

Safely Surrendered Baby Law

318.1 PURPOSE AND SCOPE

This policy establishes the guidelines to comply with the Safely Surrendered Baby (SSB) Law (Health and Safety Code § 1255.7).

This policy addresses infants who are less than 72 hours old and are surrendered under the terms of the SSB Law pursuant to Penal Code § 271.5 and Health and Safety Code § 1255.7. This policy does not address illegal desertion or abandonment of an infant as defined in Penal Code § 271. For an abandoned infant, see the Abandoned Infants Policy.

318.1.1 DEFINITIONS

Definitions related to this policy include:

Coded identification bracelets - Two small coded bracelets to be placed on the ankles of the surrendered infant and one large coded bracelet provided to the person surrendering the infant.

Medical questionnaire - The SSB Law requires that a medical questionnaire be offered to the person surrendering the infant for the purpose of collecting medical information critical to the health and survival of the infant.

Safe-surrender site - Any District facility designated by the local governing body (Health and Safety Code § 1255.7).

318.2 POLICY

It is the policy of the Fresno County Fire Protection District to provide an option to protect infants by allowing parents or persons with lawful custody to safely and confidentially surrender infants at any fire station that has been designated as a safe-surrender site (Health and Safety Code § 1255.7).

318.3 PROCEDURE

The Fire Chief shall identify personnel qualified to take custody of surrendered infants and ensure that such qualified personnel are available to receive any surrendered infants (Health and Safety Code § 1255.7).

The Administration Division Chief shall ensure that District facilities designated as safe-surrender sites display the California state-approved Infant Safe logo.

The following procedures will be used by personnel at all District facilities that have been designated as safe-surrender sites (Health and Safety Code § 1255.7).

- (a) Site preparation:
 - (a) All District facilities designated as safe-surrender sites will display the California state-approved Infant Safe logo near the front door, adjacent to a 9-1-1 call box if possible. In addition, fire station lobbies should display public outreach brochures obtained from the state or the local child welfare agency.

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- (b) Each safe-surrender site shall have a person designated as responsible to order, maintain and inventory, on a monthly basis, Safe Surrender Kits that contain coded identification bracelets, the medical information questionnaire and a fact sheet regarding the SSB Law.
- (c) Each designated safe-surrender site shall have a person responsible for maintaining any donated blankets and maintaining current contact information for the local child welfare agency.
- (b) Accepting a surrendered infant:
 - 1. Qualified personnel shall accept a surrendered infant, even if the infant appears older than 72 hours. If the infant appears to be older than 72 hours, the receiving personnel should immediately notify law enforcement and the appropriate child welfare agency, as provided in the Abandoned Infants Policy.
 - 2. The receiving personnel shall notify the Emergency Command Center of a "medical aid" at the station and request an ambulance and a paramedic unit, if one is not available in quarters. Avoid radio traffic declaring an "infant safe surrender," to maintain confidentiality.
 - 3. If it appears that the infant has been the victim of child abuse or neglect, law enforcement personnel should be requested.
- (c) Following acceptance of an infant:
 - 1. Receiving personnel shall open a Safe Surrender Kit and place the small coded bracelets on the infant's ankles and make a good faith effort to give the large coded bracelet to the person surrendering the infant to facilitate reclaiming the infant.
 - 2. Receiving personnel shall make a good faith effort to provide the fact sheet from the kit to the surrendering person. The law requires that the medical questionnaire also be offered to the surrendering person. This is a voluntary document, however, and can be declined by the surrendering person.
 - 3. The surrendering person should be encouraged to accompany the infant to the hospital to give the medical history directly to the hospital staff and should be reassured that the same protection from prosecution and the ability to surrender the child is available at the hospital.
 - 4. If the surrendering person does not wish to accompany the infant to the hospital, the surrendering person should be encouraged to complete the medical questionnaire and should be given assistance, if needed.
 - 5. If the surrendering person is unwilling to complete the questionnaire and unwilling to accompany the infant to the hospital, personnel should make a good faith effort to provide the surrendering person the following items from the kit:
 - (a) The business reply envelope containing the medical questionnaire, which can be filled out later and returned by mail.
 - (b) The fact sheet

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- (c) The surrendering person's copy of the coded bracelet
- (d) Medical assessment and documentation:
 - 1. A qualified health care professional shall assess the infant to identify any immediate treatment needs and complete a Pre-Hospital Care Report (PCR) for the infant. The bracelet code number shall be included on the infant's PCR in the patient name field.
 - 2. If the surrendering person is the birth mother, a qualified health care professional should attempt to assess and treat her as necessary and pursuant to established Emergency Medical Services (EMS) protocols. If treated, the mother should be listed as "Jane Doe" to protect her anonymity.
 - 3. **DO NOT** use the parent's name on the PCR (Health and Safety Code § 1255.7(d)(2)).
- (e) Transportation to the hospital:
 - 1. Paramedics shall accompany the infant and surrendering person (if the person is willing to accompany the infant) to the nearest emergency room with labor and delivery capabilities.
 - 2. The receiving hospital will take custody of the infant and make immediate notification to the local child welfare agency.
 - 3. District personnel will coordinate with the hospital to confirm that the above required notification has been made as soon as possible but in no event later than 48 hours after the District has taken custody of the infant.
- (f) Additional notifications and media concerns:
 - (a) The receiving personnel shall notify their appropriate supervisor as soon as practicable.
 - (b) The supervisor will notify the Duty Officer, duty officer and the District Public Information Officer.
 - (c) The Public Information Officer may, as circumstances dictate, provide the following limited facts to the media:
 - (a) Date, time and fire station where the infant was surrendered
 - (b) Local child welfare agency representative's name and telephone number
 - (c) Under no circumstances shall the surrendering person's name be released to the public or media (Health and Safety Code § 1255.7(k))
- (g) Individuals who return to claim an infant:
 - (a) If a parent or individual who voluntarily surrendered an infant requests return of the infant while the District still has physical custody, the infant shall either be returned to the parent or individual or the receiving personnel should contact the local child welfare agency if any personnel at the safe-surrender site know or reasonably suspect that the child has been the victim of child abuse or neglect. The voluntary surrender of an infant is not in and of itself a sufficient basis for

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reporting child abuse or neglect. Possession of the ankle bracelet identification, in and of itself, does not establish a right to custody of the child and members may seek assistance from the child welfare agency.

- (b) If a parent or individual who voluntarily surrendered an infant requests return of the infant after the District has given up physical custody, the person should be directed to call the child welfare agency that has custody of the infant. District personnel should assist the person with the telephone call, as needed.
- (c) Notify the Emergency Command Center that the company is engaged in a "public assist" at the fire station.
- (d) The identity of the surrendering individual must still be kept anonymous and confidential.
- (e) Do not make any judgments about time frames or the individual's ability to care for the infant. The local child welfare agency will determine whether the infant is released to the individual.
- (h) Community donations:
 - 1. Community groups, volunteers, foundations and individuals may express interest in helping with this program. Some may want to donate baby supplies, such as baby food, diapers or blankets, directly to the fire station. The following guidelines are established:
 - (a) The only item a fire station may accept is a small, new baby blanket in the original wrapper. Donated blankets may be stored with the Safe Surrender Kits.
 - (b) Donors who wish to donate any other baby-related items, such as clothes, baby food or diapers, should be directed to a local social service agency and/or reputable charities.