

# Danger Assessment & Decision-Making at Access

## Introduction

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Imagine it is your average weekday, around 3:00 p.m., and you get a call from an Access professional. They just got off the phone with a reporter and since you are the supervisor or designee, they want to “run something by you.” They are curious what you think about the information they received. What do you listen for? What is your focus? Are you first asking yourself whether it is a “screen-in?” If so, you are likely not alone. Decisions at Access are made in 24 hours or less, so we find ways to make the process most efficient.<sup>1</sup> For many of us, this means we cut to the chase by deciding what we **do** with the information in the report before considering what we **think** about it. At Access, that looks like making a screening decision before articulating the rationale for the decision. We do this when we ask ourselves, “*Is it a screen-in?*” before asking “*Is there a danger, and if so, what is it?*” This approach may meet our need for efficiency; however, we end up losing time later when our decision-making is questioned, and we are not able to articulate it in precise, technical terms. In other words, how many of you can relate to the feeling of dread when a staff person questions your decision-making, or a community partner calls with questions about it?

In this paper, we will discuss two critical aspects of decision-making at Access. First, we will examine how deciding what we **think** before considering what we **do** ensures we do not overlook the assessment of the danger. We will also introduce a 4-step framework you can apply to complete the danger assessment at Access. Second, we will explore how the 4-step framework standardizes our approach and creates an opportunity to consider how implicit biases influence the decision-making process.

## Purpose of Assessing Danger at Access

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When we assess for danger first at Access, it helps us make efficient and effective decisions that we can also justify because it requires us to use a standardized approach that helps us explain our decision-making to families, staff, and community partners. In the long run, the practice of assessing danger first can save us time, while building confidence, consistency, and credibility in our CPS practice. Additionally, when we assess danger first, it invites us to reflect on how biases influence perception and impact decision-making throughout the assessment of the danger. In short, when we decide what we **think** before what we **do**, we are in a better position to articulate the rationale for our decisions and mitigate the risk we take when we act on our instincts without evaluating the influence of biases.

The notion of biases and how they impact the work of Access is not new. We have long considered how the “*substantial probability of bias*”<sup>2</sup> must be considered in instances where the CPS agency or its employees have professional or personal familiarity with the alleged maltreater &/or child victim. It is for this reason that we have the option of requesting independent screening decisions at Access, and Initial Assessment. Throughout this paper, we will look at how a standard approach to the assessment of danger helps us achieve consistency while also identifying the influence of biases on decision-making.

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<sup>1</sup> CPS Access & IA Standards, Section 1, Chs. VI

<sup>2</sup> CPS Access & IA Standards, Section 1, IX., Chs. IX.C

The content in this paper supports the following learning objectives:

- **Sort** the order of decision-making at Access in accordance with *The Child Protective Services (CPS) Access & Initial Assessment Standards*, Section 1, Chs. VI & VII.
- **Articulate** the rationale for decisions made at Access.
- **Increase** awareness of biases and their influence on decision-making, stipulate how that might play out in child welfare at Access.

## Overview of Decision-Making at Access

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*CPS Access & Initial Assessment Standards* state there are four decisions to make at Access: assessment type, screening, response time, and notifications. For practical reasons, the decisions are typically made in that order since one decision often informs the other (e.g., the assessment of danger informs the screening and response time decision).<sup>3</sup>

The decision about **assessment type** is determined by information about a parent/caregiver/household member's contribution to the alleged maltreatment. For example, if a reporter is concerned a child is being harmed by parents, foster parents, guardians, legal custodians, and/or people who reside with the child, a **primary assessment** is required. On the other hand, a **secondary assessment** is needed if the reporter is concerned the child has been harmed or is at risk of it because of an individual who has provided care to the child in or outside of the child's home, exercised temporary control over the child or supervised the child (e.g., staff of a licensed or certified child care program, school personnel, staff of a licensed child welfare facility, or a relative of a child). The **screening decision** is the formal decision to accept or not accept a report of alleged child maltreatment based on definitions put forth in the Wisconsin statutes. The standards state that a screening decision determines whether further, or continued assessment is needed in Initial Assessment to identify whether the children need protection or services. The **response time decision** applies to a screened-in CPS report. The response time decision determines when a CPS professional must have initial face-to-face contact with the alleged child victim and/or parent(s) or caregiver(s) and will further assess alleged threats to a child's safety.<sup>4</sup> Decision trees to help guide you through the screening and response time decisions can be found in Appendix A. The decision about who to **notify** when a CPS report is received is influenced by factors such as the type of alleged maltreatment, whether it allegedly happened at a licensed facility/out-of-home care placement, and whether the unborn child or child is known to be American Indian.<sup>5</sup>

