Present Danger

Definition: Present danger threats are identified when the threat(s) are:
- immediate,
- significant,
- clearly observable, and
- actively occurring at the point of contact.

Present danger is usually identified at initial contact, however can occur during the course of an investigation or while the family is receiving case management services. Serious harm will result without prompt investigation and/or case manager response.

Present Danger exists as an immediate, significant, and clearly observable family condition, child condition, individual behavior or action or family circumstances which are in the process of occurring and which obviously endangers or threatens to endanger a child and requires immediate action to protect. In present danger, the dangerous situation is in the process of occurring which means it might have just happened (e.g. a child presents at the emergency room with a serious unexplained injury); is happening (e.g. a young child is left unattended in a parked car); or happens all the time (e.g. young children were left alone last night and are likely to be left home alone again tonight). In Present Danger, the danger is active – it exists or is occurring. When a child is in Present Danger, the fact of the danger itself is sufficient for you to act, and the intervention must be immediate.

1. Qualifiers that must exist to justify present danger:
   a. “Immediate” for present danger means that danger in the family is happening right before your eyes. You are in the midst of that which endangers or threatens to endanger the child. The dangerous family condition, child condition, individual behavior or act, or family circumstances are active and operating. What might result from the danger for a child could be happening or occur at any moment. What is endangering the child is happening in the present, it is actively in the process of placing a child in peril.

   b. “Significant” for present danger qualifies the family condition, child condition, individual behavior or acts, or family circumstances as exaggerated, out of control, extreme. The danger is recognizable because what is happening is onerous, vivid, impressive, and notable. What you encounter – what is happening exists as the dominant matter that must be addressed immediately. Significant is anticipated harm that can result in pain, serious injury, disablement, grave or debilitating physical health conditions, acute or grievous suffering, impairment or death.

   c. Present danger is “Clearly Observable” because what is happening or in the process of happening is totally transparent. You see and experience it in obvious ways. There is no guesswork; if you have to interpret what is going on to be present danger … it is not present danger. Usually, when Present Danger exists because of
extreme family conditions, a child’s condition, individual behavior or acts, or family circumstances you will know even without conducting interviews. There are clearly observable actions, behaviors, emotions or out-of-control conditions in the home which can be specifically and explicitly described which directly harm the child or are highly likely to result in immediate harm to the child.

2. **Danger Threats may manifest as Present Danger when:**
   a. **Parent/legal guardian’s intentional and willful act caused serious physical injury to the child, or the caregiver intended to seriously injure the child.** This refers to caregivers who anticipate acting in a way that will result in pain and suffering. “Intended,” suggests that before or during the time the child was mistreated, the parents’/primary caregivers’ conscious purpose was willfully to act in a manner in which would reasonably hurt/harm the child. This threat must be distinguished from an incident in which the parent/legal guardian or caregiver meant to discipline or punish the child, and the child was inadvertently hurt. Examples may include but are not limited to:
      - **Parent/legal guardian or caregiver actions were directed at the child to inflict injury; parent/legal guardian or caregiver shows no remorse for the injuries.** Initial information supports that the injuries/child’s condition is a result of the deliberate preconceived planning or thinking which the parent/legal guardian or caregiver is responsible. Serious injury locations for present danger should be considered when located on the face/head/neck. Child’s injuries may or may not require medical attention.
      - **Bone breaks, deep lacerations, burns, inorganic malnutrition, etc. characterize serious injury.**
      - **Children that are unable to protect themselves have sustained a physical injury as a result of the parent/legal guardian or caregiver intentional and willful act.** Could include parent/legal guardian or caregiver who used objects to inflict pain.
   
   b. **Child has a serious illness or injury (indicative of child abuse) that is unexplained, or the parent/legal guardian/caregiver explanations are inconsistent with the illness or injury.** This refers to serious injury which parent/legal guardian or caregivers cannot or will not explain. While this is typically associated with injuries, it can also apply when family condition or what is happening is bizarre and unusual with no reasonable explanation. Generally this will be a danger threat used only at present danger. Examples may include but are not limited to:
      - **A child who has sustained multiple injuries to their face and head and the parent/legal guardian cannot or will not explain the injuries and the child is very young or non-verbal.**
   
   c. **The child’s physical living conditions are hazardous and a child has already been seriously injured or will likely be seriously injured.** The living conditions
seriously endanger a child’s physical health. This threat refers to conditions in the home which are immediately life threatening or seriously endangering a child’s physical health (e.g., people discharging firearms without regard to who might be harmed; the lack of hygiene is so dramatic as to cause or potentially cause serious illness). Examples may include but are not limited to:

