

# **Comprehensive Legal and Policy Analysis of Client Record Access and Accountability Frameworks at All Roads (Boulder Shelter for the Homeless)**

## **Executive Summary**

This comprehensive legal and policy analysis evaluates the regulatory, contractual, and statutory frameworks governing client records access, data privacy, and public accountability for All Roads, a Colorado nonprofit organization formerly known as the Boulder Shelter for the Homeless. The necessity for this analysis arises from an administrative dispute in which a former client, William Lodge, was denied access to his personal intake records, case management notes, Homeless Management Information System (HMIS) data, and related service documentation. In an email dated June 12, 2026, the facility's Chief Executive Officer, Michael Block, asserted that the organization is not authorized to release HMIS data and directed the client to request those records from the regional HMIS administrator. Furthermore, the executive leadership claimed that the organization's services are exempt from the Health Insurance Portability and Accountability Act (HIPAA), that the Colorado Open Records Act (CORA) does not apply to their operations, and that the Colorado Privacy Act (CPA) is inapplicable because the organization does not meet the statutory threshold of processing the data of 100,000 consumers.

A rigorous and exhaustive review of the Metro Denver Homeless Initiative (MDHI) Statewide Policies, Colorado state jurisprudence, federal data management standards, and local municipal funding agreements reveals substantial inaccuracies and omissions in the facility's stated justifications for denying client records access. Most notably, the governing HMIS policies and federal directives explicitly mandate that participating recipient agencies provide clients with a copy of their collected data upon request, directly contradicting the assertion that the facility is "not authorized" to release such information. Furthermore, while the facility is structured as a private 501(c)(3) nonprofit corporation, its overwhelming reliance on public funding and its deep integration into municipal homelessness strategies create a compelling legal argument for its classification as the "functional equivalent" of a public agency under established Colorado case law, thereby exposing its administrative records to potential CORA requests.

This report provides an exhaustive breakdown of the organization's legal structure, its complex funding streams, its data-sharing obligations under the Coordinated Entry system, and the statutory and procedural mechanisms available to compel the release of client records. By examining the intersection of federal housing policy, state privacy legislation, and municipal contract law, this analysis delivers a strategic roadmap for enforcing client data rights and holding contracted social service providers accountable to the transparency standards required of publicly funded entities.

## **Key Findings**

The administrative posture taken by All Roads leadership regarding the withholding of client records relies on interpretations of privacy and open-records laws that are fundamentally at odds with the operational realities of publicly funded homeless services. The key findings of this investigation expose the vulnerabilities in the organization's legal stance and highlight the specific regulatory levers available to clients seeking their personal data.

First, the claim that the organization is strictly prohibited from releasing HMIS data represents a direct violation of regional Continuum of Care protocols. The Colorado HMIS (COHMIS) Statewide Policies and Procedures explicitly require participating agencies to print and provide a copy of collected data to any client who requests it, ensuring that individuals retain visibility into the vulnerability assessments and demographic data that dictate their access to housing resources. Directing a client to a centralized regional administrator to obtain data collected on-site is a procedural deflection not supported by the governing administrative manuals. Second, the organization exhibits profound vulnerabilities under the Colorado Open Records Act. Under the functional equivalent test established by the Colorado Court of Appeals, a private entity performing a delegated government function with substantial public funding may be deemed a public agency for the purposes of public records disclosure. Because the City of Boulder relies almost exclusively on All Roads to provide the municipal sheltering services required to legally enforce municipal camping bans, the organization is inextricably linked to the exercise of local police power, severely weakening its claim to absolute private-entity exemption.

Third, while executive leadership accurately noted that the organization's historical client volume falls below the traditional 100,000-consumer threshold of the Colorado Privacy Act, this defense is temporally obsolete. Legislative amendments to the CPA that went into effect in July 2025 eliminated consumer volume thresholds entirely for any entity processing biometric data. If the facility utilizes any form of biometric scanning technology for intake, access control, or service tracking, it is fully subject to the stringent data protection and consumer rights provisions of the CPA.

Finally, the organization is bound by extensive contractual obligations tied to millions of dollars in municipal, county, and federal funding. These funding agreements mandate strict adherence to nondiscrimination laws, require the maintenance of formal grievance procedures, and grant government funders the right to audit facility records. These contractual stipulations provide alternative avenues for accountability, allowing a client to leverage municipal and county contract compliance officers to compel the production of improperly withheld records.