Our automated statewide database, **eWISACWIS**, helps prompt us to make these four decisions in order, however, we know in practice these decisions do not always occur in a neat, linear fashion. For example, the Access professional likely starts by asking a general question about the reporter's reason for calling, rather than immediately asking questions to figure out assessment type, screening decision, and response time (as if they could be checked from a list). Instead, the Access professional is skilled at attending to the reporter's emotions while also asking questions to elicit information to decide on assessment type and the screening and response time recommendations. For this reason, the Access professional often experiences all four decisions occurring at once rather than in order. This is especially likely when the Access professional is working after-hours.

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<sup>3</sup> CPS Access & IA Standards, Section III, III.E. (pg. 13).

CPS Access & IA Standards, Section 1, V.A. (pg. 23-24)

<sup>4</sup> CPS Access & IA Standards, VII. The Timeframe for Response, pg. 28-29

<sup>5</sup> CPS Access & IA Standards, XI.A. Required Notifications for All Applicable Cases, pgs. 35-36

Regardless of the time of day in which an Access professional is working, when several decisions need to be made at once, in a short period, and with only one shot at gathering necessary information, it is understandable that the focus is on what we **do** and not on what we **think**. Some may even say there is little time to think due to production pressures! **However**, in CPS we **must** think deeply about our decisions because they have significant consequences for children and families in our communities. For example, as we mentioned earlier in the paper, if we act on our “**do**” instincts before we **think**, there is a lot of room for implicit biases to be involved in decision-making. This can make already disproportionately involved communities (families of color, low-income families, etc.) even more involved with the CPS system. There is also a chance of families holding the CPS system in a more negative regard, and therefore, being less likely to engage in or initiate necessary services if they feel their family or someone they know has been treated unfairly by CPS. By assessing danger first, using a standard, predictable framework, we can more clearly articulate the rationale for our decisions and create habits of thought along the way that promote critical thinking- reducing the likelihood that we will unconsciously act on implicit biases which can cause some of these unintended consequences.

## 4-Step Framework to Assess Danger at Access

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As you know, we assess for two types of danger at Access: Present and Likely Impending Danger. The 4-step framework for assessing danger at Access can be applied to assess for Present and Likely Impending Danger at Access. The four-steps include:



The same four steps can be applied to the assessment of both types. Even though the four steps can be applied to the assessment of both types of danger, we organized the content of this paper in a way that allows us to take a more deliberate approach focusing on one type of danger at a time. This will help you see how the same steps can be applied to both types while also accounting for their unique differences. We will start with Present Danger and then proceed to the assessment of **likely** Impending. When you complete the work of Module 2, you will apply the 4-step framework to both types of danger concurrently to reflect the actual workflow more closely. Let us begin by looking at the assessment of Present Danger at Access.

## Present Danger Assessment at Access

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CPS professionals continually assess for Present Danger threats throughout the CPS case process. Practice standards amplify three key points in time: **1.** Gathering information and screening at Access, **2.** Determining the response time at Access, **3.** Making the Initial Face-to-Face Contact with the child(ren), and with the parents/caregivers.<sup>6</sup>

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<sup>6</sup> CPS Safety Intervention Standards, II.A. Assessing for Present Danger Threats (p. 8)

When you review the ***CPS Access & Initial Assessment Standards, Section 1, Ch. VI. A. Screening of an Access Report***, the paragraphs that preceded subsection VI. A. 1, note that the first step to making a screening decision is to assess Present Danger in every CPS report. This directive is found in the initial paragraphs of section VI. A. Here it states, ***“Upon receipt of a report, the local child welfare agency must immediately analyze the information to screen for Present Danger Threats as defined in the CPS Safety Intervention Standards, Appendix 1: Present Danger, and other emergency conditions.”***<sup>7</sup>