- The child’s living condition is an immediate threat to the child’s safety. This would include the most serious health conditions, such as:
  - Living condition in the home has caused the child to be injured, such as digesting toxic chemicals and/or material and the child requires immediate medical attention.
  - Home has no egress and child is vulnerable, unable to access an exit and dependent on parent/legal guardian who has not or will not act.

- There are reports of serious harm and the child’s whereabouts cannot be ascertained and/or there is a reason to believe that the family is about to flee to avoid agency intervention and/or refuses access to the child and the reported concern is significant and indicates serious harm. This threat refers to situations the location of the family cannot be determined, despite diligence by the agency to locate the family. The threat also refers to situations where a parent/legal guardian refuses to see or speak with agency staff and/or allow agency staff to see the child, is openly hostile or physically aggressive toward the investigator or case manager, is totally avoiding staff, refusing access to the home, hides child, or refuses access to the child and the reported concern is significant and indicates serious harm. The hiding of children to avoid agency intervention should be thought of in both overt and covert terms. Information, which describes a child being physically confined within the home or parents who avoid allowing others to have personal contact with the child, can be considered ‘reported concern is significant and indicates serious harm’ for example. The act of physically restraining a child within the home might be a maltreatment of bizarre punishment or physical injury, and would indicate use of this danger threat.

- The threat is qualified by the allegation of maltreatment, information from prior case history and current reports regarding the child. There should be concern for present or impending danger based upon information provided to the agency that would result in serious harm to the child. Generally this will be a danger threat used only at present danger.

- Parent/legal guardian is not meeting the child’s essential medical needs and the child is/has already been seriously harmed or will likely be seriously harmed. This refers to medical care that is required, acute, and significant that the absence of such care will seriously affect the child’s health. “Essential” refers to specific child conditions (e.g., retardation, blindness, physical disability), which are either organic or naturally induced as opposed to parentally induced. The key here is
that the parents, by not addressing the child’s essential needs, will not or cannot meet the child’s basic needs. Examples may include but are not limited to:

- There is an emergent quality about the required care.
- Child has Type 1 diabetes and is unable to self-administer their medication and the parent/legal guardian or caregiver has not been administering medication to ensure child safety.

f. **Child shows serious emotional symptoms requiring intervention and/or lacks behavioral control and/or exhibits self-destructive behavior that parent/legal guardian is unwilling or unable to manage.** This refers to specific deficiencies in parenting that must occur for the “exceptional” child to be unsafe. The status of the child helps to clarify the potential for severe effects. Clearly, “exceptional” includes physical and mental characteristics that result in a child being highly vulnerable and unable to protect or fend for him or herself. Examples may include but are not limited to:

- **Present danger considerations are focused both on the child’s emotional needs and the parent/legal guardian or caregiver ability to meet those needs. Child’s emotional symptoms are serious in that they pose a danger to others or themselves, this could include self-harming, fire-setting, and sexual acting-out on others. Parent/legal guardian or caregiver response places the child in present danger.**
- **Child that requires acute psychiatric care due to self-harming that the parent/legal guardian or caregiver will not or cannot meet despite the resources and ability to attend to the child’s needs.**

g. **Parent/legal guardian is violent, impulsive, or acting dangerously in ways that seriously harmed the child or will likely seriously harm to the child.** Violence refers to aggression, fighting, brutality, cruelty, and hostility. It may be regularly active or generally potentially active. This threat is concerned with self-control. It is concerned with a person’s ability to postpone, to set aside needs; to plan; to be dependable; to avoid destructive behavior; to use good judgment; to not act on impulses; to exert energy and action; to inhibit; to manage emotions; and so on. This is concerned with self-control as it relates to child safety and protecting children. So, it is the absence of caregiver self-control that places vulnerable children in jeopardy. When violence includes the perpetrator dynamics of power and control it is considered “domestic violence.” Physical aggression in response to acts of violence may be a reaction to or self-defense against violence.

