



CHILD PROTECTION OMBUDSMAN

of COLORADO

COLORADO CHILD PROTECTION OMBUDSMAN BOARD

PUBLIC MEETING
May 13, 2021

Record of Proceedings

Notice of this meeting was provided pursuant to the Colorado Open Meetings Law, § 24-6-402, C.R.S.

CONVENE

The meeting of the Child Protection Ombudsman Board was convened via Zoom teleconference at 8:00 a.m. by Board Chair, Ann Roan

A quorum of the Board was present.

INTRODUCTIONS

PRESENT AT THE MEETING

Board Members on Zoom

Ann Roan, Chair
Simone Jones, Vice-Chair
Hon. Ken Plotz
Eldridge Greer
Karen Beye
Jerene Petersen
Peg Rudden
Victoria Shuler
Richard Krugman
Hon. Pax Moultrie

Others Present

Stephanie Villafuerte, Ombudsman
Jordan Steffen, Deputy Ombudsman
Tiffany Madrid, Director of Legislative Affairs and Policy
Karen Nielsen, Director of Administrative Services
Claire Hooker, Client Services Analyst
Heather Coffman, Client Services Analyst
Janna Fischer, Assistant Attorney General

PRESENT FROM THE PUBLIC

None

INTRODUCTIONS

Pursuant to guidance handed down by the Colorado Department of Public Health and Environment regarding the spread of COVID-19, Chair Ann Roan facilitated the meeting via teleconference. Board members and the Office of Colorado's Child Protection Ombudsman (CPO) staff participated via Zoom teleconferencing.

Chair Ann Roan welcomed everyone.

REVIEW AND APPROVAL OF MINUTES

March 11, 2021, Meeting Minutes

Chair Ann Roan entertained a motion to approve the final minutes of the meeting held on March 11, 2021. Vice-Chair Simone Jones made a motion to approve the final minutes of March 11, 2021, and Mr. Greer seconded the motion. The motion passed unanimously minus Dr. Krugman, Ms. Rudden, Ms. Shuler and Ms. Moultrie.

At 8:02 a.m. Dr. Krugman and Peg Rudden joined the Zoom meeting.

BOARD OPERATIONS

Chair Roan reported that Jordan Steffen will be discussing Board appointment terms, membership updates and upcoming vacancies.

Ms. Steffen directed the Board to the Ombudsman Board Member Appointment Term List and the CPO Board General Fact Sheet. She stated that these handouts serve as informational fliers and recruitment documents for vacant positions.

Ms. Steffen discussed the eight potential vacancies, their appointing branch of government for each position and the requisite experience for each position.

At 8:05 a.m. Ms. Shuler joined the Zoom meeting.

Chair Roan and Ms. Villafuerte will meet with existing board members whose terms are expiring in August 2021 to determine if there is an interest in re-applying for their positions. Ms. Steffen stated that the Board Chair and the CPO will help guide members through the application process. She reported that getting board members appointed to positions in general has been a slow process.

The CPO does have applications for the House Minority Leader appointment of a current of former foster parent and hopes to have that position filled by the end of the month.

At 8:15 a.m. Ms. Moultrie joined the Zoom meeting.

Chair Roan stated that appointments to boards and/or commissions are a vital part of local government and provide for direct citizen involvement in the state affairs. She encouraged existing members to re-apply for their positions, stating that it is important to have the institutional memory, geographic variety and cultural diversity to create a broad spectrum of views and.

Ms. Villafuerte stated that once she has confirmed which positions will become vacant the agency will begin a more targeted outreach plan to recruit qualified applicants. Ms. Villafuerte will provide the Board any updates.

Ms. Fischer reported that board members who do not re-apply do have the ability to continue attending meetings and voting until their position is filled.

At 8:30 a.m. Ms. Moultrie left the Zoom meeting.

EXECUTIVE DIRECTOR REPORT

Chair Roan reported that Stephanie Villafuerte will be delivering the executive director report.

Ms. Villafuerte welcomed everyone and thanked board members for their participation.

