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Director Ternes:

The Colorado Department of Human Services (CDHS) has prepared a summary of CDHS' review, findings and recommendations in response to our agreement to perform an audit related to potentially fraudulent activity by a child welfare Social Caseworker (Social Caseworker) previously employed by Arapahoe County Department of Human Services (ACDHS). Thank you for bringing this matter to our attention.

### **Summary**

A former Social Caseworker in ACDHS was charged in May 2022 with felony attempt to influence a public servant and misdemeanor false reporting of child abuse after allegedly reporting a known false report of child abuse against her partner's ex-employer. To assess whether other activities were fraudulent and to ensure child safety, CDHS's Administrative Review Division (ARD) performed an independent review of all referrals made by the Social Caseworker, a paper review and random sample review of contacts entered into the Trails system (the statewide database that contains casework information) as completed by the Social Caseworker to determine whether the scope of this fraud was isolated or more of a pervasive issue with this Social Caseworker. In addition to the fraud review, the Division of Child Welfare (DCW) within CDHS conducted a review of the Social Caseworker's caseload as well as related incidents brought forth through the CDHS complaints process to identify and address any potential child safety issues or practice issues.

### **Fraud Review**

The ARD CDHS review team consisted of five staff from the Administrative Review Division (2 staff conducted the referral review and 3 conducted the contact verification) and began on July 25, 2022. Reviews of referrals and contacts were conducted as detailed below:

#### *Referrals*

A search was conducted of the Trails system for referrals, or calls to the statewide hotline, where the Social Caseworker was listed as the reporting party by name. A total of four referrals were identified. As two of the referrals were made prior to the Social Caseworker's tenure within the child protection system, they were excluded from review. A qualitative review of the information available in Trails for the remaining two referrals noted that the referrals were appropriately managed.

#### *Contacts*



This review process attempted to verify contacts on assessments where the Social Caseworker had been assigned as the primary caseworker and the contact occurred in the last six months of their tenure with ACDHS. The population eligible for the review included:

- Contacts documented as having been made by the caseworker between November 1, 2021 and May 3, 2022 (the date of the last contact entered by the worker),
- The contact was on an assessment where the caseworker was listed as the primary caseworker,
- The contact was documented as “Completed”, and
- The contact was not with a child (i.e., an individual less than 18 years of age).

The population of eligible contacts consisted of a total of 236 eligible contacts. Using the software SPSS, a random sample was extracted from the Trails system. Using a 95% confidence level with a 10% interval, a sample size of 69 contacts was determined to be required for review. Sampled contacts were printed and organized by assessment type (High Risk Assessment and Family Assessment Response), sample type (sample and over-sample), case, and contact sequence number (which should align with contact dates in an ascending order). The report also showed the type of contact, date and time of the contact, contact participants, and contact narrative.

ACDHS provided one intake administrator who was partnered with one of the 3 CDHS staff members assigned to the review. This allowed the administrator to have direct contact with the individuals as part of the overall management of the assessment, while the CDHS staff person was responsible for verification of the sampled contacts.

In order to consider a contact verified, the ACDHS intake administrator and CDHS staff pair looked to confirm both that the contact occurred, and that the individual(s) verified the content (i.e., summary of the contact entered into the Trails system). Contact verification occurred through various processes, often depending on the type of contact and information available at the time of the review, such as attempting to call an individual formerly involved or by working with the Office of Information Technology to verify email records.

Contacts were placed into one of three categories:

- Verified because independent work confirmed the contact occurred.
- Not Verified because the nature of some contacts was such that they could not be definitively confirmed nor refuted.
- Denied because the listed individual was reached, but denied the contact type and/or the discussion described in the contact did not occur or an email could not be located.

#### *Fraud Review Results*

Of the two referrals made by the former Social Caseworker during the caseworker’s tenure at ACDHS, ARD found that both were appropriately managed. ACDHS sent one referral to another county for screening due to potential conflict of interests. The other referral was screened, assigned to a caseworker, and the allegations substantiated as supported by information gathered through the assessment.



