

Considering the Safety Threshold

Introduction

How do you know when negative conditions in a family represent a threat to child safety? CPS workers and supervisors are constantly faced with this very question. Too often there is a degree of uncertainty that accompanies the child safety assessment decision that may leave you feeling less confident or even anxious when making choices about whether children are unsafe. Whether you are screening CPS referrals, evaluating what you observe during early family contacts, or analyzing the case information you've collected during the course of an investigation, it can be a challenge to judge whether you have information about a family that represents a threat to child safety. Reasonably the more information you have about a family the more you realize how varied individual and family functioning can be between some positives/ strengths, negative Issues: some perhaps quite concerning and some not so concerning. Since safety assessment is suppose to lead you to judge what intervention is necessary and how the intervention is to occur, it is really important to be able to sort out how you understand what is threatening within a family. It is important to be able to judge when something occurring within a family has reached the *safety threshold*.

Safety Threshold

The child welfare field at large generally accepts that there is a distinction between child maltreatment, risk of maltreatment and threats to child safety. While these are related concepts there must be clarity regarding how these concepts differ in order to understand how each influences decision-making and the nature of intervention.

Prior to considering the criteria for the safety threshold lets briefly review some of the ways that that maltreatment and risk of maltreatment differ from threat to child safety.

Maltreatment and risk of maltreatment encompasses any form of maltreatment without regard to the level of severity. In other words, the harm or potential harm to a child as a result of maltreatment to a child based or risk of maltreatment may be mild to severe. Alternatively, safety is concerned only with harm that is or likely to be severe.

Timing is another important distinction between child maltreatment, risk of maltreatment and threats to child. Child maltreatment is limited to a more present orientation and incident based. Child maltreatment relates to a child that has already been harmed or the harm is occurring in a present tense. Risk of maltreatment is future oriented but the timeframe for the future is not specified. Risk identifies the likelihood of maltreatment that may occur in the future but that does not necessarily inform you of whether it is likely to occur next month, two months from now or even longer. Child safety on the other hand, specifies a narrower timeframe for judging when threats are likely to become active. Unlike risk that relates to long-term future, threats to safety fall within a present to “near future” timeframe. In other words, threats to child safety are likely to become active from now over the course of the next several days.

So in summary, a threat to child safety refers to a family condition that is out of control, imminent with respect to severe effects and proximity in time. Threats to child safety may be present in families where no child maltreatment has occurred or is occurring. Maltreatment can be mild, moderate or severe. Threats to child safety are always severe in nature (for further information see the archived safety article related to the *Difference between Risk and Safety*).

Determining the Safety Threshold

The safety threshold refers to the point when family conditions in the form of behaviors, attitudes, emotions, intent, situations, etc. are manifested in such a way that they are beyond being risk influences and have become threatening to child safety.

Safety threats are essentially risk influences that are active at a heightened degree and greater level of intensity. Safety threats are risk influences that have crossed a threshold in terms of controllability that has implications for dangerousness. Therefore, the safety threshold includes only those family conditions that are judged to be out of a caregiver's control.

As far as danger is concerned, the safety threshold is consistent with severe harm. Severe harm includes such effects as serious physical injury, disability, terror and extreme fear, impairment and death. The safety threshold is in line with family conditions that reasonably could result in harsh and unacceptable pain and suffering for a vulnerable child.

So, let's revisit this issue of safety threshold by identifying what facts should exist concerning a family condition in order for it to qualify as having reached the safety threshold:

- First: A specific, observable family condition in the form of behavior, emotion, attitude, perception, intent or situation.
- Second: A family condition is out of control – there appears to be no natural, existing means within the family (network) that can assure the control.

- Third: A family condition reasonably could have a severe effect on a vulnerable child.

The severe effect could include serious physical injury, significant pain and suffering, abduction, disability, terror or extreme fear, impairment or death.

- Fourth: The severe effect is imminent which means it could happen just about any time within the near future – today, tomorrow or during the upcoming days.