General Operations/COVID-19

Ms. Villafuerte reported that the CPO staff have continued to work remotely since March 13, 2020. She stated that Ms. Nielsen continues to attend the Ralph L. Carr COVID Advisory Tenant Meetings and that the State Court Administrator's Office (SCAO) is looking at a re-occupancy plan discussion in June 2021, regarding when and how employees will resume operations at the Ralph L. Carr Judicial Center.

She reported that a few CPO staff are in the building regularly but that the majority of the staff will continue to work from home until the SCAO releases a more definite plan. The team has started discussing what a return to the office would like. Ms. Villafuerte will update the Board if any circumstances change.

Ms. Villafuerte reported although the CPO staff is working remotely, the teams continues to produce strong, high volume work. She thanked the staff for all their work.

Financial Report

FY 2020-21 Budget – Ms. Villafuerte provided board members with the CPO's current FY 2020-21 operating budget report. She reported that the CPO has a FY 2020-21 operating budget of \$962,000 and that there is \$210,000 remaining.

The CPO currently has a surplus, which is a result of cut costs and vacancy savings. Ms. Villafuerte reported that this surplus does not account for remaining staff payroll and benefits, remaining administrative and operating expenses, technology expenses and costs related to revising and enhancing the CPO's existing database.

Legal Services Report – Ms. Villafuerte provided the Board with the CPO's FY 2020-21 legal services report. She reported that the CPO has a remaining balance of \$360.00 and that the office continues to utilize these legal services.

She thanked Robert W. Finke, First Assistant Attorney General, and Ms. Fischer for their expertise.

Human Resources

Ms. Villafuerte reported that the CPO has one Client Services Analyst position open. She stated that the team has scheduled interviews for next week for five potential applicants with a focus on child welfare experience.

She reported that given the unique circumstances created by the pandemic the CPO is advising all applicants and staff that they have a choice regarding whether they would like to appear in-person or via teleconferencing. Ms. Villafuerte stated that the applicants will be considered equally regardless of how they choose to participate in the hiring process. All CPO staff and those applicants who choose to interview in-person will be asked to sign a release at the time of their interview, noting that they agree to enter the building at their own risk and to abide by all COVID restrictions that the Ralph L. Carr building has in place.

Ms. Villafuerte reported that she hope to have the position filled within the next six weeks.

CPO Legislative Proposals

HB 21-1272 – Ms. Villafuerte stated that House Bill 21-1272 continues to make its way through the legislative process. She reported that the CPO has had a great response to the bill from the legislators and that the CPO had tremendous support from different state, county and community agencies.

Ms. Villafuerte thanked Ms. Steffen and Ms. Madrid for all their hard work. She stated that the team has worked hard to bring stakeholders together. She further thanked board members for their interest, feedback and participation in conversations regarding the bill.

HB 21-1313 – Ms. Villafuerte reported a new bill was introduced by Rep. Adrienne Benavides and Rep. Serena Gonzales-Gutierrez. The bill would give the CPO limited authority to initiate investigations on behalf of unaccompanied immigrant children who are housed in state-licensed residential child-care facilities. Ms. Villafuerte reported that for the CPO to do this work it would require an FTE and additional operating expenses. She stated that she worked with Ms. Steffen to develop and submit a fiscal note.

There was some discussion about whether the CPO is the best agency to handle such cases and the duties of the new FTE. Ms. Villafuerte reported that the CPO is filling a unique gap that no other state or county agency may fill.

At 9:04 a.m. Ms. Rudden left the Zoom meeting.

Ms. Villafuerte reported that she has been in touch with the different federal and immigration agencies in the state and that because the influx of children at the boarder that the state could see up to 60 children in the next year.

At 9:15 a.m. Ms. Rudden joined the Zoom meeting.

She reported that will she continue to update the Board as the legislative process continues.

The Board took a break at 9:18 a.m. The meeting resumed at 9:35 a.m.

PROGRAM UPDATES

Ms. Steffen directed the Board to the Agency Operations Update.