For purposes of child protection interventions, it is important to accurately identify the underlying causes of the violence and whether or not the dynamics of power and control are evident. It should be noted that the Florida criminal code for domestic violence (Florida Statute 741), which provides for law enforcement responses and investigations is narrower in scope.
Impulsive means that one does not think before one acts. It may mean that you blurt things out or take actions without thinking about the consequences. Impulsivity (or impulsiveness) is a multifactorial construct that involves a tendency to act on a whim, displaying behavior characterized by little or no forethought, reflection, or consideration of consequences. Impulsive actions typically are "poorly conceived, prematurely expressed, unduly risky, or inappropriate to the situation that often result in undesirable consequences, which imperil long term goals and strategies for success. Impulsivity appears to be linked to all stages of substance abuse and is linked to sexual abuse.

Those who discount delayed reinforcers. Extreme difficulty controlling impulses or urges despite negative consequences. Individuals suffering from an impulse control frequently experience five stages of symptoms: compelling urge or desire, failure to resist the urge, a heightened sense of arousal, succumbing to the urge (which usually yields relief from tension), and potential remorse or feelings of guilt after the behavior is completed.

Dangerous parents may be behaving in violent ways; however this is intended to capture a more specific type of behavior. Examples may include but are not limited to:

- Child has experienced sexual abuse and/or exploitation and perpetrator has ongoing access to child.
- Parent/legal guardian or caregiver is described as physically/verbally imposing/threatening, brandishing weapons, known to be dangerous and aggressive, currently behaving in attacking or aggressive ways.

Careful consideration when determining present danger should be made when assessing domestic violence and family violence. Parent/legal guardian or caregiver may not be “actively” violent in the presence of the worker, however the domestic violence dynamics within the household could be active. In addition, there should be consideration of information that indicates that a child and spouse are being mistreated. Concerns are heightened when abuse of a child and spouse are both occurring.

h. Parent/legal guardian is not meeting child's basic and essential needs for food, clothing and/or supervision, AND child is/has already been seriously harmed or will likely be seriously harmed. "Basic needs" refers to the family's lack of (1) minimal resources to provide shelter, food, and clothing or (2) the capacity to use resources to provide for a minimal standard of care if they were available. Examples may include but are not limited to:

- For present danger, consideration of the parent/legal guardian or caregivers who are unable or unwilling to provide for food, clothing, and/or supervision. The parent/legal guardian or caregiver may be currently intoxicated and/or
unavailable, thus leaving the child without supervision and the child is children are unable to protect themselves.

- Child is found unsupervised in a dangerous condition—such as being left wandering the streets. There is no parent/legal guardian or caregiver that is currently providing for supervision of the child.
- Lack of essential food, clothing, and/or supervision that result in child needing acute medical care due to the severity of the present danger.
- Hospitalized child due to non-organic failure to thrive.

i. Parent/legal guardian is threatening to seriously harm the child; is fearful he/she will seriously harm the child. This refers to caregivers who express anxiety and dread about their ability to control their emotions and reactions toward their child. This expression represents a “call for help.” Examples may include but are not limited to:
  - At present danger this refers to parents/legal guardian or caregivers who express intent and/or desire to harm their child.
  - Parent/legal guardian or caregiver may have a history of harming children in the past and has identified a need for intervention due to their fear of harming their child. Intent should be considered for present danger, in addition access and ability to harm child.

j. Parent/legal guardian views child and/or acts toward the child in extremely negative ways AND such behavior has or will result in serious harm to the child. “Extremely” is meant to suggest a perception, which is so negative that, when present, it creates child safety concerns. In order for this threat to be checked, these types of perceptions must be present and the perceptions must be inaccurate. Examples may include but are not limited to:
  - This is the extreme, not just a negative attitude towards the child. It is consistent with seeing the child, as demon possessed, evil, and responsible for the conditions within the home. Consideration of parent/legal guardian or caregiver’s viewpoint of the child as being in action for present danger.

k. Other This category should be used rarely. Consultation with a supervisor must occur to determine that the threat identified is not covered in any of the standard danger threat definitions.
Assess Present Danger and Take Immediate Actions