## **All Roads Legal and Funding Profile**

To fully understand the regulatory obligations imposed upon All Roads, it is necessary to deconstruct its corporate identity, its governance structure, and the complex web of public financing that sustains its operations. The legal nature of the entity dictates the baseline applicability of corporate and privacy laws, while its funding streams introduce layers of contractual compliance and public accountability.

### **Identity and Corporate Structure**

The organization legally operates under the corporate name "Boulder Shelter for the Homeless Inc.," having been incorporated as a domestic nonprofit corporation in the State of Colorado in 1986. The organization holds federal tax-exempt status under Section 501(c)(3) of the Internal

Revenue Code, operating under the Employer Identification Number (EIN) 84-1041149. Recently, the organization underwent a comprehensive public rebranding, adopting the "doing business as" (DBA) name "All Roads". This nomenclature shift was strategically designed to reflect a programmatic evolution from providing purely temporary, emergency overnight sheltering to focusing on permanent housing interventions and specialized housing-retention services.

The corporate governance of the organization is vested in a volunteer Board of Directors, which holds the ultimate fiduciary and policy-making authority over the nonprofit's operations. The executive leadership team is responsible for the day-to-day administration of the facility, policy enforcement, and contract execution.

Corporate Leadership Area	Individuals and Roles	Documentation / Context
<b>Executive Leadership</b>	Michael Block (Chief Executive Officer)	Serves as the primary administrative authority and official representative in contractual negotiations and public statements. Previous leadership transitions included Spencer Downing acting as interim director.
<b>Board of Directors (Executive Officers)</b>	Jeff Hoffmeyer (Chair); Bob Yates (Vice Chair); Patrick Mayne (Treasurer); Rachel Klein (Secretary)	The Board oversees organizational strategy and compliance. The presence of a former Boulder City Council member (Yates) and a county attorney (Mayne) highlights deep political and legal integration with local government.
<b>Board of Directors (Members at Large)</b>	Sarah Meshak, Harold Niedzielski, Bobby Pelz, Bill Rigler	Members represent varied sectors including healthcare (Boulder Community Health), commodity trading, and lived-experience peer support.
<b>Registered Agent</b>	Aaron Grant (Recent Filings); Historical agents include Harris Faberman, Ann Getches, Jim Carlson	Corporate filings require a registered agent to receive service of process. Recent municipal hearing documents list Aaron Grant in association with architectural land-use applications for the facility.

## Public Funding and Contractual Ecosystem

All Roads is not a self-sustaining private charity; it operates as a highly subsidized extension of the local governmental safety net. The organization maintains total assets exceeding \$12.4 million and manages a multi-million dollar annual operating budget, the vast majority of which is derived from public grants, government contracts, and tax-incentivized contributions. This overwhelming reliance on public capital fundamentally alters the organization's privacy

obligations, transforming private service provision into a matter of public administration. The following table details the primary known funding sources, the originating agencies, and the operational purposes of the capital injections that sustain the facility's operations:

Funding Category	Originating Agency	Funding Details and Purpose	Compliance and Reporting Implications
<b>Municipal General Operating Funds</b>	City of Boulder	Approximately \$4.3 Million allocated in the 2024 municipal budget. Funding ensures the continuation of the core housing-focused shelter and the newly expanded day services operations.	Contracts with the City of Boulder contain stringent "right to inspect" clauses, allowing municipal auditors to access facilities and equipment to ensure compliance with ethical standards and service deliverables.
<b>County Human Services Contracts</b>	Boulder County Housing and Human Services	\$201,500 under Contract 800079 (Effective Jan 1, 2026 to Dec 31, 2026). Managed by County officials Meagan Randall and Heidi Grove for coordinated human services and partnership programs.	Contractual terms subject the organization to regular review by the Boulder County Attorney's Office and the Division of Homeless Systems and Coordinated Response.
<b>Federal Block Grants (CDBG) &amp; ARPA</b>	U.S. HUD (Administered as pass-through by the City of Boulder)	Variable capital allocations utilized for interior renovations of the overnight shelter, office rehabilitation, and transitional housing capital improvements.	Federal block grants trigger strict adherence to HUD nondiscrimination regulations, ADA accessibility standards, and federal record-retention mandates.
<b>Federal Behavioral Health Grants</b>	SAMHSA (Administered as pass-through by Boulder County)	The SAMHSA-TIEH grant funds the "Pathways to Housing Stability" initiative. All Roads partners with Mental Health Partners to support chronically homeless adults with severe behavioral health needs.	The integration of behavioral health treatment with housing navigation requires stringent data protection, potentially triggering HIPAA Business Associate obligations regarding the handling of clinical data.
<b>State Tax Incentive</b>	State of Colorado	Variable revenue	Requires organizational

Funding Category	Originating Agency	Funding Details and Purpose	Compliance and Reporting Implications
<b>Contributions</b>	(Department of Local Affairs)	generated through the Colorado Homeless Contribution Income Tax Credit. Donors receive a 25% state income tax credit for monetary or in-kind donations exceeding \$100.	integration with the state's Donor Salesforce Platform and subjects the entity to Department of Local Affairs certification audits.