There are many reasons why this is an important **first** step referenced in the ***CPS Access & Initial Assessment Standards***. Specifically, the results of the Present Danger assessment at Access inform the screening and response time decisions. Additionally, when it is about a child and family in a different county, it informs decisions such as how immediately a CPS report needs to be documented in **eWISACWIS**, including when to notify the other local child welfare agency, and whether the child welfare agency where the child is located needs to make initial contact and take immediate, protective action.<sup>8</sup> In short, the assessment of Present Danger yields information about whether we need to take subsequent actions, which is why we first decide what we **think** about Present Danger, so we know what else to consider and to **do** once it has been identified.

When we first ask, ***“does the information indicate there is Present Danger – and if so, which threat(s) are supported by information in the CPS report?”*** we answer whether it needs to be screened in, and what the response time must be. In this way, you can see how the question ***“does the information indicate there is a Present Danger – and if so, which threat(s) are supported by information in the CPS report?”*** is much more effective than ***“is it a screen-in?”*** When we lead with the former, it helps us make our decisions at Access and prioritize immediate next steps when a child lives in another county or more than one county. The bottom line is, when we start by assessing Present Danger in all CPS reports, it increases our accuracy and in turn confidence about the other decisions and actions that follow.

When we elevate the assessment of Present Danger threats as the first step to decision-making at Access, it requires us to think more deeply about the presenting information and how it plays out in unique families. In this way, we move closer to determining if a child is in danger now or in the near future in precise, more technical ways using the definition of Present Danger:

***“Present Danger refers to an immediate, significant, and clearly observable family condition that is occurring or ‘in process of occurring’ at the point of contact with the family and will likely result in severe harm to a child.”***<sup>9</sup>

Any of the Present Danger Threats that a CPS professional selects must be measured against this definition to justify decision-making. The justification then supports the reason for screening in the CPS report and continues the assessment process in Initial Assessment.

The analytic process for assessing Present Danger is the same throughout the CPS case process, meaning how it is applied at Access is the same in Initial Assessment and Ongoing Services. This promotes accountability. A standard approach ensures we evaluate biases along the way, thereby increasing our accountability to families and the public. Specifically, it narrows our considerations to family conditions that are known to be dangerous because they are likely to result in severe harm to children rather than any condition that the public may perceive as dangerous because it departs from majority norms. Below is a 4-step framework that can be used at Access to ensure you are applying the analytic process for assessing Present Danger as it is discussed in related training.

<sup>7</sup> CPS Safety Intervention Standards, II.A. Assessing for Present Danger Threats (p. 8)

<sup>8</sup> CPS Access & IA Standards, II. Multi-County Reports, II.A. & II. Multi-County Reports, II. B. pgs. 9-10

<sup>9</sup> CPS Safety Intervention Standards, Safety Appendix 1: Present Danger, pg. 35.

# 4 Step Framework

## ***Assessing Present Danger***

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### **Step 1: Consider the case information:**

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- Determine the household of concern.
- Identify relevant and sufficient information.
- Highlight each family(s) conditions that concern CPS.

### **Step 2: Identify all Present Danger Threats that may be connected to the family condition(s).**

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### **Step 3: Consider the definition of Present Danger.**

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When we are clear about the “what” of CPS concern – the clearly observable – we can then consider the other terms of the Present Danger definition.

#### ***Is the danger **immediate**, occurring, or in the process of occurring?***

- **Immediate:** In the midst of that which endangers the child – it is going on now.
- **Active & operating**
- **In the process of occurring:**
  - You do not witness or see the behavior, but it is happening.
  - It isn’t happening right now but is “ripe to occur” – circumstances establish it could happen any time.
  - Non-caregiver is protecting or providing for the child right now, but the family circumstances constitute Present Danger.
  - Not an arbitrary time frame – generally, a few days.

