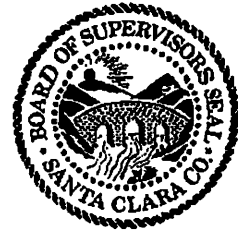


County of Santa Clara

Office of the Board of Supervisors
County Government Center, East Wing
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(408) 299-5040
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THIS RELATES TO:
November 23, 2004 Item No. 13
Supplemental Information No. 1



James T. Beall, Jr.
Supervisor Fourth District

MEMORANDUM

November 23, 2004

TO: Board of Supervisors

FROM: James T. Beall, Jr.
Supervisor, District Four
Chairperson, Safe Haven Task Force

RE: Recommendations of the Safe Haven Task Force

RECOMMENDED ACTION

Consider recommendations proposed by the Safe Haven Task Force to raise public awareness of the Safely Surrendered Baby Law.

POSSIBLE ACTIONS:

- A. Approve short-term recommendations not requiring additional resources for immediate implementation.
1. The Office of the County Executive is to designate a County department to coordinate the implementation of the Task Force's recommendations and convene its Steering Committee.
 2. Encourage all jurisdictions to pass Safe Haven resolutions.
 3. The Fire Department is to implement the Safe Haven protocol and procedure, and provide "Newborn Safe Surrender Kit" and signs to all county departments and other jurisdictions that are designated as safe surrender baby sites. There are approximately 95 fire stations within the County of Santa Clara. The County Fire Department will provide a state approved Safe



- Surrender Baby sign and two kits each to the designated fire stations and 30 kits to the American Medical Response who will transport the baby to the hospital. Each kit will include a pair of identifying wrist bands for the surrendering party and an anklet for the baby, medical questionnaire and instructions. The Valley Medical Center will provide the wrist bands and anklets to the County Fire Department. The Safe Surrender Baby signs will cost \$20 each for 95 fire stations totaling \$1,900. The County Fire Department has agreed to absorb the cost of Safely Surrender Baby signs.
4. Consider allowing all Santa Clara County jurisdictions' fire departments to respond to 911 calls as an option for surrendering a newborn.
 5. Build on the State's \$1 million investment in the Safely Surrendered Baby Law Public Awareness campaign.
 6. Establish partnerships to advance public information campaign.
 7. On an interim basis, continue to disseminate existing materials developed by the State.
 8. Develop a flow chart of safe surrender process for all affected county agencies and relevant non-county entities who may be involved in the act of surrender. For example, an employee of a community based organization may act as a good samaritan. The safe surrender process must be accessible and sensitive to the surrendering party.
 9. Assemble a training team to train and educate those distributing Safely Surrendered Baby Law information.
 10. Train personnel and staff likely to receive infant using the county-provided kits and signs.
 11. Develop a process for reclaiming a baby within the guidelines set forth by California Department of Social Services and Safely Surrendered Baby Law. This may include information on parental reunification process, information and resources on medical and mental health services and a mechanism to involve Child Protective Services.
 12. Inform Child Protective Services, hospitals and law enforcement of the first responder's protocols.
 13. Develop a communication mechanism within and across sites on procedures and provide feedback after an incident.
 14. Collaborate with the community clinics in their role and function as secondary safe surrender baby sites to ensure consistency and seamless process.
 15. Formalize agreement with the community clinics in the development of countywide protocols and staff training.
 16. Conduct a safe surrender drill at the Valley Medical Center involving all necessary key players, and hold a debriefing after the drill to share information with other hospitals and key players.