Government contracts of this magnitude generally stipulate extensive programmatic reporting requirements, including the mandatory submission of quarterly narrative reports and HMIS Data Quality reports to the funding agencies. These funding agreements are not mere donations; they are legally binding contracts for the procurement of social services. As such, they inherently include clauses mandating compliance with public-records preservation, financial auditing, nondiscrimination statutes, and established grievance protocols. When an organization accepts millions of dollars to perform a public function, the barrier between internal private records and publicly auditable documentation becomes highly permeable.

## HMIS and Coordinated Entry Records Access

The technological and administrative core of homeless service provision in Colorado is the Homeless Management Information System (HMIS) and the Coordinated Entry (CE) workflow. The assertion by the facility's CEO that the organization is "not authorized" to release HMIS data demonstrates a fundamental misunderstanding of the regional data architecture, federal HUD directives, and the legal rights of the data subjects.

### System Architecture and Administration

All single adults seeking homeless services within Boulder County must navigate the Coordinated Entry system. This system acts as a mandatory, standardized gateway designed to assess vulnerability, triage critical needs, and allocate scarce housing resources efficiently. The designated Continuum of Care (CoC) lead agency responsible for overseeing this system across the Metro Denver region, which encompasses Boulder County, is the Metro Denver Homeless Initiative (MDHI). MDHI is the administrative steward of the Colorado Homeless Management Information System (COHMIS), deploying a centralized database software platform known as Clarity Human Services.

When an individual engages with All Roads for sheltering or navigation services, facility staff act as authorized end-users of the COHMIS system. They are required to conduct the Coordinated Entry Standard Assessment (historically based on the VI-SPDAT tool), which captures highly sensitive, granular data regarding the individual's life circumstances. The data points collected include, but are not limited to, detailed medical and disabling conditions, history of substance use, domestic violence experiences, criminal justice system involvement, and demographic identifiers. This data generates a vulnerability score that dynamically dictates the individual's position on the regional By-Name List and their prioritization in the community queue for

permanent supportive housing or rapid rehousing vouchers.

## **Client Rights to Access, Inspect, and Correct HMIS Data**

The claim that a participating agency cannot provide a client with their own HMIS data is unequivocally false and directly contravenes both federal regulations and regional operational policies. The Department of Housing and Urban Development (HUD), through its foundational 2004 HMIS Data and Technical Standards Final Notice, established the baseline privacy and access rights for all individuals entered into an HMIS database. The federal standards mandate that a Covered Homeless Organization (CHO) must allow an individual to inspect and to have a copy of any Protected Personal Information (PPI) maintained about the individual. Furthermore, the CHO must consider any request by an individual for the correction of inaccurate or incomplete information, offering to append corrections to the digital record if a dispute cannot be immediately resolved.

Regionally, the COHMIS Statewide Policies and Procedures v1.2 strictly codify this federal mandate, translating it into an actionable directive for frontline agencies like All Roads. Section 6.6 of the statewide policy manual, explicitly titled "Client Access to Information Collected," outlines the affirmative duties of the participating agency:

- "Clients have the right to a copy of the data collected from them in HMIS."
- "Agencies are required to print out this information for any client who requests it."

The policy framework goes further to accommodate various methods of data collection. If an agency utilizes physical, hard-copy intake forms to gather client-level data prior to digital entry into Clarity Human Services, the agency is encouraged to provide a photocopy of those physical paper forms directly to the client upon request. Clients are also unequivocally entitled to copies of their signed Client Informed Consent forms or Release of Information (ROI) agreements, which dictate the parameters of their data sharing across the CoC network.

While participating agencies are granted some administrative discretion to withhold subjective case management notes or internal staff commentary that was not collected directly from the client, all objective data points, programmatic goals, referral outcomes, and vulnerability assessment scores strictly belong to the client. Therefore, directing a client to seek their own data exclusively from the MDHI HMIS administrator rather than the facility that collected and entered the data represents a willful breach of COHMIS protocol. The facility maintains both the credentialed database access and the binding procedural obligation to furnish this data upon request.

