



California's Safe Surrender Baby Law

The Safe Surrender Baby Law (also known as the Safe Haven Law or Newborn Abandonment Law) was signed into law by Governor Davis in September 2000 and went into effect on January 1, 2001. The purpose of the law is to protect babies from being hurt or killed because they were abandoned. The law allows a parent or legal guardian to confidentially surrender an infant, three days old or younger, to any **hospital emergency room**. As long as the baby has not been abused or neglected, the person may surrender the baby without fear of arrest or prosecution for child abandonment. No names are required and the parent(s) will not be subject to prosecution for child abandonment. The baby will receive needed medical treatment and be placed in an adoptive home.

You can help spread the word about this law. The following are answers to some frequently asked questions:

What is the Safe Surrender Baby Law?

The Safe Surrender Baby Law allows a parent or person with lawful custody to surrender a baby confidentially, without fear of arrest or prosecution for child abandonment. This law allows for at least a 14-day cooling off period, which begins the day the child is voluntarily surrendered. During this period, the person who surrendered the child can return to the hospital to reclaim the child.

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 three days of birth. All that is required is that the baby be brought to a hospital emergency room and physically surrender the infant to any staff member. 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.

Are Hospital Emergency Rooms the only Location I can Surrender the Baby?

Yes. In San Diego County, the only location a baby can be safely surrendered is at any Hospital Emergency Room. You may have heard that other counties have designated other locations such as a Fire Department. This is not true in San Diego County and the only authorized locations are Hospital Emergency Rooms.

Does a Parent Have to Give Any Information to the People Taking the Baby?

No. Nothing is required. Hospital personnel will give the parent a medical information questionnaire designed to gather family medical history, which would be useful in caring for the child. It is up to the parent if they wish to give any additional information concerning the baby.

What happens to the Baby?

The baby will be examined and given medical treatment, if needed. Child Protective Services will place the baby in a foster or pre-adoptive home.

What Happens to the Parent?

Parents who safely surrender their baby may leave the hospital emergency room or other designated site without fear of arrest or prosecution for child abandonment. Their identity will remain confidential and they will have the comfort of knowing their baby will remain in safe hands. If during the 14-day cooling off period the parents decide that they want to reclaim the baby, they can take the identifying bracelet back to the hospital, where staff 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 for fear 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 and it is illegal. Too often this results in the baby's death. Because of the Safe Surrender Baby Law, this tragedy doesn't ever have to happen in California again.

Safe Surrender Logo

The Safe Surrender Logo was adopted by the State for use in its Safe Surrender Baby Law campaign, "No Shame, No Blame, No Names." The logo also serves as uniform site marker, and will be displayed prominently at all designated Safe Surrender sites. A new California law requires all designated safe surrender sites in California to post this logo.