17. Convene all hospitals in Santa Clara County to review and share information on policies and procedures in order to develop, revise and update them as needed.
 18. Provide and mail postage-paid packets of medical questionnaire to the hospitals for their anonymous completion.
 19. Support or sponsor a legislative action to extend the sunset date of Safe Surrender Baby Law. The Law will sunset January 2006.
 20. Include in legislation extending or lifting the sunset on Safely Surrendered Baby Law, funding for a university- based statewide data analysis of risk factors associated with women who relinquish their babies, a population profile, and inventory of what other counties are implementing.
 21. Provide semi-annual report back to the Board of Supervisors on the implementation progress of the Safe Haven resolution.
- B. Approve moderate-term recommendations requiring strategic and budget planning or additional resources that ensure successful public awareness of the Safely Surrendered Baby Law.
22. Create a Steering Committee to oversee development of public awareness campaign.
 23. Create a fundraising committee to explore and secure funding for information campaign.
 24. Obtain technical assistance to develop protocols.
 25. Retain a public relations agency to develop a culturally sensitive media campaign.
 26. Work with a public relations agency to develop and implement a public awareness campaign for SSB Law.
 27. Create standard logo, images and name to be used in the campaign and at SSB websites.
 28. Create a website providing information on SSB Law, Safe Surrender sites, help line and download-able training materials.

FISCAL IMPACT

At this time no general fund impact exists.

Safe Haven Task Force has developed two categories of recommendations:

- A. Recommendations not requiring additional resources for immediate implementation.
- B. Recommendations requiring strategic planning and budget resources. The departments designated as responsible for implementing the recommendations will include cost impacts within department budgets submitted during the

annual budget process. These costs will be reviewed by the Board of Supervisors at policy committees, budget workshops, and budget hearings.

The County Fire Department has agreed to absorb the anticipated \$1,900 one-time cost of providing Safely Surrendered Baby Kits and signs to all fire stations within the county.

The Safe Haven Task Force recommends cost-effective collaboration by leveraging currently existing resources through partnerships that would include but are not limited to the adjacent counties to the County of Santa Clara, community based organizations, cities, and the First Five Commission of Santa Clara County. The Office of the County Executive will lead the effort to explore alternative funding sources to help mitigate the fiscal impact to the County and our community-based partners. It is anticipated that the outside funding sources could potentially include grants from First Five Commission, foundations, and baby-oriented private corporations.

BACKGROUND

As of July 2004, four infants have been abandoned in Santa Clara County. In three cases, the infants were found dead. In June 2003 a stillborn was found in City of Milpitas. On June 13, 2004 the mother complied with aspects of the law although she did not release the baby in San José at a Safe Haven site. On July 8 and 18, 2004 two infants were discovered dead in the City of Palo Alto. Reports indicate that those who abandoned the infants were not aware of the law that could have kept these babies alive.

Legislation has clearly defined requirements for safe surrender of infants. The Safely Surrendered Baby Law (SB 1368), which went into effect on January 1, 2001, allows a parent or legal guardian to confidentially surrender a newborn infant, 72 hours old or younger, without any fear of arrest or prosecution for child abandonment to any staff at a hospital emergency room or other designated Safe Surrender sites as long as the baby has not been abused or neglected. Thereafter, additional legislation was approved on August 1, 2003. SB 139 requires the safe surrender baby sites to use statewide logo and authorizes the Board of Supervisors to designate safe baby surrender sites. Finally in July 2004, the "Good Samaritan" Liability (SB 1413) was approved. This law indicates that a "person who in good faith, provides assistance in safe surrendering an infant shall not be civilly liable."

Due to the disturbing incidents of the past year Supervisor Beall believes that the County must increase countywide efforts to broaden understanding of the Safely Surrendered Baby Law. On August 3, 2004, the Board of Supervisors accepted a

referral from Supervisor Beall and approved his request to direct the Administration to collaborate the local municipalities to include city fire stations as "Safe Haven" sites, approved the creation of a Safe Haven Task Force consisting of diverse and ethnic stakeholders to develop recommendations to reach goal of no babies being abandoned in Santa Clara County, and approved the appointment of Supervisor Beall as Chairperson of the Safe Haven Taskforce.

On September 14, 2004, the Board of Supervisors adopted a resolution directing the Fire Chief to implement the Safely Surrendered Baby Law at District fire stations throughout the County of Santa Clara to allow the safe and confidential release of newborn infants. The Board also directed the Fire Chief to ensure that staffs at each fire station "Safe Surrender" site are trained to take physical custody of a newborn pursuant to Health and Safety Code section 1255.7, and to prominently display the statewide approved Safe Surrender logo at each "Safe Surrender" site.