CLIENT SERVICES

Program Overview

Ms. Steffen reported that the CPO has seen an increase in cases and that the agency has surpassed FY 2019-20 total of 725 cases. The CPO opened 729 during FY 2020-21.

Ms. Steffen stated that during the past two months, the CPO has seen an increase in child welfare cases involving domestic violence, inconsistency in parenting time for parents and concerns related to continuity of care to youth residing in Division of Youth Services (DYS) youth centers. She reported that the cases are more complex and that the team also continues to receive COVID-19 related complaints.

Outreach and Education

Working with Stakeholder Partners – Ms. Steffen stated that members of the Client Services Team continue to work with stakeholder partners by participating in standing meetings, committees and groups. She reported that the team will provide different input on certain topics and their active presence has helped the CPO follow several bills this legislative session.

Division of Youth Services

Ms. Steffen reported that the CPO currently has four open DYS specific cases and anticipates closing those cases in the next few weeks. The CPO continues to participate in the DYS' Executive Order Meetings related to COVID to stay up-to-date and aware of how the DYS is managing COVID-19 within its youth centers. She stated that the CPO continues to monitor the reinstated visitation practices, youth access to blue phones, youth handbooks and the policy review process.

Ms. Steffen reported that the CPO continues to have meetings with DYS leadership every other week and will be continuing to collaborate with stakeholders to promote youths' safety and well-being in response to emergent issues.

PUBLIC POLICY

Updates on Stakeholder Engagements

Division of Youth Services Policy Development – Ms. Madrid reported that the CPO has also continued to engage DYS leadership and staff to help in the development and revision of the DYS' policies to ensure they reflect the best interests of children, youth and families. Current efforts have focused on ensuring youth within youth centers have unfettered access to the CPO and other youth advocates, adequate visitation, adequate recreation time and that each youth receives a handbook at admission.

Legislative Updates

Ms. Madrid reported that she will continue to send the Board legislative updates and that the CPO has been closely monitoring legislation to ensure positive impacts on children, youth and families.

COMMUNICATIONS AND OUTREACH

Outreach Efforts

Newsletters – Ms. Steffen reported that the CPO has continued to publish monthly newsletters and that they are an effective way to introduce new CPO projects, initiatives and highlight other work.

One Year of COVID Issue Spotter Series – Ms. Steffen stated that the CPO published *the One Year of COVID Blog Series*. She reported that the series was a compilation of blogs written by CPO analysts which detailed what they learned during the first year of the COVID-19 pandemic, including how COVID-19 impacted various facets of the child protection system. The issue spotters were well received.

An Afternoon with the CPO Board Chairs – The CPO's April issue spotter introduced Colorado citizens to the CPO Board's outgoing and incoming chairs, Judge Kenneth Plotz and Ann Roan. Ms. Steffen thanked both Judge Plotz and Chair Roan for their participation. She reported that the piece captured interviews of both members and provided insight about the creation, growth and future of the CPO Board.

Chair Roan reported that because the blog received such a strong response, she would like to suggest that every board member be highlighted. She stated that it would be important for the public to get to know about the composition of the board.

In the System: Stories from Colorado's Youth – Ms. Steffen stated that the CPO launched its youth voice series, "In the System: Stories from Colorado's Youth." She reported that the agency is filling an important role by sharing stories about experiences of people impacted by the child protection system and how their stories may help drive needed change.

CPO in the News – Ms. Steffen reported that The Colorado Sun and 9News article featured an interview with Ms. Villafuerte and the CPO's work regarding the Tennyson Center for Children and residential childcare facilities. In that interview, the Ms. Villafuerte expressed concerns that there has not been more action by the CDHS to address issues identified by the CPO in its 2019 investigation report regarding the closure of the El Pueblo Boys & Girls Ranch. Her comments articulated how the same issues – left unaddressed – have continued to impact the care and safety of children and youth residing in residential childcare facilities.

Additionally, Ms. Steffen stated that the CPO has worked extensively with Elizabeth Montoya whose son, Timothy Montoya, ran away from the Tennyson Center during June 2020 and was subsequently hit and killed by

a car in a different county. Ms. Montoya testified in favor of HB21-1272 and she will be featured in the article as well. Ms. Steffen reported that she will send links to the Board as additional articles are published.

