

**County of Santa Clara**  
**Office of the County Executive**  
Children and Family Services, Public Safety & Justice  
Office of Public Communication & Outreach



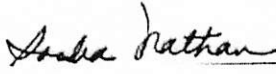
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Public Communication  
Director

DATE: August 17, 2005

TO: Supervisor James T. Beall, Jr., Chairperson  
Supervisor Don Gage, Vice-Chairperson  
Children, Seniors & Families Committee

FROM:   
Sandra Y. Nathan  
Deputy County Executive

SUBJECT: Safely Surrendered Baby Protocol for Media Notification

**RECOMMENDED ACTION**

Consider proposed protocol for handling media inquiries about Safely Surrendered Babies and forward to the Board of Supervisors for consideration.

**FISCAL IMPLICATIONS**

There are no fiscal implications.

## **REASONS FOR RECOMMENDATION**

At the April 20, 2005 meeting of the Board of Supervisors, Supervisor Beall requested a report back to the Children, Seniors and Families Committee regarding the development of a media release protocol. A Protocol has been developed to serve as a guide for release of information to the public and the media about Safely Surrendered babies. The intent is to protect the confidentiality of the parent and infant, as provided for in Senate Bill 1368, as amended, and to ensure the best possible outcome for the infant.

## **BACKGROUND**

California's Safely Surrendered Baby Law allows parents to give up their baby confidentially to an employee at a designated safe surrender site. As long as the baby has not been abused or neglected, parents may give up their newborn without fear of arrest or prosecution. The purpose of the Safely Surrendered Baby Law is to deter parents from abandoning unwanted newborns. A distressed parent who is unable or unwilling to care for a baby may legally, confidentially and safely give up a baby within 72 hours of birth. The baby must be handed to an employee at a designated Santa Clara County Safe Surrender Site, including hospital emergency rooms and at any fire station in the county. As long as the child shows no signs of abuse or neglect, the parent or surrendering individual may remain anonymous. Upon surrender, a confidential ID bracelet is placed on the baby, and a matching bracelet will be given to the parent or surrendering adult. Because the surrender of an infant is an important life-altering decision, the law provides a 14-day period during which the parents or surrendering adults, may reclaim their newborns. To begin the process of reclaiming Parents must contact the Child Protective Services. Contact information is provided at the time of surrender. Once the parent(s) has safely turned over the baby, they are free to go. There are currently 98 Safe Surrender Sites in Santa Clara County, including all hospital emergency rooms and all fire stations. The baby will be examined and given medical treatment, if needed. Then the baby will be placed in a pre-adoptive home.

WHAT OTHER COUNTIES DO: The County Executive's Office of Public Affairs surveyed several other counties in the State to determine how public information about surrendered infants is handled. A matrix outlining the results of the informal telephone survey is attached. None of the counties contacted had a formal protocol for handling media inquiries. San Joaquin County, San Mateo County, Sonoma and Los Angeles County each refer inquiries to the equivalent of our Social Service Agency. These agencies do not release information about where the infant was surrendered. By contrast, Riverside County Fire departments and/or hospitals release information about when and where the surrendered occurred but once the infant is transferred to Child Protective Services, confidentiality is strictly observed. Marin County and Orange County neither have experienced a Safely Surrendered Baby, nor do they have media protocols. Orange County expects to develop a protocol later this fall. More information is available in the attached matrix.

This proposed protocol has been reviewed by the Social Services Agency, Public Health Department, the Fire Department and the Office of the County Counsel. It also had been reviewed by the Public Information Officer at Good Samaritan Hospital, which recently received a Safely Surrendered Baby, and the Hospital Council.

### **CONSEQUENCES OF NEGATIVE ACTION**

Failure to establish a protocol governing the release of information about infants surrendered under the Safely Surrendered Baby program may result in participating SSB sites creating disparate practices and policies concerning the release of such information.

### **STEPS FOLLOWING APPROVAL**

The County Executive's Office of Public Affairs will notify all County PIOs and SSB Sites of the new protocol.

### **ATTACHMENTS**

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- SSB Protocol for Media Information
- SSB Notification Form
- Counties Practices Matrix