Safe Haven Taskforce (SHTF) Process and Highlights

In late August 2004, Patricia Kelsaw, a consultant for Safe Haven Task Force was selected by the Department of Public Health. An ad-hoc planning committee (Sandra Nathan, Ashlee Oh, Sandra Trafalis, Frank Motta, and Dolores Alvarado) met to develop the Safe Haven Task Force and its four subcommittees, project timelines, deliverables, and information templates.

Supervisor Beall chaired the Task Force with over 60 agencies represented from cities, fire departments, county departments, faith based organizations, community based organizations, foster parents, and community at large. The Task Force met on three occasions (September 16, October 13 and November 3, 2004) to review the background of the Safe Surrender Baby Law, identify its charges, roles and responsibilities and those of the subcommittees, and to develop recommendations for full Board of Supervisors review and approval.

In addition to the full Task Force meetings, the four subcommittees (Policy and Legislation, Health and Human Services, Public Safety, and Media, Education and Outreach) each met 4 to 5 times to identify additional stakeholders, evaluate current issues, and formulate preliminary recommendations.

Due to the leadership and advocacy of the Task Force, the Cities of Milpitas, Gilroy, San José, Saratoga, and Cupertino have adopted resolutions stating their intent to participate in the Safely Surrendered Baby Law and requesting designation of Safe Haven sites. The Cities of Los Altos, Campbell and Los Gatos have agendized the resolution, and the remaining cities are either in the process of adopting a resolution or anticipating designation as a Board approved Safe Haven site.

Safe Haven Taskforce (SHTF) Findings

Since the passage of SB 1368 in January 2001, Santa Clara county emergency rooms automatically were designated as "Safe Haven" sites. Local implementation had included the dissemination of state-developed training materials for initial outreach, establishment of policies at hospitals for abandonment of infants. Since June 2004, greater outreach and education to community-based organizations, hospitals, and health fairs have occurred. This increased outreach effort was accomplished through a partnership between the Public Health Department, Social Services Agency and the First Five Commission. With the recent designation of County district fire stations as additional Safe Haven sites and the creation of the Safe Haven Task Force, the County took a further step in strengthening the preventative aspect of the Safe Surrendered Baby Law, enhancing services to women of child-bearing age and their families, and designing and implementing public information campaign.

To achieve the goal of no babies being abandoned in the County, the Safe Haven Task Force made comprehensive recommendations as outlined below. They are categorized as (a) Short-term recommendations, relevant to both the primary safe surrender sites (hospitals, fire stations and ambulance vehicles) and the secondary safe surrender sites (Community based organizations, faith-based organizations, etc), and (b) Moderate-term recommendations that require further strategic planning and or budget planning.

A. Short-Term Recommendations

1. The Office of the County Executive is to designate a County department to coordinate the implementation of the Task Force's recommendations and convene its Steering Committee.
2. Encourage all jurisdictions to pass Safe Haven resolutions.
3. The Fire Department is to implement the Safe Haven protocol and procedure, and provide "Newborn Safe Surrender Kit" and signs to all county departments and other jurisdictions that are designated as safe surrender baby sites. There are approximately 95 fire stations within the County of Santa Clara. The County Fire Department will provide a state approved Safe Surrender Baby sign and two kits each to the designated fire stations and 30 kits to the American Medical Response who will transport the baby to the hospital. Each kit will include a pair of identifying wrist bands for the surrendering party and an anklet for the baby, medical questionnaire and instructions. The Valley Medical Center will provide the wrist bands and anklets to the County Fire Department. The Safe Surrender Baby signs will cost \$20 each for 95 fire stations totaling \$1,900. The County Fire Department has agreed to absorb the cost of Safely Surrender Baby signs.
4. Consider allowing all Santa Clara County jurisdictions' fire departments to respond to 911 calls as an option for surrendering a newborn.

