



no shame.

no blame.

no names.

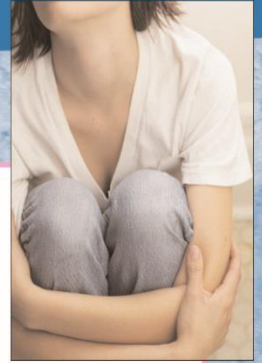
1.877.BABYSAF

(1.877.222.9723)

California's

Safe Surrender Baby Law SB 1368





Purpose

- To protect babies from being hurt or killed because they were abandoned.



Who can surrender a baby?



- In California, The law allows *a parent or legal guardian* to confidentially surrender an infant, three days old or younger into the arms of any *hospital emergency room* or *fire department staff*.



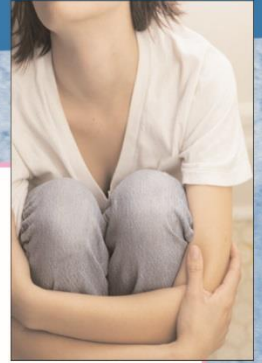
Safe Surrender Sites



- Designated Safe Surrender Sites are required to post a sign utilizing a statewide logo that has been adopted by the State Department of Social Services that notifies the public of the location where a minor child 72 hours old or younger may be *safely surrendered*.



Safe Surrender Sites



In Kern County, The Board of Supervisors has expanded the sites to include:

- Hospital Emergency Rooms
- City or County Fire Departments



Confidentiality



- If the parent/legal guardian *safely* surrenders their baby to a hospital or fire department within the first 72 hours of the baby's life, they will have *immunity from criminal prosecution for abandonment and neglect, (provided there are no signs of abuse – CWS Policy)*
- *The parent or guardian who safely surrenders a baby does not have to give his/her name, thus guaranteeing confidentiality.*





Protecting Confidentiality

- In cases where a parent's name is known, the law states,
 - *“Any personal identifying information that pertains to the parent or individual who surrenders a child shall be redacted from any medical information provided to child protective services or the county agency providing child welfare services and shall not be disclosed by any personnel of a Safe Surrender Site that accepts custody of a child.”*



– Taken from Senate Bill 139, Chapter 150

Confidentiality *Continued*



- If the baby shows visible signs of abuse or neglect, information may be requested of the parent or person surrendering the baby, and the Safe Surrender Law may not apply.



What happens next?

- Once the baby has been surrendered, the person surrendering the child shall be provided a coded, confidential bracelet that matches the ankle bracelet placed on the infant.



Medical Questionnaire



The personnel receiving the surrendered child shall make a good faith effort to provide to the parent or other individual surrendering the child with a **medical information questionnaire**.

The questionnaire may be:

- Declined
- Voluntarily filled out and returned at the time the child is surrendered
- or later filled out and mailed in the envelope provided for this purpose.



Medical Questionnaire

Continued



This medical questionnaire shall not require any identifying information about the child or the parent or individual surrendering the child, other than the identification code provided in the ankle bracelet placed on the child.



Medical Questionnaire

Continued



Every questionnaire provided shall begin with the following notice in no less than 12-point font:

Notice:

The baby you have brought in today may have serious medical needs in the future that we don't know about today. Some illnesses, including cancer, are best treated when we know about **family medical histories**. In addition, sometimes relatives are needed for life-saving treatments. To make sure this baby will have a healthy future, your assistance in completing this questionnaire fully is essential. Thank you.



Hospitals and Fire Departments

- The hospital or fire department taking physical custody of the baby must conduct a medical examination and provide any needed medical care.



After the Child is Surrendered



- After taking physical custody of the infant, the accepting personnel is required to notify the county ***Child Welfare Services*** (CWS/CPS) agency no later than 48 hours and also provide any pertinent medical information.
- CPS 24 – hour Hotline: (661) 631-6011



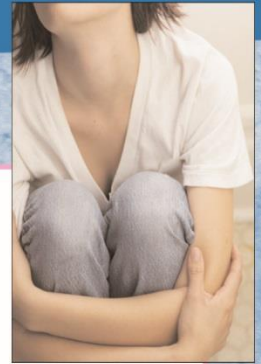
Child Welfare Services Agency ***(CWS/CPS)***



- The county CWS agency is responsible for taking temporary custody of the child immediately upon receiving notification that a baby has been surrendered.
- CWS agency must immediately investigate the details of the case and file a petition for dependency with the juvenile court.

