

Threat of Harm Dispositional Guidelines

These guidelines are intended to assist caseworkers in making CPS Dispositions of “threat of harm”. (They are not to be used as a CPS screening tool.) In using these guidelines the caseworker must first consider the child abuse definition on “threat of harm” and the definition of “severe harm”:

- **“Threat of harm”**, including all activities, conditions, and circumstances that place the child at threat of **severe harm** of physical abuse, sexual abuse, neglect, mental injury, or other child abuse or neglect. (OAR 413-015-1000)
- **“Severe harm”** means:
 - significant or acute injury to a child's physical, sexual, psychological, cognitive, or behavioral development or functioning;
 - immobilizing impairment; or
 - life-threatening damage. (OAR 413-015-0115)

This means that the threatened harm is so severe that it is considered to be abuse in and of itself. The following information provides specific guidance in making dispositions of “threat of harm” in the following areas: mental injury, physical abuse, neglect, sexual abuse/exploitation, and domestic violence.

Threat of Harm/Mental Injury

- Parent/Caregiver has a child currently out of their care or parental rights have been terminated due to mental injury and the parent/caregivers behaviors, conditions or circumstances that resulted in the severe harm have not been ameliorated (i.e.; improved or made better).
- A child has been exposed to cruel and unconscionable parental/caregivers behaviors such as repeated incidents of spurning, terrorizing, torture, or a single act of extreme violence such as murder of another child which may impact the child's psychological, cognitive or behavioral development. It is reasonable to believe this exposure would result in severe harm.
- Parent/Caregiver has caused mental injury to any child and the parent/caregiver’s behaviors, conditions, circumstances causing the severe harm have not been ameliorated.

Threat of Harm/Physical Abuse

- Parent/Caregiver currently has a child out of their care or parental rights have been terminated due to physical abuse and the parent/caregivers behaviors, conditions, or circumstances causing the severe harm have not been ameliorated.
- Parent/Caregiver’s reckless treatment toward a child could have resulted in severe physical harm.

- Parent/Caregiver has caused severe physical abuse to any child and the parent/caregiver's behaviors, conditions or circumstances causing the severe harm have not been ameliorated.
- Parent/Caregiver has unlawfully caused the death of a child and the parent/caregiver's behavior, conditions or circumstances causing the death have not been ameliorated.

Threat of Harm/Neglect

- Parent/Caregiver has a child out of their care or parental rights have been terminated due to neglect and the parent/caregiver's behaviors, conditions or circumstances causing severe harm have not been ameliorated.
- Parent/Caregiver's current mental condition places the child at a threat of severe harm.
- Parent/Caregiver has neglected a child causing the death of a child and the parent/caregiver behavior, conditions or circumstances causing the death have not been ameliorated.

Threat of Harm/Sexual Abuse/Exploitation

Please refer to [Child Welfare Practices for Cases with Child Sexual Abuse](#) for guidance.

Threat of Harm/Domestic Violence¹

- The child was present and in direct proximity to the violence (including, but not limited to; being held while partner is being assaulted, or physically restrained from leaving), or
- The child was actively intervening or threatening to actively intervene in a violent act, or
- A child has been exposed (exposure means seen or directly perceived in any other manner) to the battering behaviors of a parent/caregiver such as:
 - violence increasing in severity or frequency, and/or
 - repeated serious incidents of domestic violence, and/or
 - use of weapons, and/or
 - believable threats of suicide or homicide; or
 - a single act of extreme violence.

AND it is reasonable to believe the battering behavior could result in severe harm to the child.

- Parent/Caregiver has caused the death of the child's parent/caregiver and the behaviors, conditions, or circumstances that caused that death have not ameliorated.

¹ Domestic Violence means a pattern of coercive behavior, which can include physical, sexual, economic, and emotional abuse, that an individual uses against a past or current intimate partner to gain power and control in a relationship.