facilities, as well as monitor their care.

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

Each year, the CPO provides free and confidential services to hundreds of citizens who have questions and concerns about the state's child protection system. These citizens include parents, grandparents, kin, youth, medical professionals, lawyers, social workers, police officers and many others.

Citizens' questions and concerns often relate to specific program areas within the state's child protection system, including child welfare, juvenile justice and behavioral health. With access to child protection records that are not otherwise available to the public, the CPO is able to independently and objectively resolve citizens' questions and concerns while concurrently identifying systemic issues impacting the child protection system.

The agency's enabling statutes are C.R.S. § 19-3.3-101 – 19-3.3-111. Pursuant to C.R.S. § 19-3.3-103, the CPO has the authority to:

- Receive complaints concerning child protection services.
- Request, access, and review any information, records, or documents, including records of third parties, that the ombudsman deems necessary to conduct a thorough and independent review of a complaint.
- Independently and impartially investigate complaints.
- Seek resolution of complaints.
- Recommend changes and promote best practices to improve the state's child protection services.
- Educate the public concerning strengthening families and keeping children safe.
- Self-initiate an independent and impartial investigation and ongoing review of the safety and well-being of any unaccompanied immigrant child who lives in a state-licensed residential child care facility and is in federal custody.

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 third-party records/documents acquired in the course of a case.
- 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 2021-2022 Quarter 2 Performance Evaluation

During Quarter 2 (Q2) of [Fiscal Year \(FY\) 2021-2022](#), the CPO worked on three Strategic Policy Initiatives (SPI):

- Target communications and engagements to better educate and serve citizens and stakeholders.
- Implement practices that ensure efficient and effective CPO services.
- Establish the CPO as a leader on issues facing the child protection system.

Pursuant to the requirements in SMART Act, the CPO evaluated its progress and efforts to fulfill its SPI. Key takeaways from that evaluation include:

- The CPO had a strong presence in legislative and public policy efforts to improve Colorado's child protection system. This included publishing public policy briefs regarding the state's child fatality review process and mandatory reporting practices in Colorado. The CPO also initiated legislative efforts to address these issues.
- Increased and improved its efforts to provide consistent and timely communications with stakeholders and the public regarding CPO services and ongoing projects. These included the efforts mentioned above, as well as an extensive campaign to meet with members of the Colorado General Assembly.
- Continued to improve the CPO's internal data system to better track and monitor the populations the agency serves and strengthen the CPO's outreach and education initiatives. This work was also crucial in informing the CPO's budget request and priorities.

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.

Fiscal Year 2022-2023 Performance Plan

Strategic Policy Initiatives

SPI 1 – OUTREACH AND EDUCATION: Educate the public and stakeholders about the CPO to ensure equitable access to services and to identify opportunities for improvement.

The CPO is statutorily required “to help educate the public 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 increase the public’s knowledge of the CPO’s services while concurrently learning how best to engage with various communities.

Strategy: *Target communications and engagements to strengthen the CPO’s statewide presence and services.*

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 –particularly populations which are overrepresented in the child protection system – will be key to promoting impactful, equitable reforms to Colorado’s child protection system.

Critical Process: *Engage youth impacted by the child protection system to increase the number of youth who receive services directly from the CPO, promote equitable access to services and improve how the agency serves youth in Colorado.*

Key Activities

FY 2022-2023

- Utilizing the results of youth surveys and working groups completed during Fiscal Year 2021-22, improve the CPO’s youth outreach materials and develop new materials and platforms to connect with youth in Colorado.
- 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.
- Continue to engage youth panels and facilitate discussions with youth groups to re-assess the agency’s materials and services.

FY 2023-2024

- Key activities are completed yearly.

FY 2024-2025

- Key activities are completed yearly.

Key Outcome(s) and Metrics

- Distribution of youth-specific written materials, in both English and Spanish, as measured by the

- number of sites in which materials are distributed.
- Engagement 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 child protection professionals, including but not limited to treatment and service providers, educators, medical providers, mental health professionals and the child protection legal community.

Key Activities

FY 2022-2023

- Complete outreach campaigns to at least four organizations/agencies/providers per year.
- Provide educational opportunities to interested entities about the CPO's services.
- Collect feedback from child protection professionals regarding issues impacting services and possible improvements to the CPO's education materials and engagement opportunities.

FY 2023-2024

- Key activities are completed yearly.

FY 2024-2025

- Key activities are completed yearly.

