



**B. J. Walker, Commissioner**

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Georgia Department of Human Services • Division of Family and Children Services • Mark A. Washington, Assistant Commissioner  
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September 15, 2009

Mr. Tom Rawlings  
Child Advocate  
Office of the Child Advocate  
55 Park Place, NE  
Atlanta, Georgia 30303

Dear Mr. Rawlings:

We have reviewed your draft report "OCA Analysis: Bryan Moreno and DFCS Performance Measures", and have the following observations:

We fundamentally disagree with your statement that the tragedy that resulted in the death of six year old Bryan Moreno cannot be attributed to individual actions and decision making. On page one of your report, you state that "while individual child protective services staff involved in Bryan's cases may have made errors, the Office of the Child Advocate's (OCA's) analysis concludes that larger systemic issues are involved here." There is every reason to suggest that the practice used by staff in Bryan's case had nothing to do with county leadership misinterpreting DFCS performance measures.

We take exception to your comments regarding our focus on the timeliness of investigations. Timeliness is at the heart of what we do in child protective services (CPS) response to ensure safety. Additionally, close monitoring of the timely completion of investigations is paramount to the overall assessment and appropriate case planning when the safety of a child is threatened. Why would we want to take more than 30 business days to fully assess both the needs of a family and the risk of maltreatment to a child? Yes, we are focused on timeliness because children's lives are at stake. We do meet with managers weekly to discuss their staffing and review of cases. We do expect that they will be conducting staffings when investigations have been pending for 21 days to determine what remains to be done to complete the investigation within 30 business days. As you indicated in your report, there is a process for requesting a waiver when circumstances indicate more time may be needed to complete a thorough investigation. Our expectation is that staff and supervisors will work diligently and consistently on all investigations until they are completed. We have already seen the benefits of this practice. In SFY 2004 only 76% of investigations were completed timely, in contrast we saw 96% of investigations were completed timely in SFY 2009. Over that same time period the reoccurrences of child maltreatment declined from 9.2% (SFY 2004) to 3.0% (SFY 2009). Since SFY 2006 we have remained below the national standard of 5.4%. We also know that families are receiving critical early intervention services sooner.

You indicated that our continued practice of family support/diversion without a statewide policy is an issue. The concept of family support/diversion is nationally recognized as a type of alternative response approach as an early intervention to families in need. At the time we implemented this practice, there were so many children flooding the system, as you mentioned in your report, the subsequent high caseloads made the work of child protection more difficult. At any given time 60% of investigations were closed and unsubstantiated. While we were doing that

work, children were subjected to repeat maltreatment and had longer lengths of stay in foster care. Over the last five years the addition of a significant number of social workers, coupled with a more focused approach toward meeting key performance indicators supports the overall systems improvement demonstrated in today's data. We have reversed past trends and over 55% of the investigations we conduct are substantiated because we have done a much better job of determining which cases rise to the level of abuse and neglect. Families not meeting this level of risk are provided the appropriate response and services.

Family support /diversion allowed us to implement a responsive and accountable practice. We do monitor and track this practice monthly. We know how many are conducted each month and we also know how many are referred back to us for an investigation and how many of those are substantiated. We have also found that children in families who received diversion services are at no greater risk than those in families who have gone through an investigation. In SFY2009, only 3.70% of children in families who received a diversion response were referred back to CPS for services and of those, 2.27% were substantiated investigations; both are below the 5.40% set by the federal government as the standard for recurrence of maltreatment. The recurrence of maltreatment rate for children in families that were investigated was 3.01% for SFY2009; slightly higher than for children in families who received a diversion. In spite of all the positive results we have gained since the implementation of family support / diversion, we do want a uniform state policy. As you indicated, we did contract with the University of Georgia to conduct a study of our system. They made recommendations and we have contracted with an individual from North Carolina who was instrumental in the development of their nationally recognized alternative response system. Our vision is to develop a statewide policy that is modeled after their practices and other states.

The pyramid was simply a spatial depiction of our intake response pattern and one of many tools used to understand our practice. We used it and learned from it. However, we understood and addressed your initial concerns about our use of the pyramid and discontinued its use over a year ago.

Many of your statements seem to suggest we are *only* concerned with the numbers and not the quality of service provided. In actuality, our statistics only help us understand the results of our practice and we use that understanding to improve our case work. There is no organization in this country today that is serious about improving their practice without the use of data to inform decisions. We absolutely know that through statistics and how we use them, we can understand and improve performance. Everything is moving us in a better direction toward strengthening families and ensuring safety and providing permanency for children; there is no faltering from that. We will continue to use data to inform our practice and to make evidence-based decisions; this approach ensures that children and families are better off after they have come into contact with DFCS.

Respectfully,



Mark A. Washington  
DHS Assistant Commissioner  
Div. of Family and Children Services

CC: B.J. Walker, Commissioner, DHS  
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