5. Build on the State's \$1 million investment in the Safely Surrendered Baby Law Public Awareness campaign.
6. Establish partnerships to advance public information campaign.
7. On an interim basis, continue to disseminate existing materials developed by the State.
8. Develop a flow chart of safe surrender process for all affected county agencies and relevant non-county entities who may be involved in the act of surrender. For example, an employee of a community based organization may act as a good samaritan. The safe surrender process must be accessible and sensitive to the surrendering party.
9. Assemble a training team to train and educate those distributing Safely Surrendered Baby Law information.
10. Train personnel and staff likely to receive infant using the county-provided kits and signs.
11. Develop a process for reclaiming a baby within the guidelines set forth by California Department of Social Services and Safely Surrendered Baby Law. This may include information on parental reunification process, information and resources on medical and mental health services and a mechanism to involve Child Protective Services.
12. Inform Child Protective Services, hospitals and law enforcement of the first responder's protocols.
13. Develop a communication mechanism within and across sites on procedures and provide feedback after an incident.
14. Collaborate with the community clinics in their role and function as secondary safe surrender baby sites to ensure consistency and seamless process.
15. Formalize agreement with the community clinics in the development of countywide protocols and staff training.
16. Conduct a safe surrender drill at the Valley Medical Center involving all necessary key players, and hold a debriefing after the drill to share information with other hospitals and key players.
17. Convene all hospitals in Santa Clara County to review and share information on policies and procedures in order to develop, revise and update them as needed.
18. Provide and mail postage-paid packets of medical questionnaire to the hospitals for their anonymous completion.
19. Support or sponsor a legislative action to extend the sunset date of Safe Surrender Baby Law. The Law will sunset January 2006.
20. Include in legislation extending or lifting the sunset on Safely Surrendered Baby Law, funding for a university-based statewide data analysis of risk factors associated with women who relinquish their babies, a population profile, and inventory of what other counties are implementing.
21. Provide semi-annual report back to the Board of Supervisors on the implementation progress of the Safe Haven resolution.

B. Moderate-Term Recommendations:

22. Create a Steering Committee to oversee development of public awareness campaign.
23. Create a fundraising committee to explore and secure funding for information campaign.
24. Obtain technical assistance to develop protocols.
25. Retain a public relations agency to develop a culturally sensitive media campaign.
26. Work with a public relations agency to develop and implement a public awareness campaign for SSB Law.
27. Create standard logo, images and name to be used in the campaign and at SSB websites.
28. Create a website providing information on SSB Law, Safe Surrender sites, help line and download-able training materials.

REASONS FOR RECOMMENDATION

Approval of the recommendations will significantly improve public awareness, access to sites, preparation and training of first responders, all essential factors in fulfilling the goal of preventing any future baby deaths due to abandonment in Santa Clara County.

The County of Santa Clara is well known for its emphasis on prevention and early-intervention through innovative collaborations with private and public agencies. The Safe Haven Task Force prioritized the use of a prevention-oriented focus to achieve the goal of no babies ever being abandoned in Santa Clara County. Furthermore, the Task Force proposes that the recommendations be integrated into the currently existing services where appropriate. As the Board of Supervisors directed, the Task Force emphasized a community-wide concerted effort in order to expeditiously and effectively enhance public awareness of the Safe Haven Law.

The County must be aggressive and strategic in developing and implementing preventive measures of the Safe Haven Law. Countywide collaborative efforts will ensure the most expeditious and effective means of strengthening the preventive facet of the Safe Haven Law; enhancing services to women of childbearing age and their families; and designing and implementing a widespread public information campaign. Lastly, expanding access to and increase in the numbers of safe surrender baby sites, locations where residents feel comfortable releasing an infant while ensuring confidentiality, will significantly maximize the possibility of successful baby surrender rather than abandonment.

ACKNOWLEDGEMENT

The Safe Haven Task Force would like to acknowledge every member of the Task Force and staff for their participation and commitment though out the process.



CITY CLERK

CITY OF SAN JOSE, CALIFORNIA

Office of the City Clerk
200 East Santa Clara St., City Hall Wing
San José, California 95113-1905
Telephone: (408) 535-1255
FAX: (408) 292-6207

CITY CALENDAR

WEEK OF OCTOBER 16-20, 2006

CITY COUNCIL MEETINGS

October 17, 2006	Closed Session	9:30 a.m.	City Hall Tower, 18 th Floor
October 17, 2006	Regular Session	1:30 p.m.	City Hall Council Chambers

General Plan Hearings: October 24, 2006, November 14, 2006, December 5, 2006 and December 12, 2006.