## **Client Records Access Outside HMIS**

Beyond the centralized architecture of the COHMIS database, All Roads generates, maintains, and stores substantial volumes of internal documentation regarding client interactions. These localized, non-HMIS records are critical to the daily administration of the shelter and often form the basis for adverse administrative actions against clients.

This internal documentation encompasses a wide array of administrative artifacts, including:

- Granular shelter bed-night histories, facility access logs, and day-service utilization tracking.
- Internal incident reports documenting behavioral infractions, staff interventions, or conflicts with other guests.
- Grievance filings, suspension notices, and records of facility bans.

- Detailed case-management notes documenting interactions with housing navigators and internal eligibility determinations for specific programmatic streams.

The right to access internal organizational records that fall outside the purview of HMIS is governed by a complex intersection of contract law, individual property rights in social work records, and administrative due process. While private nonprofit organizations generally retain broad proprietary control over their internal operational notes, records pertaining to a specific individual's access to government-funded services carry heightened disclosure imperatives. Best practices in modern social work, coupled with the ethical guidelines of the housing-first model, dictate that clients should have reasonable, unencumbered access to their own administrative files to ensure the accuracy of eligibility determinations. If internal records result in the denial of a public benefit—such as a long-term suspension from the only publicly funded emergency shelter in the municipality, or a refusal to provide a necessary referral for a housing voucher—the client possesses a deeply vested interest in inspecting the documentation that led to the adverse action.

Refusal to provide these documents severely restricts the client's ability to utilize the formal grievance procedures mandated by HUD, the municipal funders, and the Metro Denver CoC. A client cannot effectively appeal a facility ban or an erroneous eligibility determination if the evidence underlying that decision is concealed by the facility's executive leadership.

Consequently, compelling the release of these internal records is vital not only for transparency but for ensuring that the facility's deployment of public resources is free from arbitrary discrimination or administrative error.

## **CORA and Public-Funding Analysis**

In his communication denying the records request, the facility's CEO asserted that the Colorado Open Records Act (CORA) does not apply to the organization's records. This assertion rests on the simplistic premise that because All Roads is incorporated as a private 501(c)(3) nonprofit, it is wholly exempt from statutes designed to ensure transparency in government. While CORA explicitly targets the state, its agencies, counties, cities, and other political subdivisions, Colorado jurisprudence has evolved to prevent governments from circumventing transparency laws by outsourcing core public functions to private entities.

### **The Functional Equivalent Doctrine**

The Colorado Court of Appeals addressed this precise jurisdictional loophole in the landmark case *Denver Post Corp. v. Stapleton Development Corp.*, 19 P.3d 36 (Colo. App. 2000). In determining whether a private corporation could be compelled to produce documents under CORA, the court adopted a four-factor "functional equivalent" test. This test evaluates the totality of the circumstances to determine if a private entity is operating as an alter ego or functional equivalent of a public agency.

The four determinative factors of the functional equivalent test are:

1. Whether the entity performs a governmental function;
2. The level of government funding;
3. The extent of government involvement or regulation; and
4. Whether the entity was created by the government.

A rigorous application of these four factors to the operational reality of All Roads yields a compelling, highly defensible argument that the organization is the functional equivalent of a

public entity specifically regarding its municipal sheltering operations.

Functional Equivalent Factor	Application to All Roads	Jurisprudential Analysis
<p><b>1. Performs a Governmental Function</b></p>	<p><b>Strongly Supports CORA Applicability:</b> Providing emergency shelter to unhoused populations has evolved into a core governmental function, particularly in municipalities that enforce ordinances against public camping.</p>	<p>In the recent 2026 appellate case <i>Feet Forward v. City of Boulder</i>, the court acknowledged that the City relies almost entirely on the Boulder Shelter for the Homeless (All Roads) to provide the requisite municipal sheltering services that justify the legal enforcement of the city's camping bans. By acting as the sole designated instrument for managing the city's unhoused population, the facility is performing a critical delegated police-power function.</p>
<p><b>2. Level of Government Funding</b></p>	<p><b>Strongly Supports CORA Applicability:</b> The organization is overwhelmingly funded by the public purse.</p>	<p>The 2024 municipal budget allocated \$4.3 million directly to the shelter from the city's general fund. Previous IRS Form 990s reveal annual revenues of approximately \$7.9 million, indicating that local, county, and federal grants constitute the vast majority of its operational capital, far eclipsing private philanthropy.</p>
<p><b>3. Extent of Government Involvement</b></p>	<p><b>Supports CORA Applicability:</b> The City and County maintain deep, systemic involvement in the facility's programmatic operations.</p>	<p>The City of Boulder directly dictates operational parameters, including requesting the expansion of day sheltering operations to align with municipal priorities. County officials dictate the parameters of the Coordinated Entry system utilized by the facility, and municipal contracts require extensive data reporting, programmatic alignment, and permit facility inspections.</p>
<p><b>4. Created by the Government</b></p>	<p><b>Weighs Against CORA Applicability:</b> The organization was founded independently by</p>	<p>The organization was incorporated as an independent nonprofit in 1986, not created</p>

