

I am very pleased, and relieved, that some of the proposed measures exhibit notable improvements over the previous series of CFPSR measures. Since many States have suffered financial penalties because of poor measure design, we must congratulate ACF on their substantial efforts to remedy this perplexing situation. Unfortunately, three proposed measures needlessly overly simplify complex issues (Proposed Safety Performance Area 2: Re-report of maltreatment; Proposed Permanency Performance Area 1: Permanency in 12 months for children entering foster care; and Proposed Permanency Performance Area 3: Re-entry into foster care.) This oversimplification, as discussed by Kahneman's (2011) "Thinking Fast and Slow", encourages human irrationality. Therefore, ACF needs to correct the proposed measures discussed below:

1. Proposed Safety Performance Area 2: Re-report of maltreatment.

Although the desire for a measure of maltreatment is completely understandable, given the purpose of the profession, the proposed algorithm fails to capture the intent. Just because a report is screened-in does not mean maltreatment has taken place, any more than a trip to the hospital means an undertaker must be summoned. It is irrational. Although the cited Drake, Jonson-Reid, Way, and Chung (2003) study found only slight differences in the recidivism rates between unsubstantiated and substantiated reports, they presented no empirical evidence demonstrating that unsubstantiated reports were really reports of maltreatment. Just because the recidivism rates for unsubstantiated and substantiated reports were nearly equal, it is irrational to think the unsubstantiated reports were maltreatments. Therefore, it makes no sense to title this measure "Re-report of maltreatment" when maltreatment is not being measured. In the public interest, we must refrain from calling a child "maltreated", when the child is not.

This writer suggests establishing a cohort of children who were prior abuse victims (NCANDS) in an observation year (denominator) and follow them for one year for a subsequent substantiated or indicated report (numerator). Furthermore, it would be beneficial for States to be measured on the rate of repeated maltreatment by age of child in the population at risk. For instance, 10 out of every 1,000 children under the age of 1 year are re-maltreated; 3 out of every 1,000 children between 1 and 2 years old are re-maltreated.

Although Differential Response reports would not be included in this revision, it would not be appropriate to include them since there is no determination of maltreatment. The strong temptation to count Differential Response cases as maltreatment cases is an overreach, because we have no evidence, to my knowledge, that a re-report of a differential response case is an unwanted event.

2. Proposed Permanency Performance Area 1: Permanency in 12 months for children entering foster care and Proposed Permanency Performance Area 3: Re-entry into foster care.

These two proposed measures can be redesigned into a set of measures that will yield greater clarity and power. In this regard, this measure should compare the lengths of stay of children who have entered care for the first time (first episode) with lengths of stay of children who have had two-plus episodes, while controlling for the child's age at entry, and the number of children in each age in the population.

This measure would produce (1) median lengths of stay for each single-age child, and (2) a rate per 1,000 children per single age year for the (a) first time entries and for the (b) subsequent foster care episodes. There would be one set of results for each single year age (e.g., kids less than 1 year old; children between 1 and 2 years old; children between 2 and 3 years old, ... children 17 years old). For instance, results for two ages are shown below:

- Performance of Five Year Olds: 3 in every 1,000 children will enter foster care; have a median length of stay of 4 months in obtaining permanency, and have a 40% chance of re-entering care within 8 months.

- Performance of 15 Year Olds: 9 of every 1,000 children will enter foster care; have a median length of stay of 10 months in obtaining permanency, and 40% chance of re-entry in 2 months.

Although this set of measures is more complex than the two proposed measures, this set allows greater clarity and comparability across States, as well as county comparisons within a State. The resulting knowledge would yield significant insights on these vulnerable populations and quantify the need and demand for age specific services.