#### ***Is the danger **significant**? Is it significant to CPS Purpose?***

Based on professional judgment and critical thinking; it is more than just what the public thinks about it. Here is a critical place to be considerate and cautious of bias by acknowledging that public norms often reflect the dominant culture’s view of what is normative (e.g., spanking is prohibited). For this reason, we also look at whether the observable condition being reported is also likely to result in severe harm.

#### ***Is it **likely to result in severe harm**?***

Detrimental effects are consistent with a serious or significant injury in accordance with the definition of severe harm found in the ***Safety Intervention Standards***:

- Disablement; grave or debilitating physical health or physical conditions; terror; impairment; even death; family conditions that are reasonably likely to result in harsh or unacceptable pain and suffering for a vulnerable child.

### **Step 4: Confirm the Present Danger Threats.**

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Now that you applied the definition of Present Danger to each family condition, you are ready to confirm which Present Danger Threats are indicated in the CPS report.



When we follow this 4-step framework for assessing danger, it makes clear which CPS reports must be responded to immediately because we start by asking what we **think** about the information in the CPS report, and that determines what we **do** (i.e., screen in, respond in the same day). In Appendix A, you will find a decision tree to help guide you through these steps as well.

## **Likely Impending Danger Assessment at Access**

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Now, we will talk about the second type of danger we assess for at Access: **Likely** Impending Danger. Access is the only point in the CPS case process where we consider the **likelihood** of Impending Danger. At Access, the decision about Impending Danger is only **likely** because there is a limited amount of information available. The 4-step framework for assessing danger also supports our assessment of **likely** Impending Danger. Let's first review our reason for assessing **likely** Impending Danger at Access along with unique considerations.

There are at least three reasons why we identify **likely** Impending Danger at Access. First, it is consistent with our statutory responsibility to address threatened harm and helps us decide if a report must be screened in for continued assessment. Secondly, the presence of **likely** Impending Danger informs response time because although **likely** Impending Danger does not require an immediate CPS response, it does indicate a need to prioritize the response time. Lastly, this is important information for the Initial Assessment professional. When **likely** Impending Danger at Access is identified, it alerts the Initial Assessment professional to information in the CPS report that identifies behaviors, conditions, or actions that may endanger a child in the near future and therefore compels us to assess and understand it sooner rather than later so we can take protective action when needed.

We **emboldened** the word **likely** when referring to Impending Danger at Access since we do not have enough information at Access to conclusively decide whether the child is indeed unsafe. As previously stated, we cannot be conclusive about Impending Danger at Access because we have limited information about the family condition. Further, the information we have at Access is typically provided by a single source (i.e., a reporter) that has biases of their own and may not be credible. It is for these reasons we do not apply the Impending Danger threshold criteria at Access as we do throughout the remainder of the CPS case process. In fact, to apply threshold criteria at Access would inevitably require us to rely on biases in order to fill in "gaps" in understanding.

Further, it is important to note that, unlike Present Danger, the term **likely** Impending Danger is not defined in the **CPS Safety Intervention Standards**. For that reason, we need to consider the definition of **Likely** AND Impending Danger to arrive at a shared understanding of the phrase.

**Likely:** such as well might happen or be true; probable

**Impending Danger:** a foreseeable state of danger in which family behaviors, values, motives, emotions, and/or situations pose a threat that may not be currently active but can be anticipated to have severe effects on a child at any time in the near future.<sup>10</sup>

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<sup>10</sup> Safety Intervention Standards, Glossary: Impending Danger Threats, pgs. 32

*The key takeaways to remember when considering the definition of **Likely Impending Danger**:*

- When talking about **likely** impending danger, the term likely is used as an adjective to modify or describe the noun impending danger.
- It is referring to a foreseeable state of danger that may not be currently active but can be anticipated to have severe effects on a child at any time in the near future.

Because the assessment of likely Impending Danger does not include the application of threshold criteria, it is important to emphasize that we cannot base our assessment of **likely** Impending Danger at Access by subjecting the information in the CPS report to speculation and “if...then” thinking.<sup>11</sup> Meaning, that we cannot listen to the reporter’s account and fill in gaps. For example, when a reporter calls to say they witnessed a parent yelling at a child in public, we cannot jump to the conclusion that the child is **likely** experiencing an Impending Danger. Like the assessment of Present Danger, we need to be on guard for how biases may impact our decision-making when it comes to the assessment of **likely** Impending Danger threats. This is especially true with **likely** Impending Danger because we are not applying the threshold criteria to such limited information at Access like we otherwise would in Initial Assessment and Ongoing Services.

