

**BEFORE THE DEPARTMENT OF HUMAN SERVICES
STATE OF COLORADO**

Case No. SLD 2017-____

ORDER OF SUMMARY SUSPENSION

**IN THE MATTER OF THE LICENSED RESIDENTIAL CHILD CARE FACILITY,
EL PUEBLO BOYS & GIRLS RANCH, LICENSE NO. 45146**

THE PEOPLE OF THE STATE OF COLORADO

**TO: El Pueblo Boys & Girls Ranch
James Cardinal, President and Chief Executive Officer
One El Pueblo Ranch Way
Pueblo, Colorado 81006**

The Colorado Department of Human Services (Department), pursuant to §§ 24-4-104(4) and 26-6-108(2), C.R.S. (2017), and upon information obtained from inspections, investigations and other reports concerning the matter referenced below, finds:

1. The Department has jurisdiction over the license, persons, and subject matter in this document.
2. The Department issued permanent license no. 45146 to El Pueblo Boys & Girls Ranch ("El Pueblo") to operate as a residential child care facility at One El Pueblo Ranch Way, Pueblo, Colorado 81006. The license has an effective date of January 1, 1995, with the most recent continuation notice received on or about March 17, 2017.
3. The permanent child care license issued authorizes the care of 166 children of the ages 5 years 0 months to 18 years 0 months. El Pueblo is also authorized to accept individuals who are 18 to 21 years old if they are placed by court order prior to their eighteenth birthday.
4. On or about July 20, 2017, the Department received a complaint alleging that the current Chief Executive Officer of El Pueblo inappropriately restrained a child. The Department reviewed video of the incident, and determined the situation was not an emergency that would justify use of a physical restraint. Additionally, the Chief Executive Officer also submitted false and misleading documentation to the Department regarding the restraint.

5. On or about August [REDACTED] 2017, it was reported that a child ran from El Pueblo, and rode a train from Pueblo to [REDACTED]. The child rode in the back of the train unsupervised, with their legs hanging off the side, for the [REDACTED] hour ride. The child stated they ran because of bullying, kids stealing each other's food because they were hungry, lack of medical attention, and staff not intervening in peer fights, instead telling the children to take the fight out of camera view at El Pueblo.

6. On or about September [REDACTED] 2017, it was reported that a high needs child placed at El Pueblo did not receive all prescribed medications during the child's stay, and left the facility with an unexplained burn on the child's body.

7. On or about September [REDACTED] 2017, a report was made stating that a [REDACTED] child who functions at the level of a [REDACTED] year old, and who was supposed to be under on a one-to-one staff supervision plan, escaped out of a window in their room. The child was out of staff sight for more than an hour before being found. The child had crossed two streets to [REDACTED], where the child was finally located.

8. On or about [REDACTED], [REDACTED] children at El Pueblo attempted suicide. One of the children was returned to El Pueblo under one-to-one staff supervision; yet the following evening, the one staff member assigned to the one-to-one was supervising five other children along with that child.

9. On or about September 20, 2017, a report was made stating that approximately [REDACTED] prior, El Pueblo staff physically abused a child. Staff pulled the child's hair, scratched the child, and elbowed and kned the child's body. Staff also punched the same child in the mouth around that same time. The reporting party stated that staff hit children in areas of the facility where there are no cameras.

10. On or about September 21, 2017, a report was made alleging that on [REDACTED], a child with significant disabilities was rolling around the floor and banging their head on the floor. Staff present during the incident reported they had to obtain permission from an administrator before they could initiate a restraint on the child; the administrator denied this request. Staff watched as the child continuously engaged in self-abuse including biting their own arms and legs, resulting in bleeding wounds. The child pulled off their own skin, and was chewing and eating it. This behavior occurred for approximately 25 minutes. Staff again requested permission to intervene; the request was denied. Staff attempted to call additional administrative staff, but that administrator did not return the call for an hour. Staff cleaned and bandaged the wounds.

11. A child arrived at El Pueblo in [REDACTED] 2016 weighing [REDACTED] pounds, and left the facility less than ten months later, weighing [REDACTED] pounds. El Pueblo had

no explanation for the child's significant weight loss; the child was not morbidly obese at the time of admission. The child also suffered excessive bruising. Children at El Pueblo have consistently expressed that they are hungry; through numerous interviews occurring February 2017 through September 2017, and eight completed grievances by youth, children have stated that the facility does not provide them with adequate food. Child abuse and neglect referrals and staff interviews raised concerns that the children's hunger resulted in frustration and often escalated into aggression.

12. In the past year, during licensing Stage II investigations of child abuse and neglect referrals, the facility has had eleven repeat violations regarding use of physical restraints, six repeat violations regarding inappropriate discipline, eighteen repeat violations of children's rights, and five repeat lack of supervision violations.

13. The Department has reasonable grounds to believe and finds that the operation of this residential child care facility presents a substantial danger to the public health, safety, and welfare requiring emergency action, as indicated by the following:

- (a) El Pueblo consistently fails to maintain standards prescribed and published by the Department, in violation of § 26-6-108(2)(d), C.R.S. (2017);
- (b) El Pueblo furnished or made misleading or false statements or reports to the Department, in violation of § 26-6-108(2)(e), C.R.S. (2017);
- (c) El Pueblo fails to provide safe conditions for the children, in violation of § 26-6-108(2)(h), C.R.S. (2017); and
- (d) Substantial evidence exists that persons employed by El Pueblo have committed acts of child abuse, as defined in section 19-1-103(1), C.R.S. (2017), in violation of § 26-6-108(2)(l), C.R.S. (2017).

THEREFORE, the Department is authorized to summarily suspend this license pursuant to §§ 24-4-104(4) and 26-6-108(2), C.R.S. (2017).

ACCORDINGLY, IT IS ORDERED that license number 45146, issued to El Pueblo Boys & Girls Ranch, is summarily suspended pending proceedings to determine whether that license should be further suspended or revoked. El Pueblo shall immediately surrender license number 45146 to the Department pending the conclusion of the administrative proceedings herein.

FURTHERMORE, IT IS ORDERED:

1. That the Notice of Charges be promptly prepared and sent to El Pueblo.
2. That administrative proceedings be instituted and determined promptly.
3. That El Pueblo shall immediately desist and refrain from any further act for which a child care license is required by the State of Colorado.
4. That El Pueblo shall immediately surrender license no. 45146 to the Department pending the conclusion of the administrative proceedings herein.

DONE this 25th day of September, 2017.

COLORADO DEPARTMENT OF HUMAN
SERVICES



Robert Werthwein, Director
Office of Children, Youth & Families