**Purpose:** Present danger refers to immediate, significant, and clearly observable harm or threat of severe harm occurring to a child in the present time requiring immediate protective actions on the part of the investigator. This protective response is developed in detail and implemented with the family through a Present Danger Safety Plan. Because family and individual circumstances are dynamic and not static in nature, present danger can be manifested at any point throughout the investigation. Assessing for present danger by the investigator should therefore be an on-going process, not limited to the first contact with the family. Examples of present danger include, but are not limited to:

- Inflicted or unexplained injuries to the face and head
- Premeditated maltreatments
- Life-threatening living environment
- Bizarre cruelty toward a child
- Children requiring immediate adult supervision
- Child needing immediate medical care
- Parent or legal guardian unable to provide basic care
- Caregiver out of control or under the influence of substances posing an immediate threat to the child

**Guidelines:**

1. Supervisors are required to review present danger safety plans within 24 hours of the CPI developing the plan.

2. Supervisors are required to request a 2nd Tier Consultation for all present danger safety plans in which the child either remains in the home or a Family Arrangement is used.

3. In present danger, the dangerous situation is in the process of occurring which means it is happening right in the presence of the investigator (e.g., *an infant is left unattended in a parked car*) or it might have just happened (e.g., *a child presents at an emergency room with a serious unexplained injury*) or it happens “all the time” (e.g., *young children were left alone last night and are likely to be left home alone again tonight*).

4. When present danger is not immediately apparent, special consideration needs to be given to the following:
a. If what is alleged could be true, does it equate to present danger (e.g., serious unexplained injuries or sexual abuse allegations)?

b. Is any child in the home vulnerable to the identified threat? (In essence, a threat only exists in tandem with a vulnerable child).

c. Does the investigator need to respond to the threat immediately?

5. The investigator will identify which danger threat is occurring. While the general definition for each danger threat is fairly specific in nature, it is absolutely critical that an investigator use the full definitions and descriptions provided in the Safety Methodology Desk Reference Guide in determining whether the information collected meets the threshold criteria for each threat. Present danger can be identified by one or more of the eleven danger threats below. Except as noted, nine of these threats can also represent impending danger in the home but within a different context from present danger.

a. Parent, Legal Guardian, or Caregiver’s intentional and willful act caused serious physical injury to the child, or the Caregiver intended to seriously injure the child.
   - Fractures, deep lacerations, extensive bruising, burns or inorganic malnutrition characterize serious injury
   - Typically involves the use of objects to inflict pain/cause injury
   - Child has no ability to protect themselves from physical injury

b. Child has a serious illness or injury (indicative of child abuse) that is unexplained, or the Parent, Legal Guardian, or Caregiver explanations are inconsistent with the illness or injury. (This danger threat will generally only be used as a Present Danger, not Impending Danger).
   - Multiple injuries or singular severe injury that could not have occurred accidentally
   - Despite seriousness of injury, parent reportedly does not know how child was injured
   - Explanation for how child was injured changes over time

c. The child’s physical living conditions are hazardous and a child has already been seriously injured or will likely be seriously injured. The living conditions seriously endanger a child’s physical health.
   - Extreme lack of hygiene with potential to cause serious illness
   - Toxic chemical or materials easily within reach of child
   - Unsecured, loaded firearms/ammunition in child’s presence
   - Illicit or prescription drugs accessible by children
d. There are reports of serious harm and the child’s whereabouts cannot be ascertained and/or there is reason to believe that the family is about to flee to avoid agency intervention and/or refuses access to the child and the reported concern is significant and indicates serious harm. (This danger threat will generally only be used as a Present Danger, not Impending Danger).

- Family is intentionally avoiding contact with investigator
- Caregiver is hiding child with relative or family friend and refuses to disclose location
- Caregiver is violating ‘no contact’ supervision restrictions by order of the court or is failing to follow through with agreed upon safety actions in present danger or impending danger safety plans

e. Parent, Legal Guardian, or Caregiver is not meeting child’s essential medical needs AND the child is/has already been seriously harmed or will likely be seriously harmed.