Philadelphia City Council – Ms. Steffen reported that she provided testimony in front of the Philadelphia City Counsel regarding an effort to establish a facilities ombudsman office.

Youth Outreach – Ms. Steffen reported that the CPO team also participated in two youth outreach meetings with representatives from the Rocky Mountain Children’s Law Center’s Project Foster Power and the Colorado Department of Public Health and Environment’s Youth Partnership for Health. The CPO will be working on ways to promote and incorporate this feedback into agency outreach efforts.

There was a discussion regarding other youth agencies and populations that the CPO could reach out to, including the Public Defender’s Office, Office of the Alternate Defense Counsel and school nurses and social workers. Ms. Villafuerte reported that she likes the reminder to refresh outreach efforts to such entities. Ms. Steffen reported that she would be happy to work with any board member on a specific population to put out some kind of collateral before the end of the fiscal year.

EXECUTIVE SESSION

At 9:53 a.m. Chair Roan called for a motion to enter executive session for legal advice from Ms. Fischer regarding proposed amendments to the Board By-Laws. Dr. Krugman made a motion to enter executive session for legal advice regarding proposed amendments to the Board By-Laws. Judge Plotz seconded the motion. The motion passed unanimously minus Ms. Moultrie.

Executive Session was held for the Board to receive legal advice pursuant to
§24-6-402(3)(a)(11), C.R.S.

The Executive Session was recorded in compliance with
§24-6-402(2)(d.S)(l)(A), C.R.S

Ms. Steffen and Ms. Villafuerte attended the executive session.

At 9:54 a.m. Dr. Krugman left the Zoom meeting.

At 10:05 a.m. Ms. Moultrie re-joined the Zoom meeting.

At 10:15 a.m. Ms. Shuler left the Zoom meeting.

At 10:35 a.m. Chair Roan returned the meeting to open session.

Motion 1

Chair Roan called for a Motion to approve the amendment of the Board By-Laws to address term limits for the Board Chair and Vice-Chair. Judge Plotz made a motion to approve the amendment of the Board By-Laws to address term limits for the Board Chair and Vice-Chair, and Vice-Chair Jones seconded the motion. The motion passed unanimously minus Dr. Krugman and Ms. Shuler.

Motion 2

Chair Roan called for a Motion to approve amended Board By-Laws regarding the use gender-neutral pronouns. Mr. Eldridge made a motion to approve amended Board By-Laws regarding the use of gender-neutral pronouns, and Vice-Chair Jones seconded the motion. The motion passed unanimously minus Dr. Krugman and Ms. Shuler.

Motion 3

Chair Roan called for a Motion to accept and approve section 5.7 of the amended Board By-Laws that addresses the conflict-of-interest responsibilities of board members. Vice-Chair Jones made a to accept and approve section 5.7 of the amended Board By-Laws that addresses the conflict-of-interest responsibilities of board members and Judge Plotz seconded the motion. The motion passed unanimously minus Dr. Krugman and Ms.

Shuler.

CLOSING REMARKS

Chair Roan thanked everyone for their detailed reports and productive conversations. She reported that the next CPO board meeting will be held at 8:00 a.m. on Thursday, July 8, 2021, via Zoom teleconference.

ADJOURN

Chair Roan entertained a motion to adjourn. Mr. Eldridge made a motion to adjourn, and Vice-Chair Jones seconded the motion. The motion passed unanimously minus Dr. Krugman and Ms. Shuler.

The Board formally adjourned the meeting at 10:42 a.m.

ATTESTATION

As Board Chair and Board Vice-Chair, I attest that these minutes of the open public meeting held on May 13, 2021, of the Colorado Child Protection Ombudsman Board substantially reflect the substance of the discussion and action taken related to the matters under the authority of the Board and in compliance with the Open Meetings Law, § 24-6-402, C. R.S.

Ann M. Roan
Board Chair

7.11.21
Date

Simon Jones
Board Vice-Chair

7/11/21
Date