Since we cannot rely on our subjective interpretation to determine if the information in the report suggests attitudes, behaviors, beliefs, motives, emotions, perceptions, or situations pose a threat in the near future, we use the same 4-step process we use to assess for Present Danger: **1.** Consider case information, **2.** Identify Impending Danger Threats, **3.** Consider the definition of Impending Danger, and **4.** Confirm all **Likely** Impending Danger Threats.

Rather than apply threshold criteria at Access, we can apply a the 4-step framework to assess for **likely** Impending Danger. This is useful since CPS is not concerned about **all** family conditions that may be reported to the agency; instead, CPS is narrowly concerned about family conditions that are **likely** to result in severe harm/effects to a child based on what we know constitutes a danger to them. In the absence of threshold criteria, the framework helps to standardize the approach towards decision making and ensure a consistent means of determining whether a report has sufficient and relevant information to suggest a child is **likely** to be experiencing impending danger.

On the next page, let’s clarify how we think about the assessment of **likely** Impending Danger at Access, using the same 4-step framework we used to assess for Present Danger.

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<sup>11</sup> Supervising Safety Curriculum, Module 1: Present Danger, Supervision at Access, pgs. 2-3.

# 4 Step Framework

## *Assessing Likely Impending Danger*

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### Step 1: Consider the case information:

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- Determine the household of concern.
- Identify relevant and sufficient information.
- Highlight each family(s) conditions that concern CPS.

Be clear about the “what” of CPS concern. Remember when we are assessing for **Likely Impending Danger** at Access, we are asking whether this is a family attitude, behavior, belief, motive, emotion, perception, or situation that may not be currently active.

### Step 2: Identify all Impending Danger Threats that are likely connected to the family condition(s).

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The list of Impending Danger threats captures the types of family conditions that concern CPS. We reference the list of Impending Danger threats in Step 2 to differentiate between family conditions that are generally concerning to the public and those that are of particular concern to CPS. In the next step, we apply the definition of likely and Impending Danger to determine if the threat is likely.

### Step 3: Consider the definitions of Likely and Impending Danger.

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Again, we do not apply threshold criteria to limited information from a single source (i.e., reporter), so we are only selecting threats that the information suggests are **likely**. Initial Assessment will need to assess further for CPS to determine if it is indeed an Impending Danger.

For any Impending Danger Threat identified, we must be able to describe that the family behavior, value, motive, emotions, and/situation may not be currently active but can be anticipated to have severe effects on a child at any time in the near future.

### Step 4: Confirm all Likely Impending Danger Threats.

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Now that you applied the definition of likely and Impending Danger to each family condition, you are ready to confirm which Impending Danger Threats are indicated in the CPS report.



As you know, when **likely** Impending Danger is identified in a CPS report, it must be screened in for further, continued assessment in Initial Assessment to determine if safety intervention is indeed necessary. Unlike Present Danger threats, CPS is not required to respond immediately when **likely** Impending Danger is indicated.

## When Present and Likely Impending Danger is Ruled Out

Now that we have established how to think about the assessment of Present and **likely** Impending Danger at Access and use the 4-step framework to assess for both, let's talk about what you do when a CPS report does not indicate either. Once Present Danger and **likely** Impending Danger are assessed and ruled out, a CPS response may still be needed because our authority to conduct an Initial Assessment extends to those cases where the report provides information that a child may be subject to or threatened with maltreatment that meets the definition of abuse or neglect as defined under Wis. Stat. 48.02 (1) or (12g).<sup>12</sup> Let's return to the criteria listed in VI. A. 1 to see what else might constitute a screen-in. The criteria in VI. A. 1 state that if the allegations in the CPS report describe any of the following then it still constitutes a screen-in, even if Present and **likely** Impending Danger have been ruled out.