Key Outcome(s) and Metrics

- Engagement with professionals/providers, as measured by the number of presentations completed per quarter.
- Increased services to child protection professionals, as measured by an increase in cases initiated by child protection professionals.

Critical Process: Engage caregivers – including parents, relatives, foster parents, adoptive parents and kin – of children involved in the child protection system to help ensure all caregivers have equitable access to CPO services.

Key Activities

FY 2022-2023

- Develop and distribute caregiver-specific materials describing the CPO's services to agencies, providers and communities serving caregivers.
- 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.
- Collect feedback from caregivers regarding issues impacting services and possible improvements to the CPO's services and future engagement opportunities.

FY 2023-2024

- Key activities are completed yearly.

FY 2024-2025

- Key activities are completed yearly.

Key Outcome(s) and Metrics

- Distribution of caregiver-specific written materials, in both English and Spanish, as measured by the number of sites in which materials are distributed.
- Engagement with caregivers 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 rural communities to ensure citizens across Colorado are informed of the CPO's services and have equitable opportunities to inform the agency and improve practices.

Key Activities

FY 2022-2023

- 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, non-profit community organizations and law enforcement.
- Collect feedback from rural communities about issues impacting child protection services in their areas, as well as possible improvements to the CPO's services and future engagement opportunities.

FY 2023-2024

- Key activities are completed yearly.

FY 2024-2025

- Key activities are completed yearly.

Key Outcome(s) and Metrics

- Engagement with rural communities, as measured by the number of presentations completed per quarter.
- The provision of services to those in rural communities, as measured by the number of cases initiated by those in rural communities.

Critical Process: Evaluate the CPO's listserv to determine which communities the CPO is Engaging with and how to increase the CPO's statewide.

Key Activities

FY 2022-2023

- Survey the CPO's listserv to identify communities not included.
- Determine strategies to engage with underrepresented communities.
- Expand the listserv to include underrepresented communities.

FY 2023-2024

- Key activities are completed yearly.

FY 2024-2025

- Key activities are completed yearly.

Key Outcome(s) and Metrics

- Increased awareness of the CPO, as measured by an increase in the CPO's listserv subscribers.

Critical Process: Engage legislators in the CPO's work.

Key Activities

FY 2022-2023

- Complete one outreach campaign to all legislators every year.
- Survey legislators about their interest, and their constituents' interest, in child protection issues.
- Analyze survey data to develop and target communications.

- Provide additional educational opportunities about the CPO’s services to interested legislators.

FY 2023-2024

- Key activities are completed yearly.

FY 2024-2025

- Key activities are completed yearly.

Key Outcome(s) and Metrics

- Engagement with legislators, as measured by the number of meetings or other interactions between the CPO and legislators.

Strategy: Provide consistent, timely and informative communications regarding the CPO’s services, ongoing projects, ombudsman practice and findings.

Critical Process: Continue to develop effective methods for delivering and promoting the CPO’s services and ongoing work.

Key Activities

FY 2022-2023

- Hire part-time Public Information Coordinator.
- Send newsletters that feature the CPO’s most up-to-date efforts, findings and recommendations to citizens, legislators and stakeholders.
- Post CPO work products to the CPO’s website and social media.
- Attend stakeholder meetings related to child protection issues.

FY 2023-2024

- Key activities are completed yearly.

FY 2024-2025

- Key activities are completed yearly.

Key Outcome(s) and Metrics

- Awareness of child protection issues, as measured by the number of newsletters sent per quarter.
- Continual CPO presence in stakeholder meetings, as measured by the CPO’s community outreach spreadsheet.

Strategy: Apply principles of diversity, equity and inclusion to the CPO’s communications.

Critical Process: Identify whether the CPO is serving all the states’ racial/ethnic groups to develop targeted outreach campaigns.

Key Activities

FY 2022-2023

- Collect and analyze client racial/ethnic demographic data to determine which communities the CPO is serving.
- Pull and analyze child protection racial/ethnic 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 2023-2024

- Key activities are completed yearly.

FY 2024-2025

- Key activities are completed yearly.

Key Outcome(s) and Metrics

- Increased services to various racial/ethnic communities, as measured by the number of cases initiated by various racial/ethnic groups.

Critical Process: Develop inclusive processes, systems and communications that reflect principles of diversity, equity and inclusion to share the CPO's services with all of Colorado's diverse communities.