Canceled City Council Meetings for 2006 AND 2007: November 7, 2006, November 28, 2006, December 19, 2006, December 26, 2006, AND January 2, 2007, and January 16, 2007.

STUDY SESSIONS

October 20, 2006	Evergreen East Hills Vision Strategy	9:00 a.m. – 12:00 Noon	City Hall Council Chambers
<u>Future Meetings:</u>			
October 27, 2006	General Plan Study Session	9:00 a.m. – 12:00 Noon	City Hall Council Chambers
November 16, 2006	Getting Families Back to Work	8:30 a.m. – 12:00 Noon	Room W118-120
November 17, 2006	Getting Families Back to Work	8:30 a.m. – 1:00 p.m.	Room W118-120
November 30, 2006	Provisions of a Draft Sunshine Ordinance	9:00 a.m. – 12:00 Noon	City Hall Council Chambers
December 15, 2006	Coyote Valley Specific Plan	9:00 a.m. – 12:00 Noon	City Hall Council Chambers
January 25, 2007	Solar and Energy Issues	9:00 a.m. – 12:00 Noon	City Hall Council Chambers

10/13/06

COUNCIL STANDING COMMITTEE MEETINGS

October 16, 2006	Building Strong Neighborhoods	1:30 p.m.	Room W119
October 18, 2006	Rules	2:00 p.m.	Room W118-119
October 19, 2006	Making Government Work Better	1:30 p.m.	Room W119

COMMISSION/COMMITTEE & AGENCY MEETINGS

October 16, 2006	Disability Advisory	4:00 p.m.	Room T332
October 17, 2006	Redevelopment	1:30 p.m.	City Hall Council Chambers
October 18, 2006	San José Beautiful	3:00 p.m.	4 No. 2 nd
October 18, 2006	Parks & Recreation	5:00 p.m.	Room T955
October 19, 2006	Mobile Home Advisory	5:00 p.m.	Room T1254
October 19, 2006	Human Rights	6:30 p.m.	Room T550
October 19, 2006	Traffic Appeals	7:00 p.m.	4 N. 2 nd St., Suite 1000

OTHER MEETINGS OF INTEREST

October 19, 2006	Sunshine Reform Task Force	6:30 p.m. – 8:30 p.m.	Room W118-120
December 7, 2006	AB1234 State Mandated Ethics Training	6:30 p.m. – 8:30 p.m.	Room W119-120

COMMISSION/COMMITTEE VACANCIES

Applications are being accepted for
the following Commissions:
Council Salary Setting Commission
2 Terms Ending 12/21/10

Deadline to Apply

10/13/06

Application forms and further information may be obtained from the Office of the City Clerk, 200 East Santa Clara Street, City Hall Wing, (408) 535-1252.

CITY COUNCIL PUBLIC HEARINGS SET BY CITY CLERK

HEARING DATE

- a. Consideration of an ordinance rezoning the real property located on the west side of South 9th Street approximately 90 feet south of E. William Street from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District and Planned Development Permit to add one manager's unit to 59 previously approved efficiency living units for a total of 60 efficiency living units on a 0.34 gross acre site (525 S. 9th St.) (City of San José, A Muni Corp, Owner; First community Housing, Jeff Oberdorfer, Developer). SNI: University. CEQA: Exempt.
PDC06-099/PD06-047 - District 3 11/14/06 – 7:00 p.m.
- b. Consideration of a director initiated prezoning ordinance prezoning an approximately 15.3 gross acre area consisting of 2 parcels for the real property located on the southeast corner of Capitol Avenue and Hostetter Road from Unincorporated County to RM Multiple Residence Zoning District (1587 N. Capitol Avenue) (Clara Bianchi, Trustee and Valley Transportation Authority, Owners). CEQA: Resolution No. 65459.
C06-074 - District 4 11/14/06 – 7:00 p.m.

10/13/06