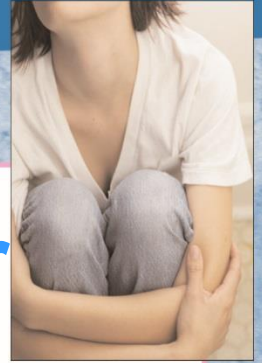


CWS *continued*



- CWS must also immediately notify the State Department of Social Services of each child surrendered.
- CWS must also report (within 24 hours) all known identifying information concerning the child, ***except*** personal identifying information pertaining to the parent or individual who surrendered the child, to the ***California Missing Children Clearinghouse*** and the ***National Crime Information Center***.
- Identifying information about the parent or person surrendering the child is excluded from all public information.





What happens to the baby after he/she is surrendered?

- The law allows for a **14-day “cooling off” period** for the person surrendering the baby. The 14-day period begins on the day the baby is surrendered.
- During this time, the person who surrendered the infant may seek to reclaim the baby.
- If the child is still in the custody of the Safe Surrender Site when the parent attempts to reclaim the child, the personnel of the safe-surrender site shall either return the child to the parent or individual or contact a child protective agency.



Reclaiming the baby



- If an attempt to reclaim a baby is made, the CWS agency would follow existing procedures and protocols in effect prior to releasing the child to an abandoning parent. Including:
 - Verifying the person's identity,
 - Conducting an assessment of the person's circumstances and ability to parent,
 - Request the juvenile court dismiss the petition for dependency
 - Order the release of the child unless there is a reasonable cause to believe that such action would place the child at risk of abuse or neglect.

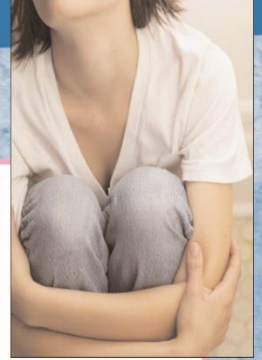


Reclaiming the baby *continued*



- After the 14-day period in which a parent may reclaim the child, there will be no further consideration to allow a parent to visit the child or see the child after that date.

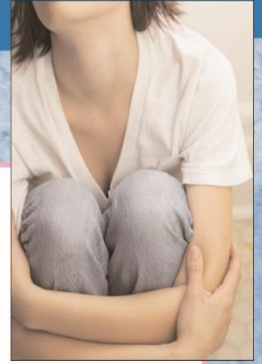




If the child is not reclaimed

- If the baby is not reclaimed, the dependency process continues.
- The baby becomes a dependent of the court and enters the foster care system, with **adoption as the goal**.





Safe Surrender vs. Abandonment or Voluntary Relinquishment

- What's the difference?
 - Safe Surrender
 - Under 72 hours of age AND surrendered at a hospital, fire station OR delivered at a hospital and mother **clearly indicates that she is aware of the SSB Law** and wishes to surrender her baby under the law.



Abandoned Surviving Baby



- Abandoned in a public location (dumpster, alley, rail yard, residence steps, stairwells, etc.) OR
- Abandoned in a private location (hidden and/or abandoned in private residence closets, bathtubs, wastebaskets, etc) AND
- Survives



Abandoned Deceased Baby



- Killed (asphyxiated, etc.) in a public (dumpster, alley, rail yard, residence steps, stairwell, ocean, etc.) or private (private residence closet, bathtub, wastebasket, etc.) location OR
- Died from abandonment (dehydration, hyper/hypothermia, etc.) in a public or private location



Voluntary Relinquished Baby



A baby of parents who do not believe they have the means, ability and/or desire to parent their baby. Such parents may choose to place the baby for adoption.

Adoption through voluntary relinquishment is the best option for a parent who is unable to care for a baby, as it affords rights to the parent placing the baby for adoption and best serves the needs of the adopted baby and the adoptive parents.



Stats



- As of January, 2019, Kern County has had 71 Safely Surrendered Babies since 2006.





Contact Information

- [1-877-BABYSAF \(1-877-222-0723\)](tel:1-877-BABYSAF)
- 2-1-1
- www.babysafe.ca.gov
- CPS – 24 hour hotline – (661) 631-6011