Functional Equivalent Factor	Application to All Roads	Jurisprudential Analysis
	community members and faith groups.	by municipal ordinance or state statute.

Courts in other jurisdictions utilizing identical functional equivalent frameworks (such as Washington state's *Telford* test and Connecticut's Freedom of Information Commission rulings) have consistently held that an entity does not need to satisfy all four factors to be deemed a public agency. If the execution of a public function and the reliance on public funding are overwhelmingly present, the entity's administrative records generated in the course of performing that public function are subject to mandatory disclosure.

Conversely, the legal argument against CORA applicability rests on the assertion that All Roads maintains an independent corporate governance structure, its employees are not state or municipal employees, and its contractual relationship with the city is that of an independent vendor rather than a subsidiary agency.

**Strategic Conclusion:** While a definitive declaratory judgment from a district court would be required to legally classify All Roads as subject to CORA, the threat of CORA litigation carries immense strategic weight. If a formal CORA request is submitted for a client's administrative file and the organization issues a blanket denial, it risks provoking a legal challenge that could forcibly open not just the individual client file, but all of the organization's executive communications, internal incident reports, and financial ledgers to permanent public scrutiny.

## Colorado Privacy Act Analysis

In the June 2026 correspondence, the facility's executive leadership cited an exemption from the Colorado Privacy Act (CPA) on the grounds that the organization does not meet the statutory threshold of processing the personal data of 100,000 consumers. An intricate analysis of the CPA confirms that this assessment is accurate regarding historical consumer volume, but it entirely ignores a critical statutory amendment that dramatically altered the jurisdictional landscape of Colorado privacy law.

### General Applicability and Volume Thresholds

Unlike the foundational privacy frameworks enacted in California (CCPA) or Virginia (VCDPA), the Colorado Privacy Act does not inherently exempt nonprofit organizations from its regulatory scope. The CPA applies universally to entities conducting business in Colorado, provided they meet specific jurisdictional volume thresholds. To fall under the general purview of the CPA, an entity must:

1. Control or process the personal data of 100,000 or more consumers in a calendar year; or
2. Control or process the personal data of 25,000 or more consumers and derive revenue or receive discounts from the sale of that data.

According to the organization's published impact statistics, the facility provided sheltering services to approximately 1,642 distinct clients in 2024. Even accounting for historical data retention over multiple decades, it is mathematically improbable that the organization's lifetime database approaches 100,000 discrete individuals. Furthermore, the organization does not broker or sell client data for revenue. Therefore, under the baseline volume thresholds of the CPA, the organization operates below the statutory floor. Consequently, general CPA rights—such as formalized, sweeping data deletion requests or algorithmic profiling

opt-outs—cannot be legally enforced against the facility based on data volume alone.

## **The Biometric Data Amendment (HB24-1130)**

However, the legal environment shifted profoundly with the passage of House Bill 24-1130, an amendment to the CPA explicitly designed to govern the collection, processing, and retention of biometric identifiers (e.g., fingerprints, facial geometry, retina scans, voiceprints). This amendment went into full effect in July 2025.

Crucially, the legislature recognized the uniquely sensitive and immutable nature of biometric data. To ensure comprehensive protection, the amendment established that the CPA applies to any controller that "controls or processes *any amount* of biometric identifiers or biometric data *regardless* of the amount of biometric identifiers or biometric data controlled or processed annually" (emphasis added).

This zero-threshold standard for biometric data has profound implications for emergency shelters. It is increasingly common for high-volume sheltering facilities to utilize biometric scanning technology—such as thumbprint readers or facial recognition kiosks—to streamline client check-ins, manage facility access, track bed assignments, or log daily meal distribution, thereby preventing fraud and eliminating the need for physical identification cards.