Of the 69 contacts reviewed, 56 (81.2%) were verified as having occurred and the summary of the contact in Trails was supported. There were 11 (15.9%) contacts, across 9 different assessments, where contacts were denied (10) or not located (1 email). Two contacts were categorized as Not Verified. Based on the sampling methodology applied, the results indicate with 95% confidence that the true percentage of contacts entered into Trails between November 2021 and May 2022 that may not have occurred would be within the range of 6% to 26%.

These findings are included with more detail in the attached “Audit Summary” document.

### **Child Safety Review**

Based on the results of the fraud review, ARD referred the 9 assessments in the sample with denied contacts to DCW for verification of child safety. DCW determined that 8 of the 9 be reopened to assess for child safety. One assessment was not re-reviewed as the alleged victim at the time of the initial referral was over the age of 18 (i.e., no longer a child) by the time of the review. A non-involved Colorado county department of human services conducted these re-assessments.

Based on the estimated percentage of possibly fraudulent contacts entered into Trails, DCW along with one ACDHS staff, pulled all assessments (investigations of child abuse and/or neglect) from the Trails system where the former Social Caseworker was assigned as primary since July 2017 to perform a detailed paper review for possible child safety concerns. This sample included 196 assessments. Work was sorted in two ways:

- If it was determined that other collateral agencies performed assessments, a family had a subsequent assessment or open case with a different staff member, or if an alleged victim was over the age of 18, the involvement was not fully re-assessed.
- If there was no assurance that a collateral entity was involved or an intervening factor occurred, it was determined that a secondary review was needed.

The Social Caseworker conducted 196 intake assessments/investigations and 73 permanency cases during her 5 year tenure with Arapahoe County DHS. All were reviewed by DCW and ACDHS in a combination of first and second level reviews. From those reviews, 13 new referrals were generated and sent to another county for review, disposition, and re-assessment as required as DCW and ACDHS were unable to determine if the originally identified safety concerns were mitigated by the Social Caseworker. Another county was selected to conduct those reviews/assessments as a courtesy for Arapahoe County. Additionally, 11 other assessments and cases from the initial sample required ACDHS to conduct further procedural steps, and CDHS was subsequently informed that these steps were completed.

Finally, as of the date of this letter, the CDHS has also received and has reviewed 7 complaints about the former Social Caseworker’s performance and conduct. These complaints were all reviewed and concerns related to potential misconduct or misinformation have been referred to the criminal investigations team involved in this matter.

### *Child Safety Review Results*



CDHS staff did not identify any additional unresolved child safety concerns as a result of this review. CDHS did find and discuss with you concerns related to the conduct and practices performed by the Social Caseworker, as well as the supervision and oversight of the Social Caseworker's performance. CDHS found an inadequacy of effort and thoroughness in assessments to which the Social Caseworker and the supervisor were assigned. CDHS also had concerns about the Social Caseworker's failure to perform work in accordance with the Colorado Code of Regulations, including minimal or no documented efforts to contact necessary family members or collaterals, necessary but unverified cross-reporting to law enforcement, disposition ("finding") reasoning concerns, and needed improvements to record of contact/documentation/closure summaries. CDHS will continue to provide technical assistance and support and will work with you to assess and address these identified concerns about practice oversight as needed. Furthermore, there was a specific issue raised related to the appropriateness of placement and care of a child in ACDHS custody that required further review as CDHS has previously communicated.

### **Conclusion**

At this time, ACDHS has received detailed information on all child welfare involvement requiring prompt additional action. The Colorado Department of Human Services appreciates the collaboration with ACDHS staff in this matter and the attention to this serious matter as ACDHS undertakes the identified next steps in this process.

Further, it is important to note that, due to the urgency and need to efficiently identify potential safety issues, CDHS's review was limited in scope. Because of this, and because of the complexity of the allegations against this Social Caseworker and concerns that arose about supervision and oversight based on the review of practice to date, CDHS recommends an additional layer of review or audit to more broadly and deeply assess case practice and supervision. We will be meeting with you soon to review this and the next steps that it will entail.

Once again, thank you for alerting CDHS to these concerns and for your partnership and attention to this matter.

Sincerely,

Michelle Barnes  
Executive Director  
Colorado Department of Human Services

cc: Minna Castillo Cohen  
Director  
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Colorado Department of Human Services