- Parent is not maintaining child’s medical regimen or meeting treatment needs despite the seriousness of the injury/illness
- Parent has not called 911 to seek emergency medical response

f. Child shows serious emotional symptoms requiring intervention and/or lacks behavioral control and/or exhibits self-destructive behavior that Parent, Legal Guardian, or Caregiver is unwilling or unable to manage.

- Child is self-injurious
- Child is setting fires
- Child is sexually acting out
- Child is addicted to drugs or alcohol

g. Parent, Legal Guardian, or Caregiver is violent, impulsive, or acting dangerously in ways that seriously harmed the child or will likely seriously harm the child.

- Child is being sexually abused and maltreating caregiver has on-going access to child
- Caregiver is physically assaultive/threatening
- Caregiver is brandishing a weapon
- Domestic violence dynamics are present in the household

h. Parent, Legal Guardian, or Caregiver is not meeting child’s basic and essential needs for food, clothing, and/or supervision, AND child is/has already been seriously harmed or will likely be seriously harmed.

- Child is unsupervised in a dangerous environment or condition
• Lack of basic, essential food, clothing, or shelter that result in child needing medical care or attention
• Child needs to be hospitalized for non-organic failure to thrive

i. Parent, Legal Guardian, or Caregiver is threatening to seriously harm the child; is fearful he/she will seriously harm the child.

• Parent expresses intent or desire to harm child
• Parent makes statements about the family’s situation being hopeless
• Child describes extreme mood swings in parent, drug or alcohol use that exacerbate parent’s volatility and frustration with child

j. Parent, Legal Guardian, or Caregiver views the child and/or acts toward the child in extremely negative ways AND such behavior will result in serious harm to the child.

• Parent describes the child as evil or has singled the child out for being responsible for the family’s problems
• Child expresses fear of being left with caregiver
• Child describes being subjected to confinement or bizarre forms of punishment

k. Other Threat. Describe any other observation or information which would indicate a threat to the child’s safety. “Other Threat” should be used rarely. Consultation with a supervisor must occur to determine that the threat identified is not covered in any of the standard danger threat definitions.

6. When an investigator encounters a child in present danger, the investigator must implement a present danger plan prior to leaving the child.

7. Development and implementation of a Present Danger Safety Plan during this initial, very early involvement with the family creates a “safety bubble” around the children in the home to allow for sufficient information collection to inform the safety decision; however, the present danger plan shall not be in effect for more than 14 days without a staffing being held to assess the safety plans ongoing effectiveness to protect the child and to discuss and remove any barriers to completing the FFA-investigation.

8. Keeping in mind the relative scarcity of validated (i.e., corroborated) information at the point present danger is identified and the need to construct a plan which can be put in place immediately, the investigator should craft a present danger plan with the family that directly manages the identified threat and is intended for short-term use only (i.e., until the FFA-investigation can be completed and a determination of safe-unsafe).

9. Additional guidance on determining the appropriate safety actions to take, structuring of the plan, implementation of plan elements, and monitoring of the plan refer to:

a. “Safety Planning” Practice Guidelines, All Staff
b. “Safety Plan Involving Other Parent Home Assessment” Practice Guidelines, All Staff

c. “Family Arrangements” Practice Guidelines, All Staff

d. “Informal Providers in Safety Plans” Practice Guidelines, All Staff

**Supervisor:** The ‘Initial’ Supervisor Case Consultation will be provided to affirm:

1. The investigator has clearly described the child, caregiver(s) and home condition(s) observed during the initial contact with the family.

2. The investigator identified present danger and the danger is described to be immediate, significant, and clearly observable.

3. The present danger plan is effective in managing the present danger threat.

4. The investigator’s decision to take action immediately to assure the protection of the child.

**Documentation:**

The investigator will document a Present Danger Assessment and a Present Danger Safety Plan, if any, using FSFN functionality.