The Safety Threshold and Sufficient Family Information

On one hand, we can all agree that some cases are so obviously dangerous that it really doesn't require much analysis or the application of some criteria to know that a child is not safe. On the other hand, some cases are far more difficult to judge. People some times refer to these as the "grey" cases. Often the grey cases are made harder by the fact that information is less adequate than you'd like in order to judge. When applying the safety threshold there is no substitute for sufficient information. The more you have the better off you are and the more confidence you will have that your judgment is correct. Get as much information as you can obtain and understand about these six questions. Safety threats are contained within or related to these six questions:

1. What is the extent of maltreatment?
2. What are the circumstances surrounding the maltreatment?
3. How do the children function including their condition?
4. How do the adults within the household function including substance use and mental health?
5. How do the caregivers parent generally?

6. How do the caregivers discipline the children?

Applying the Safety Threshold

Let's try applying the concept of safety threshold with these *very* brief examples of family information. This exercise will surely reinforce how important it is to have sufficient information and may help emphasize how the safety threshold concept and criteria we identified above can give direction to assessing and thinking about family information. These examples come to us from a state that identified them because they are somewhat provocative and tend to fit into the "grey" area we referred to earlier. The examples are challenging for many reasons including the need for more information.

We'll approach the examination of these family conditions or case examples by first providing the example. Then we will apply the safety threshold criteria. Finally, we will discuss our judgment; what other information is needed; and provide other observations that occur to us.

Example # 1

1. Parent locks 5-year-old in his bedroom at night because he sometimes wakes and wanders the house. There is no deprivation of food or bathroom privileges.

Safety Threshold Criteria Analysis

Specific, observable family condition	Yes
Out of control	Need more information
Could have a severe effect	Yes
Imminence	Yes

Discussion

This appears to be a safety threat but more information is required. It would be helpful to have a full understanding of the child’s functioning, health and vulnerability. That could include his current condition and clearer understanding of his nighttime behavior. Being clear about the general functioning of the adults in the family and their general parenting could reveal their attitude and intent accompanying their locking up the child including the specifics related to the plan (e.g., does the plan include the use of a monitoring/listening device.) In applying the criteria we lack sufficient information to determine that the behavior (locking up the child at night) is out of control. We need to qualify the behavior. It occurs to us that the parent’s motive and intent may be admirable but her problem solving may be faulty. If such is the case this could be quickly resolved taking the behavior out of the safety threshold.

- 2. Parent is picked up by police for drunk driving and has children in the car.

Safety Threshold Criteria Analysis

Specific, observable family condition	Yes
Out of control	Yes
Could have a severe effect	Yes
Imminence	Yes

Discussion

This is actually a present danger. The children are not safe at least as defined by community standards and the law. Presuming that DUI laws are established to assure anyone’s safety on the street, this would include a child in the car. An example of a caregiver who is under control in this sort of circumstance would be one that may be drunk but has arranged for another person to do the driving.

What is not clear and requires more information is the question as to whether this occurs frequently or is the first time it has occurred. This is important because additional information may indicate that the child is not in impending danger.

3. Parent reported as regularly driving over the speed limit and this occurs with children in the car.

Safety Threshold Criteria Analysis

Specific, observable family condition	Don't know
Out of control	Don't know
Could have a severe effect	Don't know
Imminence	Don't know

Discussion

We decided to throw this example in mainly to demonstrate how difficult it is to make a judgment about safety threshold or the presence of threats without sufficient information. In this instance we cannot make a judgment because we simply do not know what the circumstances were that define “regularly driving over the speed limit.” We do not know the judgment and capacity of the caregiver or the circumstances in which such driving occurs. Additional information might reveal highly dangerous situations where high speed and careless judgment could constitute a regular threat of danger.

4. Parents do not use car seats regularly as required by law.

Safety Threshold Criteria Analysis

Specific, observable family condition	Yes
Out of control	Yes
Could have a severe effect	Yes
Imminence	Yes

Discussion

This is a controversial example. It forces us to focus our attention on the community standard and the law's purpose. While CPS generally braces at getting involved with families in which the main issue is a failure to do things like put children in required child car seats, we'd take the position that the bottom line is we live in a time when society has concluded that children who are unrestrained in vehicles are not safe. As a representative of the community and society CPS standards for safety must include something like this. Again, we are faced with the importance of sufficient information. While meeting the safety threshold, it cannot be concluded that CPS should keep a case like this open. Here we think of the CPS wake up call that a family experiences followed by a diligent response to assure that the situation does not continue. Additional information could conceivably demonstrate that this behavior is not typical of the general family situation or parent – child relationship.

