



# CHILD PROTECTION OMBUDSMAN

**FISCAL YEAR 2023-2024  
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.

Also 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.

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 ensure Colorado child protection systems consistently, fairly and equitably deliver services to every child, youth and family across our state.

#### **Case Support**

- Guide youth, families and community members in navigating complex systems
- Review cases to ensure the highest attainable standards of care
- Work with people and agencies to help resolve concerns and disputes at the ground level

#### **Systems Change**

- Engage communities across Colorado in addressing local and statewide problems
- Collaborate with stakeholders and lawmakers to improve services, policies and laws

### **Vision**

Child protection systems that effectively serve every youth, family and community in Colorado.

### **Major Agency Functions**

#### ***Role of the CPO***

The CPO was created to ensure the state's complex child protection system consistently provides high-quality services to every child, family and community in Colorado. The agency:

- Listens to people about their experience with, and concerns about, the state's child

protection system.

- Researches concerns reported by any individual or entity about service delivery within Colorado's child protection system.
- Resolves issues by determining the best way to assist people. This may mean bridging communication barriers or mediating conflicts based on misunderstandings.
- Identifies trends where the child protection system's funding, resources or practices are not keeping up with the needs of children, youth and families.
- Makes public recommendations for child protection system improvements. This may mean working with lawmakers, professionals and other stakeholders to advance legislation and policies that have a lasting, positive impact on children, youth and families.

### ***Responsibilities of the CPO***

The CPO is responsible for responding to citizens' complaints concerning actions or inactions by child protection agencies that may adversely impact the safety, permanency or well-being of a child. Child protection agencies are those that receive public funds to protect or care for children. This includes but is not limited to law enforcement, mental health agencies, child welfare services and the Division of Youth Services (DYS).

The CPO may self-initiate an independent and impartial investigation and ongoing review of the safety and well-being of an unaccompanied immigrant child who lives in a state-licensed residential child care facility and who is in the custody of the Office of Refugee Resettlement of the federal Department of Health and Human Services as set forth in 8 U.S.C. sec. 1232 et seq. As part of this responsibility, the CPO may create and distribute outreach materials to state-licensed residential child care facilities and to individuals that have regular contact with unaccompanied immigrant children.

Additionally, the CPO is responsible for informing on systemic changes to promote better outcomes for, and improve the safety and well-being of, children, youth and families receiving child protection services in Colorado. Being uniquely situated to gather and share information with state and non-state entities, the CPO may issue recommendations to enhance the state's child protection system. The CPO shares this and other information with the public by publishing reports and other content at [www.coloradocpo.org](http://www.coloradocpo.org).

### **Jurisdiction and Environment**

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 afflicting the child protection system.

The agency's enabling statutes are C.R.S. § 19-3.3-101 – 19-3.3-110. 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 2022-2023 Quarters 3 Performance Evaluation

During Quarter 3 (Q3) of Fiscal Year (FY) 2022-23, 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:

- 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.

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 2023-2024 Performance Plan

## Strategic Policy Initiatives

**SPI 1: COMMUNITY OUTREACH:** Raise awareness of the CPO to ensure every youth and family across Colorado has equitable access to the agency's services.

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 – is key to promoting impactful, equitable reforms to Colorado's child protection system.

**Critical Process:** Promote awareness of the CPO among youth impacted by child protection systems to increase equitable access to services for all youth.

### Key Activities

#### **FY 2023-2024**

- In partnership with former Colorado youth who experienced child protection systems, develop a multi-year youth outreach campaign that raises awareness of the CPO and its services for youth.
- Utilizing youth focus groups and research from previous fiscal years, design new digital and print promotional materials that directly target youth who are involved in Colorado's child protection systems.
- Promote the agency's services for youth through digital content and distributing printed materials to agencies, providers and communities serving youth in out-of-home placements.

#### **FY 2024-2025**

- Key activities are completed yearly.

#### **FY 2025-2026**

- Key activities are completed yearly.



**Key Outcome(s) and Metrics**

- Development of a CPO Youth Outreach Campaign strategic plan, including a fiscal analysis of projected costs for implementation and maintenance.
- Distribution of new youth promotional materials, in both English and Spanish, as measured by digital impressions and the number of sites in which printed materials are distributed.
- Increased services to youth, as measured by an increase in cases initiated by youth.

**Critical Process: Promote awareness of the CPO among caregivers – including parents, relatives, foster parents and kin – of children involved in the child protection system to increase equitable access to services for all types of caregivers in every Colorado community.**

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**Key Activities**

**FY 2023-2024**

- In collaboration with caregivers with lived experience with child protection systems and various caregiver-serving agencies, develop targeted, multi-year outreach campaigns that raise awareness of the CPO and its services specific to different types of caregivers.
- Design new digital and print outreach materials that directly target different types of caregivers of children involved in Colorado’s child protection systems.
- Promote the agency’s services for caregivers through digital content and distributing printed materials to agencies, providers and communities serving caregivers.