If All Roads utilizes any form of biometric scanning technology in its daily operations, the organization is unconditionally subject to the CPA regarding the collection, storage, and processing of that specific biometric data, regardless of its total client volume. If the facility falls under this biometric jurisdiction, it must provide specific consumer notices, obtain explicit consent for biometric processing, and adhere to strict data security and destruction protocols.

## **HIPAA and PHI Analysis**

The assertion by the CEO that the organization's services are not covered by the Health Insurance Portability and Accountability Act (HIPAA) requires careful parsing. While the facility is fundamentally a social services agency rather than a traditional medical institution, there are distinct operational scenarios where HIPAA protections, or equivalent confidentiality mandates, are legally triggered.

### **Covered Entity vs. Business Associate Status**

To be classified as a direct "Covered Entity" under HIPAA, an organization must be a health care provider, a health plan, or a health care clearinghouse that electronically transmits health information in connection with covered transactions (e.g., electronically billing Medicaid or Medicare for clinical services). Emergency shelters focused on housing navigation and basic needs provision generally do not meet this statutory definition.

However, the legal calculus changes when a shelter engages in deep programmatic integration with clinical providers. Under the Boulder County Pathways to Housing Stability (BCPHS) initiative, which is funded by a federal SAMHSA-TIEH grant, All Roads partners extensively with Mental Health Partners to support chronically homeless individuals exhibiting severe behavioral health needs. In the execution of this program, if the facility receives Protected Health Information (PHI) from clinical providers to assist in targeted housing navigation, the facility may be operating under the legal designation of a "Business Associate."

A Business Associate is an entity that performs certain functions or activities that involve the

use or disclosure of PHI on behalf of, or in the provision of services to, a Covered Entity. If All Roads operates under a Business Associate Agreement (BAA) with Mental Health Partners or other local clinics, it is legally bound to implement robust administrative, physical, and technical safeguards to protect that PHI. However, it is important to note that under HIPAA regulations, the legal right of a patient to access their clinical records is generally directed to the primary Covered Entity (the clinical provider), rather than the Business Associate.

## **Equivalent Protections Under CoC Protocols**

Even if the organization successfully avoids formal HIPAA jurisdiction by siloing its data from clinical partners, the collection of sensitive behavioral health data, substance use history, and records of disabling conditions during the Coordinated Entry intake process demands equivalent confidentiality. The COHMIS privacy architecture was explicitly designed to operate as an equivalent safeguard for vulnerable populations, utilizing robust, legally binding data-sharing consent protocols to manage sensitive vulnerability metrics across the continuum. Consequently, while the facility's executive leadership may technically bypass HIPAA enforcement mechanisms, the organization remains tightly bound by HUD and COHMIS privacy controls regarding the handling of sensitive health-related social data.

## **HUD, CoC, and Emergency Shelter Rules**

Federal oversight represents the most potent and inescapable regulatory framework governing the facility's operations. Because the organization is a recipient and beneficiary of HUD Continuum of Care (CoC) grants and Emergency Solutions Grant (ESG) funds, it is permanently tethered to federal guidelines regarding client civil rights, nondiscrimination, and data management.

## **Federal Data Access and Privacy Mandates**

As previously established, the 2004 HUD HMIS Data and Technical Standards Final Notice acts as the supreme regulatory document for data collected within the homeless service ecosystem. Under these federal standards, agencies are required to post an HMIS Privacy Notice in a visible location (such as the intake area) detailing exactly how client data is collected, utilized, and shared across the network. Clients possess an absolute federal right to request and receive a copy of this notice. Furthermore, the federal mandate that a Covered Homeless Organization must allow individuals to inspect and copy their Protected Personal Information is not a mere suggestion; it is a fundamental condition of receiving HUD data-systems funding.

## **Reasonable Accommodations and Civil Rights**

Beyond data privacy, federal funding triggers strict compliance with the Fair Housing Act, the Americans with Disabilities Act (ADA), and HUD's Equal Access Rule. The intersection of these civil rights frameworks with shelter policies is critical when clients face adverse administrative actions, such as suspensions or facility bans.

If a client possesses a documented physical, mental, or behavioral disability, the shelter is legally required to establish a process to review and grant reasonable accommodation requests. A reasonable accommodation may require the facility to make exceptions to standard shelter

rules, adjust behavioral expectations, or modify service delivery mechanisms to ensure the disabled client has equal access to the shelter's life-saving resources.