Key Activities

FY 2022-2023

- Using an independent assessment of the CPO's materials – which was completed in Fiscal Year 2021-22 – amend outreach and education materials to reflect the principles of diversity, equity and inclusion identified by the agency.
- Based on the independent assessment, update the CPO's website to reflect the principles of diversity, equity and inclusion identified by the agency.
- Using the independent assessment, develop and implement an inclusive outreach and education campaign to demonstrate the CPO's commitment to advancing diversity, equity and inclusion principles in the child protection system.

FY 2023-2024

- Key activities are completed yearly.

FY 2024-2025

- Key activities are completed yearly.

Key Outcome(s) and Metrics

- Updated CPO outreach and education materials, as determined by the feedback provided by the independent assessment.
- Publication of new materials on the CPO's website.

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

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

Key Activities

FY 2022-2023

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

FY 2023-2024

- Key activities are completed yearly.

FY 2024-2025

- Key activities are completed yearly.

Key Outcome(s) and Metrics

- Increased use of the CPO as a resource for child protection information, as measured by the number of opportunities offered by the CPO.

SPI 2 – SERVICES AND PROGRAMS: Continue to develop and strengthen efficient and effective CPO practices to better serve Colorado citizens.

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 delivers a wide variety of services pursuant to its statute. These include one-on-one services for clients who contact the agency with concerns or questions regarding the child protection system, reviewing critical incidents – such as child fatalities – and monitoring the safety and well-being of unaccompanied immigrant children residing in state-licensed facilities.

The CPO has identified the following strategies, critical processes, key metrics and outcomes as ways to help ensure efficient and effective CPO services.

Strategy: Provide ongoing professional development opportunities for 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.¹

Critical Process: Provide CPO staff ongoing training and education.

Key Activities

FY 2022-2023

- Have CPO staff attend ongoing training - for various subjects to support ongoing program development and primary functions of the agency. Training subjects include, customer services, negotiation and mediation strategies, child welfare policy and practice, ombudsman theory and practice and other applicable child protection issues.

FY 2023-2024

- Key activities are completed yearly.

FY 2024-2025

- Key activities are completed yearly.

Key Outcome(s) and Metrics

- The total number of educational opportunities attended, as measured by the CPO’s community outreach spreadsheet.²

¹ 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](#).

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

Strategy: Apply principles of diversity, equity and inclusion to the CPO's services.

Critical Process: Provide CPO staff ongoing training and education on diversity, equity and inclusion to inform staff of the disproportionate impact of the child welfare system on communities of color, under-resourced communities and people with disabilities.

Key Activities

FY 2022-2023

- Provide CPO staff with ongoing diversity, equity and inclusion educational opportunities so they may work to address and recognize biases within the child protection system and how those biases impact clients' experiences and outcome.

FY 2023-2024

- Key activities are completed yearly.

FY 2024-2025

- Key activities are completed yearly.

Key Outcome(s) and Metrics

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

Strategy: Continue to develop the CPO's unaccompanied immigrant children's program – established by C.R.S. § 19-3.3- 103(1)(a.5)(I) – to better review and monitor the safety and well-being of unaccompanied immigrant children.

Critical Process: Engage unaccompanied immigrant children residing in state-licensed care that are in the custody of the Office of Refugee Resettlement and professionals that serve them.

Key Activities

FY 2022-2023

- Distribute youth-specific materials, in appropriate dialects and languages, describing the CPO's services.
- Complete quarterly visits to qualifying residential child care facilities to meet with youth and observe operations and care.
- Respond directly to any complaints the CPO receives from unaccompanied immigrant children residing in state care.
- Facilitate quarterly meetings with child protection professionals that work with unaccompanied immigrant children to build relationships, discuss concerns and/or CPO observations.
- Provide educational opportunities to interested entities about the CPO's services.
- Develop outreach materials for child protection professionals that work with unaccompanied immigrant children that outline the CPO's services and jurisdiction.
- Respond directly to any complaints the CPO receives regarding unaccompanied immigrant children residing in state care.

FY 2023-2024

- Key activities are completed yearly.

FY 2024-2025

- Key activities are completed yearly.

Key Outcome(s) and Metrics

- Increased knowledge of the CPO's services, as measured by the distribution of youth-specific written

materials in relevant languages.