- Conditions, behaviors, or actions that create a reason to suspect that child abuse or neglect as defined in the statutes has occurred, **or**
- Behaviors or conditions that create a reason to suspect a child has been threatened with abuse or neglect as defined in the statutes, **or** behavior or action or inaction that creates a reason to suspect it may have resulted in maltreatment of a child, **or**
- Injuries to or a condition of the child that creates a reason to suspect it to be a result of maltreatment, **or**
- Conditions, behaviors, or actions that a reasonable person would suspect resulted in a 'child's death due to maltreatment (regardless if other children are in the home).

When there are no Present Danger Threats identified in a CPS report and **likely** Impending Danger Threats have also been ruled out, the last question is, **can CPS screen out the report?** According to section VI. A. 2 of **CPS Access & Initial Assessment Standards**, if one or more of the listed criteria exist in the CPS report, then a case may be screened out. The four criteria are as follows:

**If one or more of the following exist, a local child welfare agency may screen out the report:**

- The alleged victim is 18 years of age or older, **or**
- There is insufficient information to identify and locate the child or family, **or**
- The allegations, even if true, would not meet the statutory definitions of abuse or neglect or threatened abuse or neglect (see Appendix 5: Statutory Definitions of Abuse and Neglect), **or**
- The report of alleged abuse is by a person who is not a "caregiver" as defined in Wis. Stat. § 48.981(1)(am) (except in reports alleging Sex Trafficking of a Child (Wis. Stat. § 948.051) by an individual in a non-caregiving role [Wis. Stat. § 48.981(3)(c)1.a] which are required under statute to be screened in), and the local child welfare agency has decided to not investigate such reports.

<sup>12</sup> CPS Access & IA Standards, VI. The Screening Decision, pg. 24

## Conclusion

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CPS professionals are tasked with four decisions at Access: assessment type, screening, response time, and notifications. These decisions balance the need to protect children while ensuring that they uphold constitutional protections against unjustified intervention in family life.<sup>13</sup> It is with this seriousness that we wrap up our discussion about the decision-making at Access. When we first assess for Present and **likely** Impending Danger and then review criteria found in VI. A. 1 and VI. A. 2, it helps ensure we first determine what we **think** about the reported information before deciding what we **do**. It also pushes us to justify our decision-making so we can be accountable for it. CPS professionals cannot justify decision-making if we only know what we **do** (i.e., screen in or out), not how we **think** about the reported information. How we think about the information in the CPS report matters when it comes to articulating CPS's rationale for further, continued assessment in Initial Assessment, or the lack thereof. This is important when communicating decisions to parents, children, staff, and community partners since we know, ***"consistency in decision-making is an important factor in developing the trust of community members and also for the preservation of equality and justice."***<sup>14</sup>

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<sup>13</sup> CPS Access & IA Standards, VI. The Screening Decision, pg. 24

<sup>14</sup> Skrypek, M., Woodmass, K., Rockymore, M., Johnson, G., & Wells, S. J. (2017). Examining the potential for racial disparity in out-of-home placement decisions: A qualitative matched-pair study. *Children and Youth Services Review*, 75, 127–137. <https://doi.org/10.1016/j.childyouth.2017.02.010>

# Screening-In Access Report

Child under 18 and can be located?

Yes

No

Allegations describe conditions, behaviors, or actions that create reason to suspect child abuse or neglect, as defined in the statutes, has occurred.

Screen out.

No

Yes

Allegations describe conditions or behaviors that create reason to suspect a child has been threatened with abuse or neglect as defined in the statutes.

If *Present Danger* not present, assess for *Likely Impending Danger*, then go to *Response Time chart*.

No

Yes

Allegations describe behavior or an action or inaction that creates reason to suspect it may have resulted in maltreatment of a child.

If *Present Danger* not present, assess for *Likely Impending danger*, then go to *Response Time chart*.

No

Yes

Allegations describe injuries to or a condition of the child that create reason to suspect it to be a result of maltreatment.

If *present danger* not present, assess for *Likely Impending Danger*, then go to *Response Time chart*.

No

Yes

Allegation describe conditions, behaviors, or actions that a reasonable person would suspect resulted in a child's death due to maltreatment (regardless if other children are in the home).

If *Present Danger* not present, assess for *Likely Impending Danger*, then go to *Response Time chart*.