## **Grievance Procedures**

To ensure that civil rights and privacy mandates are not violated without recourse, federal guidelines strongly recommend, and local CoC policies generally require, that all funded projects maintain a formal, documented grievance procedure. Clients must be proactively informed of their right to file an internal grievance regarding service denials, the imposition of behavioral bans, the refusal to grant a reasonable accommodation, or data privacy violations. If a client believes they were unfairly restricted from accessing the facility—particularly if the restriction stemmed from behaviors inextricably linked to a disability—the internal grievance policy serves as the primary mechanism for appeal, creating a necessary administrative record prior to escalating the issue to the CoC or federal authorities.

## **Accountability and Complaint Options**

As an entity performing a high-stakes, life-sustaining public function fueled by public capital, All Roads is subject to multiple intersecting vectors of accountability. When internal leadership obstructs access to records or denies due process, clients must pivot to external oversight mechanisms.

## **Internal Shelter Policies and Board Oversight**

The foundation of accountability begins with the organization's own published governance documents. The facility is required to maintain a Guest Handbook that clearly outlines the rules of conduct, the suspension and ban policy, and the step-by-step grievance procedure. Clients have an unequivocal right to request and receive a physical copy of these policies. If the organization's staff or executive leadership fail to strictly adhere to their own documented grievance and appeal procedures, they are not only violating organizational policy but also breaching the administrative terms of their municipal and county funding agreements. If the CEO refuses to comply with regional data mandates or internal policies, the client may appeal directly to the Board of Directors. The Board, led by Chair Jeff Hoffmeyer and Vice Chair Bob Yates, bears the ultimate fiduciary responsibility for the 501(c)(3) corporation. Executive actions, including blanket refusals to provide client records in blatant violation of published COHMIS policies, expose the nonprofit to severe legal, reputational, and financial risks. Documenting these breaches and presenting them to the Board bypasses the executive bottleneck and forces the corporate officers to address the liability.

## **Government Contract Compliance**

The most immediate and forceful leverage available to a client lies within the contract compliance divisions of the local funding governments. The City of Boulder and Boulder County do not write blank checks; their funding agreements strictly regulate the organization's conduct. Boulder County's Division of Homeless Systems and Coordinated Response, directed by Heidi Grove, oversees the coordinated efforts of regional homeless services. Furthermore, specific contract managers, such as Meagan Randall at Boulder County Housing and Human Services ,

possess the direct administrative authority to audit the facility to ensure absolute compliance with data-sharing mandates, nondiscrimination laws, and ethical service delivery standards. Filing a formal complaint with these municipal officers can trigger an immediate compliance review of the facility's records-access protocols.

## **Recommended Records Requests Strategy**

To successfully bypass the administrative stonewalling encountered thus far, a client must systematically utilize the statutory and regulatory frameworks detailed in this analysis. The following phased strategy is designed to apply maximum legal pressure, invoke the correct regulatory terminology, and create a documented, undeniable paper trail for future escalation.

### **Step 1: Direct Demand to All Roads (Invoking COHMIS Policy)**

A formal, written request must be submitted directly to the CEO, with a simultaneous copy sent to the Board of Directors. This request must bypass generic privacy arguments and cite the specific regional policies that mandate data access.

*Suggested Wording:*

"This correspondence serves as a formal and legally binding request for a complete copy of my personal client file, including all data entered into the Colorado Homeless Management Information System (COHMIS), intake documents, case management notes, assessments (including Coordinated Entry/VI-SPDAT vulnerability data), and any internal incident or grievance reports.

Please be advised that your previous assertion on June 12, 2026, claiming that All Roads is 'not authorized to release HMIS data' is factually incorrect and represents a breach of regional compliance. Pursuant to the MDHI COHMIS Statewide Policies and Procedures v1.2, Section 6.6 ('Client Access to Information Collected'): 'Clients have the right to a copy of the data collected from them in HMIS. Agencies are required to print out this information for any client who requests it.'

Furthermore, as an entity receiving millions of dollars in municipal and county funding to perform the delegated government function of emergency sheltering on behalf of the City of Boulder, All Roads operates as the functional equivalent of a public agency under the legal standard established in *Denver Post Corp. v. Stapleton Development Corp.* Consequently, I am formally requesting my complete administrative file under the Colorado Open Records Act (CORA). Please provide these records within the three (3) business days required by statute, or provide a formal, written statutory citation justifying the withholding of my personal files."

### **Step 2: Request from the HMIS Administrator (MDHI)**

Simultaneously, a parallel request should be submitted to the Metro Denver Homeless Initiative (MDHI) Helpdesk, which serves as the regional administrator of the COHMIS database.