- Monitor the safety and well-being of unaccompanied immigrant children, as measured by the number of visits to residential child care facilities that serve unaccompanied immigrant children.
- The provision of services to unaccompanied immigrant children, as measured by the number of cases initiated by unaccompanied immigrant children.
- Engagement with child protection professionals that work with unaccompanied immigrant children, as measured by the number of meetings completed per quarter.
- The provision of services to child protection professionals that work with unaccompanied immigrant children, as measured by the number of cases initiated by child protection professionals that work with unaccompanied immigrant children.

Strategy: Continue to develop the CPO's process and procedures for reviewing egregious abuse or neglect, near fatalities or fatalities of a child, as established by C.R.S. § 19-3.3- 103(1)(a)(I)(A).

Critical Process: Develop and implement a unique, research-informed process for reviewing critical incidents in Colorado to improve and advance child protection systems.

Key Activities

FY 2022-2023

- Facilitate an objective, multidisciplinary review of qualifying critical incident using Safety Science to identify areas of the child protection system that can improve.
- Draft and distribute public-facing reports.
- Assess possible improvements to the CPO's process for reviewing critical incidents in Colorado.

FY 2023-2024

- Key activities are completed yearly.

FY 2024-2025

- Key activities are completed yearly.

Key Outcome(s) and Metrics

- Increased knowledge of how the state's child protection system is currently working on a systemic-level and the identification of recommendations to improve the system, as measured by the number of reviews performed using Safety Science.

SPI 3 – PUBLIC POLICY: Continue to serve as a leader in advancing reforms to Colorado's child protection system.

The CPO is statutorily required “to recommend...systemic changes, 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). Additionally, the CPO must “...promote best practices and effective programs relating to a publicly funded child protection system and to work collaboratively...regarding improvement of processes.” See C.R.S. § 19-3.3- 103(2)(d).

To promote positive systemic changes, best practices and effective programs, the CPO must produce high-quality work in a timely manner while building strong partnerships with others working within the state's child protection system. The CPO has identified the following strategies, critical processes, key metrics and outcomes as ways to encourage collaboration, identify areas of the child protection system in need of improvement, efficiently communicate its findings and ensure recommendations are being considered and/or implemented.

Strategy: Identify and/or support systemic improvements to the child protection system.

Critical Process: Analyze CPO data to identify systemic child protection issues.

Key Activities

FY 2022-2023

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

FY 2023-2024

- Key activities are completed yearly.

FY 2024-2025

- Key activities are completed yearly.

Key Outcome(s) and Metrics

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

Critical Process: Facilitate and support stakeholder engagement through the CPO's Public Policy Advancement Center.

In June 2022, two task forces were established in the CPO through the passage of House Bill 22-1240 and House Bill 22-1375. Each is designed to objectively examine issues that are critical to improving the state's child protection system and are comprised of members with diverse experience and knowledge.

The Mandatory Reporting Task Force, established by House Bill 22-1240, will analyze 19 directives concerning the procedures and effectiveness of Colorado's child abuse and neglect mandatory reporting system and possible improvements. The Timothy Montoya Task Force to Prevent Children from Running Away from Out-Of-Home Placement (Timothy Montoya Task Force), established by House Bill 22-1375, will analyze nine directives aimed at improving safeguards for children in out-of-home placement who have runaway behaviors.

Key Activities

FY 2022-2023

- Convene and facilitate the Mandatory Reporting Task Force, as established by C.R.S. § 19-3-304.2.
- Convene and facilitate the Timothy Montoya Task Force to Prevent Children from Running Away from Out-Of-Home Placement, as established by C.R.S. § 19-3.3- 111.

FY 2023-2024

- Key activities are completed yearly.

FY 2024-2025

- Key activities are completed yearly.

Key Outcome(s) and Metrics

- The completion of task force reports, as delineated in Colorado state law.

Strategy: Provide consistent, timely and informative communications regarding the CPO's public policy efforts, which may include findings and recommendations.

Critical Process: Communicate the CPO's efforts, findings and recommendations to the public, legislators and stakeholders.

Key Activities

FY 2022-2023

- Send newsletters that feature the CPO's most up-to-date efforts, findings and recommendations to citizens, legislators and stakeholders.
- Post CPO work products to the CPO's website and social media.
- Attend stakeholder meetings related to child protection issues.

FY 2023-2024

- Key activities are completed yearly.

FY 2024-2025

- Key activities are completed yearly.

Key Outcome(s) and Metrics

- Awareness of child protection issues, as measured by the number of newsletters sent per quarter.
- Continual CPO presence in stakeholder meetings, as measured by the CPO's community outreach spreadsheet.

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.