**FY 2024-2025**

- Key activities are completed yearly.

**FY 2025-2026**

- Key activities are completed yearly.

**Key Outcome(s) and Metrics**

- Development of a CPO Caregiver Outreach Campaign strategic plan, including a fiscal analysis of projected costs for implementation and maintenance.
- Distribution of new caregiver promotional materials, in both English and Spanish, as measured by digital impressions and the number of sites in which printed materials are distributed.
- Increased services to parents, relatives or other caregivers, as measured by an increase in cases initiated by parents, relatives or other caregivers.

**Critical Process: Promote awareness of the CPO among communities of color to increase equitable access to services for youth and families disproportionately involved in Colorado’s child protection systems.**

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**Key Activities**

**FY 2023-2024**

- Collect and analyze client racial/ethnic demographic data to determine which communities the CPO is serving.

- In collaboration with a contracted equity, diversity and inclusion (EDI) specialist, develop targeted, multi-year outreach campaigns that raise awareness of the CPO and its services among communities disproportionately impacted by Colorado child protection systems.
- Promote the agency’s services by engaging with and distributing printed materials to agencies, providers and stakeholders serving communities of color.

**FY 2024-2025**

- Key activities are completed yearly.

**FY 2025-2026**

- Key activities are completed yearly.

**Key Outcome(s) and Metrics**

- Development of a CPO Outreach Campaign strategic plan that directly targets communities disproportionately impacted by Colorado child protection systems, including a fiscal analysis of projected costs for implementation and maintenance.
- Distribution of CPO promotional materials, in both English and Spanish, as measured by the number of sites in which printed materials are distributed.
- Publicly available race and ethnicity data comparing CPO clients to the Colorado overall population, youth population and demographics of youth and families involved in child protection systems.
- Increased services to communities of color that are disproportionately involved in child protection systems, as measured by an increase in cases from people identifying as belonging to those communities.

**Critical Process: Promote awareness of the CPO among rural communities to increase equitable access to services for every community, county and region in Colorado.**

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**Key Activities**

**FY 2023-2024**

- Collect and analyze client location data to determine which communities the CPO is serving and what specific issues people are experiencing.
- In collaboration with rural stakeholders, develop a multi-year strategy to raise awareness of the CPO and its services in specific communities, counties and regions of the state.
- Design new digital and print outreach materials that directly target non-metro communities and regions around the state.
- Promote the CPO’s services for rural communities through direct engagement, digital content and distributing printed materials to non-metro agencies, providers and communities.

**FY 2024-2025**

- Key activities are completed yearly.

**FY 2025-2026**

- Key activities are completed yearly.

### **Key Outcome(s) and Metrics**

- Publicly available regional data comparing CPO clients to a multi-county region's overall population, youth population and number of youth and families involved in child protection systems.
- Development of a multi-year rural outreach strategy, including a fiscal analysis of projected costs for implementation and maintenance.
- Outreach with agencies, providers and stakeholders in counties with a population under 70,000 residents, as measured by the number of engagements completed per quarter.
- Outreach with agencies, providers and stakeholders in every region of the state, as measured by the number of engagements completed in each region.
- Distribution of new rural promotional materials, in both English and Spanish, as measured by digital impressions and the number of sites in which printed materials are distributed.
- The provision of services to those in rural communities, as measured by the number of cases initiated in rural counties.

**Critical Process: Promote awareness of the CPO among child protection professionals, including but not limited to treatment and service providers, educators, medical providers, mental health professionals and the child protection legal community.**

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### **Key Activities**

#### **FY 2023-2024**

- In collaboration with agencies and professional groups, design new digital and print promotional materials that directly target different types of child protection professionals.
- Directly engage child protection professionals and entities interested in the CPO's services through meetings, trainings and educational opportunities.
- Promote the CPO's services for child protection professionals through digital content and distributing printed materials to non-metro agencies, providers and communities.

#### **FY 2024-2025**

- Key activities are completed yearly.

#### **FY 2025-2026**

- Key activities are completed yearly.

### **Key Outcome(s) and Metrics**

- Outreach with professionals/providers, as measured by the number of engagements completed per quarter.
- Distribution of new professional promotional materials, in both English and Spanish, as measured by digital impressions and the number of sites in which printed materials are distributed.
- Increased services to child protection professionals, as measured by an increase in cases initiated by child protection professionals.

## 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.<sup>1</sup>

**Critical Process: Provide CPO staff ongoing training and education.**

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### **Key Activities**

#### **FY 2023-2024**

- 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, equity, diversity and inclusion, and other applicable child protection issues.