*Suggested Wording:*

"As a client previously entered into the COHMIS system by All Roads (Boulder Shelter for the Homeless), I am formally requesting a full export and physical copy of my entire HMIS client record. This request includes all demographic data, program enrollments, Coordinated Entry assessments, vulnerability scores, and referral histories. The participating agency, All Roads, has improperly and formally refused to provide this data, in direct violation of Section 6.6 of the

COHMIS Statewide Policies. I request that MDHI, acting in its capacity as the CoC Lead Agency, provide my data directly to me and initiate a review of the participating agency's deliberate noncompliance with regional data access mandates."

### **Step 3: Public Records Requests to Government Funders**

If the facility persists in its refusal to provide internal (non-HMIS) records, the client should strategically execute CORA requests directed to the government entities that fund, regulate, and communicate with the shelter. The client should file precise CORA requests with the City of Boulder (via the City Clerk) and Boulder County (via Housing and Human Services). Because the City and County are indisputably public entities, any communications they hold regarding the client or the shelter's policies are subject to disclosure.

#### *Suggested Wording:*

"Under the Colorado Open Records Act, I formally request copies of all communications, emails, incident reports, grievance documents, and service histories regarding [Client Name] generated by, sent to, or received from any staff member or executive of All Roads (formerly Boulder Shelter for the Homeless). Furthermore, I request a complete copy of the current funding contracts, scopes of work, and audit provisions executed between the [City/County] and All Roads, specifically including any policy exhibits regarding client rights, grievance mandates, and nondiscrimination requirements."

### **Possible Escalation Paths**

If the facility's leadership remains intransigent after the formal requests are submitted, or if the released records reveal evidence of procedural misconduct, discrimination, or arbitrary administrative action, the following escalation pathways must be activated:

1. **MDHI / CoC Grievance:** File a formal, written grievance with the Metro Denver Homeless Initiative regarding the facility's failure to adhere to the COHMIS Statewide Policies regarding data access. This grievance threatens the facility's standing within the Continuum of Care.
2. **Boulder County Contract Compliance Review:** Submit a formal complaint to Heidi Grove (Director, Division of Homeless Systems) and Meagan Randall (Contract Manager, Boulder County HHS). The complaint should formally request a contract compliance audit, citing the facility's documented refusal to honor client data rights and internal grievance protocols.
3. **HUD Regional Office Civil Rights Complaint:** File a formal complaint with the regional HUD office indicating that an ESG/CoC-funded recipient agency is actively denying clients their federal right to inspect their Protected Personal Information, thereby violating federal HMIS Data and Technical Standards.
4. **Colorado Civil Rights Division (CCRD) Investigation:** If the denial of records, or an underlying ban from the shelter facility, involved any element of discrimination based on a protected class (including physical disability or mental health status), a formal complaint can be filed with the CCRD to initiate a state-level investigation.
5. **Disability Rights Advocacy and Legal Aid:** Engage organizations such as Disability Law Colorado or Colorado Legal Services. These organizations specialize in leveraging the ADA and the Fair Housing Act to force compliance from recalcitrant housing providers who refuse reasonable accommodations or deny due process to vulnerable populations.

## Open Questions / Documents Still Needed

To fully execute all legal strategies and ascertain the absolute boundaries of the facility's liability, the following critical documents must be acquired through public records requests or direct administrative inquiry:

- **The Complete All Roads Guest Handbook and Grievance Policy:** This internal manual is essential for determining the exact timelines and procedural steps required for internal appeals, and whether the facility has violated its own documented protocols in its interactions with the client.
- **City of Boulder Contract Exhibits:** The specific "Exhibit A - Use of Funds" and the detailed audit provisions attached to the \$4.3 million City of Boulder funding allocation must be reviewed to identify the exact municipal reporting and compliance mechanisms the facility is bound by.
- **Verification of Biometric Data Usage:** Definitive confirmation must be obtained regarding whether the facility utilizes any form of biometric scanning (such as fingerprints or facial recognition) for facility access, meal tracking, or bed assignments. If confirmed, this definitively triggers the full enforcement weight of the Colorado Privacy Act.
- **The Executed Release of Information (ROI):** A physical copy of the specific COHMIS Client Consent form signed by the client during intake must be recovered. This document details the exact, legally binding terms of data sharing and privacy authorized by the client at the time of entry, establishing the baseline for any breach of privacy claims.

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