5. Parent parks her car in front of the pharmacy and leaves her 2-year-old and 6-month-old in the car in their car seats while she gets prescriptions filled for the children. She watches them from the front door of the pharmacy while she waits for her prescription.

Safety Threshold Criteria Analysis

Specific, observable family condition	No
Out of control	No
Could have a severe effect	Yes
Imminence	Yes

Discussion

The specific, observable family condition is question involves the children being in the car alone. However, they are not unsupervised. For that reason we'd conclude that there is not a single, observable family condition that is threatening. The mother appears to be in control of the situation. She recognizes the danger of children being unsupervised. Certainly children alone in a car could experience severe effects if left unsupervised. And...there is some certainty that infants in cars can suffer effects in a short period. Because two criterions are not met in this example we conclude that the safety threshold has not been met.

6. Parents are homeless, unemployed and haven't been able to get employment other than occasional jobs. Family is living in their van. Children sometimes skip a meal.

Safety Threshold Criteria Analysis

Specific, observable family condition	No
Out of control	No
Could have a severe effect	No
Imminence	No

Discussion

We have to know the vulnerability of the children to fully judge this example. If highly vulnerable children are involved (e.g. ill; infants) then the circumstances (including weather conditions) could be considered differently. On the face value of this information, however, there appears to be no specific, observable threat; while the family's circumstances are concerning and undesirable, no family conditions are out of control; there appears to be nothing within the example that suggests the prospect of a resulting severe effect on a child; and, of course, since there appears to be no threat then imminence is not a question.

7. Mom leaves her children with a nearby aunt and uncle for the weekend while she parties and uses alcohol to excess. She does this about every other weekend.

Safety Threshold Criteria Analysis

Specific, observable family condition	No
Out of control	No
Could have a severe effect	No
Imminence	No

Discussion

Presumably, the issue here is mom’s drinking and partying as related to her care of her child. We believe this simple example shows that the mother is in control by taking measures to assure the children are cared for. While some may question the mom’s behavior regarding use of alcohol, there is no indication that is could result in a severe effect on her child.

8. Mom and Dad are fighting. Mom throws something at Dad, who ducks. Child is hit and gets a laceration on the forehead.

Safety Threshold Criteria Analysis

Specific, observable family condition	Yes
Out of control	Yes
Could have a severe effect	Yes
Imminence	Yes?

9. Dad is depressed. He is reluctant about taking his medication because it makes him feel “out of it”. He can’t stand his job; doesn’t see how things will be different; never has energy to spend time with the children. Dad is inconsistent in providing some meals but the children are generally fed. Children go to school dirty and tired because the Dad is inconsistent about cleaning their clothes and getting them to bed.

Safety Threshold Criteria Analysis

Specific, observable family condition	Yes
Out of control	Questionable (Need more information)
Could have a severe effect	No
Imminence	No

Discussion

The father’s depression is a specific, observable family condition that can be described. While the condition is definitely negative for the family, on the surface of things it does not appear that the depression is out of the father’s control. The condition is influencing role performance but at present does not appear to be preventing the father for providing basic needs. The neglect issues are CPS related but at this point not likely to have a severe effect on the children. In other words, the dirty clothes and being tired at school are risk issues that need to be addressed but they are not potentially life threatening now over the course of the next several days.

Closing

Hopefully the examples have made it clear that sufficient information is crucial to judging whether a family condition or behavior is actually a threat to a child. Also, it should be evident that while some family circumstances are quite sad and concerning and may in fact be CPS related, not all meet the safety

threshold. The safety threshold helps us to understand that danger to children (from a CPS perspective) can be viewed as something that is clear and extreme. This helps us to know that much of what is seen in CPS work does not rise to that level.