#### **FY 2024-2025**

- Key activities are completed yearly.

#### **FY 2025-2026**

- Key activities are completed yearly.

### **Key Outcome(s) and Metrics**

- The total number of trainings and educational opportunities attended, as measured by the CPO’s

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<sup>1</sup> 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](#).

community outreach spreadsheet.<sup>2</sup>

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

**Critical Process: Develop inclusive processes, systems and communications that reflect principles of equity, diversity and inclusion.**

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**Key Activities**

**FY 2023-2024**

- Contract with an equity, diversity and inclusion (EDI) specialist to evaluate the CPO's internal culture, processes and business landscape.
- Provide CPO staff with ongoing EDI educational opportunities.

**FY 2024-2025**

- Key activities are completed yearly.

**FY 2025-2026**

- Key activities are completed yearly.

**Key Outcome(s) and Metrics**

- Development of an EDI Strategic Implementation Plan.
- The total number of EDI educational opportunities attended, as measured by the CPO's community outreach spreadsheet.

*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.**

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**Key Activities**

**FY 2023-2024**

- Facilitate an objective, multidisciplinary review of qualifying critical incidents to identify areas of the child protection system that can improve.
- Draft and distribute public facing report describing findings from reviews.
- Assess possible improvements to the CPO's process for reviewing critical incidents in Colorado.

**FY 2024-2025**

- Key activities are completed yearly.

**FY 2025-2026**

- Key activities are completed yearly.

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<sup>2</sup> 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.

### **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 qualifying cases received by the agency.

**SPI 3 – SYSTEMS CHANGE: Collaborate with youth, caregivers, stakeholders and policymakers to advance improvements to child protection services, policies and laws for every community in Colorado.**

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

**Critical Process: Communicate findings, trending data and systemic issues to stakeholders, policymakers and the public.**

### **Key Activities**

#### **FY 2023-2024**

- Produce quarterly reports on CPO data to local and statewide stakeholders and policymakers.
- Publish and distribute CPO publications that educate the public, stakeholders and policymakers on trending issues with Colorado’s child protection systems.

#### **FY 2024-2025**

- Key activities are completed yearly.

#### **FY 2025-2026**

- Key activities are completed yearly.

### **Key Outcome(s) and Metrics**

- Stakeholder and policymaker awareness of child protection issues, as measured by the number of publications distributed.
- Public awareness of child protection issues, as measured by digital impressions and/or media engagements per quarter.

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

**Critical Process: Engage youth, caregivers, policymakers, stakeholders and communities in improving Colorado child protection systems through the CPO Policy Collaborative for Children & Families.**

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### **Key Activities**

#### **FY 2023-2024**

- Facilitate the Mandatory Reporting Task Force, as established by C.R.S. § 19-3-304.2.
- 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.
- Launch the Tori Shuler Youth Voice Program and engage current and former youth with lived experience in Colorado child protection systems through focus groups, initiatives and special projects.
- Educate and engage caregivers, policymakers and other child protection stakeholders in discussions around child protection issues and ideas for improvement.
- Participate in multidisciplinary task forces addressing child protection issues.

#### **FY 2024-2025**

- Key activities are completed yearly.

#### **FY 2025-2026**

- Key activities are completed yearly.

### **Key Outcome(s) and Metrics**

- Publication of the statutorily required Mandatory Reporting Task Force Interim Report.
- Publication of the statutorily required Timothy Montoya Task Force Interim Report.
- Engagements with youth on systemic change, as measured by the number of current and former youth engaged through the Tori Shuler Youth Voice Program.
- Education and engagement of caregivers, policymakers and other child protection stakeholders, as measured by the number of caregivers, policymakers and child protection stakeholders engaged.
- Participation in stakeholding, as measured by the number of stakeholder, task force, working group and statute review meetings attended.

**Critical Process: Serve as an independent, neutral and objective resource for legislators on child protection issues.**

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**Key Activities**

**FY 2023-2024**

- Survey every member of the Colorado General Assembly about their concerns, and the concerns of their constituents', regarding child protection systems and issues.
- Using survey data, directly engage legislators that express an interest in learning more about child protection systems or collaborating on policy solutions to trending issues.
- Provide testimony in front of General Assembly committees on select bills with an impact to child safety and/or child protection systems.
- Serve as an independent, neutral and objective resource for the Child Welfare System Interim Study Committee.

**FY 2024-2025**

- Key activities are completed yearly.

**FY 2025-2026**

- Key activities are completed yearly.

**Key Outcome(s) and Metrics**

- Legislator concerns and interest in child protection issues, as measured by the number of General Assembly survey responses.
- Engagement with legislators, as measured by the number of meetings or other interactions between the CPO and legislators.
- Engagement with the Child Welfare System Interim Study Committee, as measured by the number of presentations to the committee.



## 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.