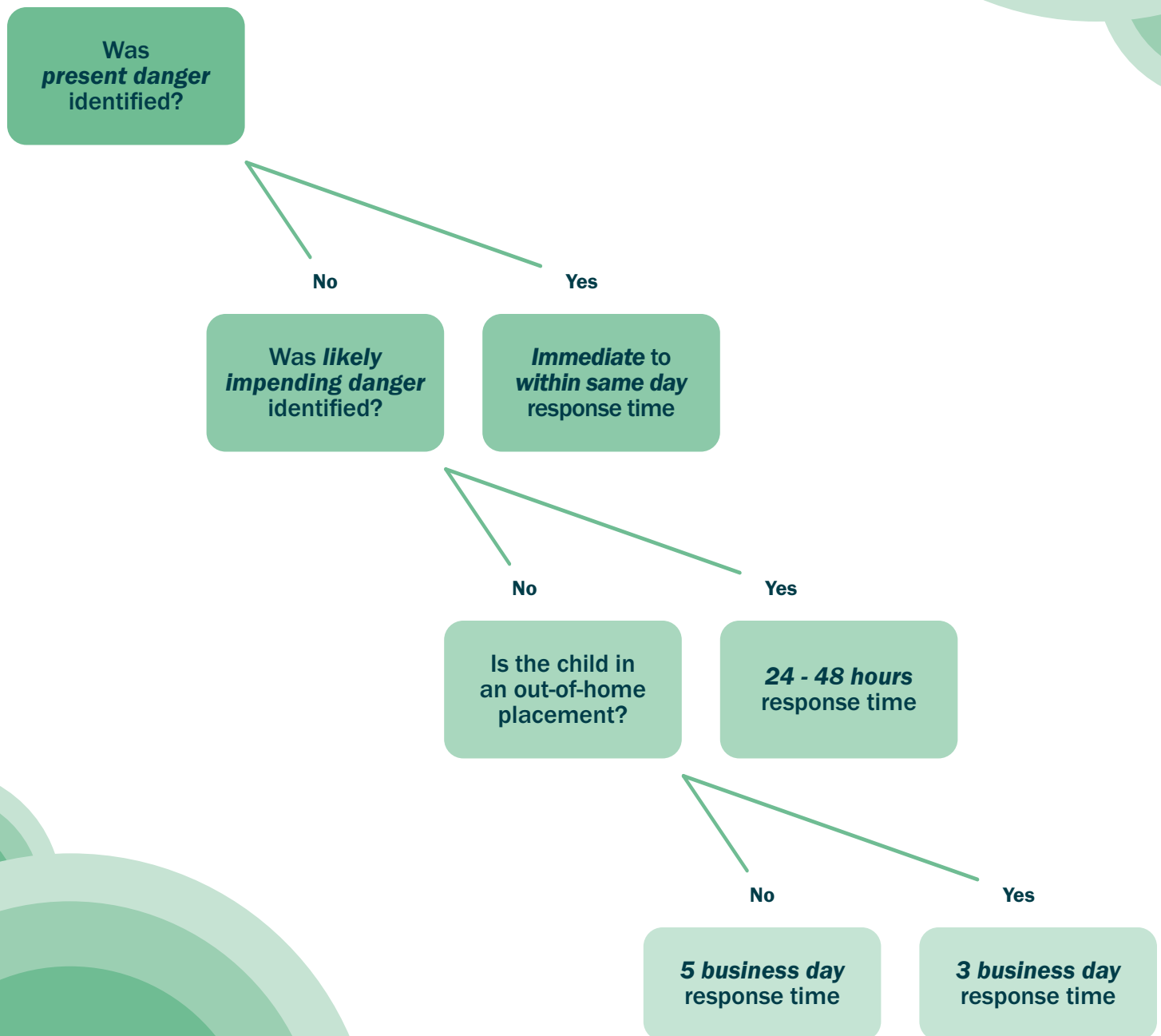
No

Yes

Screen out.

If *Present Danger* not present, assess for *Likely Impending Danger*, then go to *Response Time chart*.

# Response Time Decision Tree



# Present Danger Decision Tree