The supervisor will document the consultation around present danger in FSFN using the supervisor consultation module.
Assess Present Danger

**Purpose:** Present danger is active and clearly in the process of happening. Present danger is most often identified at the onset of an investigation, but can occur at any point in time. Present danger refers to immediate, significant and clearly observable harm or threat of harm occurring to a child in the present time, requiring **immediate protective actions** on the part of the investigator or case manager. Assessing for present danger is an on-going process as family and individual circumstances are dynamic and not static in nature. Even when there is a safety plan in place, a new danger threat may be occurring at any point during an investigation or an on-going services case. Examples of present danger include but are not limited to:

- Inflicted or unexplained injuries to the face and/or head
- Allegations of sexual abuse in combination with a parent who is unwilling/unable to protect
- Premeditated maltreatments
- Hazardous living conditions
- Bizarre cruelty toward a child
- Children requiring immediate adult supervision
- Child needing immediate medical care
- Parent or legal guardian unable to provide basic care
- Caregiver out of control or under the influence of substances posing an immediate threat to the child

**Definitions:** Refer to Desk Reference Guide, Danger Threats and Present Danger Examples

**Guidelines:**

1. The investigator will assess present danger in accordance with Safety Methodology Practice Guidelines for Investigations, “Assess Present Danger and Take Immediate Actions.”

2. Present danger threats are usually identified at initial contact by an investigator, but may also occur during the course of an investigation or while the family is receiving case management services. Present danger which occurs during on-going services may involve a parent in an in-home case, a relative caregiver or a foster parent. Serious harm will result to the child without prompt response and interventions.

3. The child welfare professional will identify present danger using the following criteria:
   a. “Immediate” for present danger means that danger in the family is happening during the time that the investigator or case manager is in the home. The dangerous family condition, child condition, individual behavior or act, or family circumstances are active and operating. What might result from the danger for a child could be happening or occur at any moment. What is endangering the child is happening in the present, and is actively in the process of placing a child in peril.
b. “Significant” for present danger qualifies the family condition, child condition, individual behavior or acts, or family circumstances as exaggerated, out of control or extreme. The danger is recognizable because what is happening is onerous, vivid, impressive, and notable. “Significant “is anticipated harm that can result in severe pain, serious injury, disablement, grave or debilitating physical health conditions, acute or grievous suffering, impairment or death. What the INVESTIGATOR or case manager encounters becomes the dominant matter that must be addressed immediately.

c. Present danger is “clearly observable”, as what is happening or in the process of happening is totally transparent. The investigator or case manager will see and experience it in obvious ways. There is no guesswork; if the worker has to interpret what is going on to be present danger it is not present danger. Usually, when Present danger exists because of extreme family conditions, a child’s condition, individual behavior or acts, or family circumstances the investigator or case manager will know even without conducting interviews. There are clearly observable actions, behaviors, emotions or out-of-control conditions in the home which can be specifically and explicitly described which directly harm the child or are highly likely to result in immediate harm to the child.

4. An investigator or case manager will not leave a home when a child is in present danger without establishing a safety plan that goes into effect immediately.

5. When the case manager determines that a child is in present danger, there must be immediate actions to protect the child.
   a. A report to the Hotline will only be made when there are new incidents of harm. An insufficient safety plan does not constitute a new incident of harm.
   b. If modifications to an in-home safety plan will not be sufficient to manage a newly identified present danger threat, the case manager will develop the next least intrusive actions.
   c. An investigator must be called to the home to assist the case manager when a child needs to be sheltered.

6. The present danger plan shall not be in effect for more than 14 days without staffing being held to assess the safety plans ongoing effectiveness to protect the child.

**Supervisor:**

1. Will consult with the child welfare professional to review the determination of present danger within five days of present danger identification, and again subsequently as needed. Things to consider during this consultation include:
   a. Can the child welfare professional clearly describe the home, child, caregiver(s) condition(s) that he/she believes currently protect or endanger the child?
   b. If there is a danger threat identified and does the danger seem active, reasonable and vivid?
c. Does the child welfare professional feel compelled to take action immediately to assure the protection of the child, and if so, what is the basis?

2. All present danger plans will be reviewed by the supervisor within 24 hours of their creation.

3. For all Present Danger Safety plans in which the child either remains in the home or a family arrangement is used the following will apply:
   a. Investigations supervisors are required to request a 2nd Tier Consultation
   b. Case manager supervisors are required to consult with a manager, manager designee or consultative team.

FSFN Documentation:
1. The child welfare professional will utilize the Present Danger Assessment in FSFN to document their assessment.

2. The supervisor will document their consultation with the child welfare professional of the Present Danger Assessment and Present Danger Plan, as applicable.