

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



September 20, 2002

ALL COUNTY INFORMATION NOTICE I-68-02

TO: ALL COUNTY WELFARE DIRECTORS
 ALL CHILD WELFARE SERVICES
 PROGRAM MANAGERS
 CHIEF PROBATION OFFICERS

REASON FOR THIS TRANSMITTAL

- State Law Change
 Federal Law or Regulation
 Change
 Court Order
 Clarification Requested by
 One or More Counties
 Initiated by CDSS

SUBJECT: SAFELY SURRENDERED BABY LAW – PUBLIC AWARENESS
 (SB 1368) (Brulte), Chapter 824, Statutes of 2002

REFERENCE: Senate Bill 1368 (Chapter 824, Statutes of 2000) All-County Letter
 No. 02-01

The purpose of this All-County Information Notice (ACIN) is to provide information about the launching of a Safely Surrendered Baby Law public awareness campaign and the availability of materials to increase awareness and to help promote this important law.

On January 1, 2001, California became one of many states to enact a new law that is intended to provide for the health and safety of newborn children. The Safely Surrendered Baby Law (Senate Bill 1368, Chapter 824, Statutes' of 2000) was formerly called the Safe Arms for Newborns Law. Details about the provisions and implementation of this new law were provided in All-County Letter No. 02-01.

Public Awareness Materials

The California Department of Social Services is in the process of launching a public awareness campaign to promote the Safely Surrendered Baby Law. Public education materials include PUB 401 posters, PUB 400 brochures and PUB 402 wallet-sized cards and are available for immediate use. These materials provide information about the Safely Surrendered Baby Law and are available in both English and Spanish. Counties are encouraged to post the posters and distribute the brochures and cards in locations where they can be seen easily by the public.

Space is available on the front of the brochure for counties to include county specific information, e.g. toll-free telephone numbers, additional drop-off sites that have been designated by county boards of supervisors, etc.

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Internet Website

In an effort to publicize the Safely Surrendered Baby Law in the most expedient and cost effective manner possible, an Internet website has been established to enable counties and all other interested parties to obtain camera-ready copies of the public education materials by simply downloading and printing as needed. The website can be accessed at http://www.dss.cahwnet.gov/cdssweb/On-lineFor_271.htm. If you have difficulty accessing the website or you want camera-ready “hard copies” of the public education materials, counties may contact the CDSS’ Forms Management Unit at (916) 657-1907, or CALNET at 437-1907.

Ordering Options

In addition to downloading the public education materials from the website, counties may also order the materials using the following procedures:

- For quantities of 100 or less, contact the Office of Child Abuse Prevention at (916) 445-2771.
- For quantities of 100 or more order forms on the County Forms Order (GEN 727B). Send order to: CDSS Warehouse
P.O. Box 980788
West Sacramento, CA 95798-0788

If you have questions regarding the public awareness and outreach materials for the Safely Surrendered Baby Law, please contact the Office of Child Abuse Prevention at (916) 445-2771. Other questions regarding the Safely Surrendered Baby Law should be directed to the Child Welfare Policy and Program Bureau at (916) 445-2890.

Sincerely,

Original signed by Syliva Pizini

SYLVIA PIZZINI
Deputy Director
Children and Family Services

Enclosures

**no shame.
no blame.
no names.**

**now there's a way to
safely surrender your baby**



Safely Surrendered Baby Law

A Confidential Safe Haven For Newborns

In California, the Safely Surrendered Baby Law allows an individual to give up an unwanted infant with no fear of arrest or prosecution for abandonment as long as the baby has not been abused or neglected. The law does not require that names be given when the baby is surrendered. Parents are permitted to bring a baby within 3 days of birth to any hospital emergency room or other designated safe haven in California. The baby will be placed in a foster or pre-adoptive home.



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State of California
Gray Davis, Governor
Health and Human Services Agency
Grantland Johnson, Secretary
Department of Social Services
Rita Saenz, Director

Certainly we would prefer that women seek help while they are pregnant, not after giving birth, to receive proper medical care and counseling. But at the same time, we want to assure parents who choose not to keep their baby that they will not go to jail if they deliver their babies to safe hands in a hospital emergency room.

The California Safely Surrendered Baby Law:

Allows a distressed birth parent(s) to legally, confidentially, and safely surrender their baby

Provides a safe place for babies

Protects the parent(s) from arrest or prosecution for abandonment as long as the baby has not been abused or neglected

Does not require that names be given when the baby is surrendered

Permits parents to bring a baby within 3 days of birth to any hospital emergency room in California

In California, no one ever has to abandon a child again.



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PUB 400 (8/02)

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What is the Safely Surrendered Baby Law?

It's a new law. Under this law, a person may surrender their baby confidentially. As long as the baby has not been abused or neglected, the person may do so without fear of arrest or prosecution.

How does it work?

A distressed parent who is unable or unwilling to care for an infant can legally, confidentially and safely surrender their baby within 3 days of birth. All that is required is that the baby be brought to a hospital emergency room in California. If there are additional places, they will be listed on the back of this brochure. As long as the child shows no signs of abuse or neglect, no name or other information is required. A bracelet will be placed on the baby for identification. A matching bracelet will be given to the parent. The bracelet will help connect the parent to the baby if the parent wants the baby back.

Can only a parent bring in the baby?

In most cases, a parent will bring in the baby. The law allows another person to bring in the baby if they have legal custody.

Does the parent have to call before bringing in the baby?

No. A parent can bring in a baby anytime, 24 hours a day, 7 days a week.

Does a parent have to tell anything to the people taking the baby?

No. Nothing is required. However, hospital personnel will give the parent a medical information questionnaire that is designed to gather family medical history. This could be very useful in caring for the child but it is up to the parent to complete it.

What happens to the baby?

The baby will be examined and given medical treatment, if needed. Then the baby will be placed in a foster or pre-adoptive home.

What happens to the parent?

Once the parent(s) has safely turned over the baby, they are free to go.

What if a parent wants the baby back?

The parent(s) may take the bracelet back to the hospital. Hospital personnel will provide information about the baby.

Why is California doing this?

The purpose of the Safely Surrendered Baby Law is to protect babies from being hurt or killed because they were abandoned.

You may have heard tragic stories of babies left in dumpsters or public toilets. The persons who committed these acts may have been under severe emotional distress. The mothers may have hidden their pregnancies, fearful of what would happen if their families found out. Because they were afraid and had nowhere to turn for help, they abandoned their infants.

Abandoning a baby puts the child in extreme danger. It is also illegal. Too often, it results in the baby's death. Because of the Safely Surrendered Baby Law, this tragedy doesn't ever have to happen in California again.

The Eighteenth Safely Surrendered Baby in California

At 8:30 a.m. on Thursday, July 25, 2002, a healthy newborn baby was brought to St. Bernardine Medical Center in San Bernardino under the provisions of the California Safely Surrendered Baby Law.

This baby was the eighteenth child protected under California's Safely Surrendered Baby Law. As the law states, the baby's mother did not have to identify herself. When the baby was brought to the emergency room, he was examined by a pediatrician, who determined that the baby was healthy and doing fine. He was placed in a foster home for short-term care while the adoption process was started.

**Every baby deserves a chance for a healthy life.
If you or someone you know is considering
giving up a child, learn about your options.**
