

# INTO SAFE ARMS

## SUMMARY

Knowing the number of abandoned babies each year is almost impossible; providing locations where newborns can be surrendered into safe arms is possible. Confusion exists in Orange County regarding surrender points for babies under the Safe Arms for Newborns Act. The designation of fire stations as safe surrender points will help to dispel the confusion and facilitate the safe surrender of these special newborns.

Hospital emergency rooms have been designated by the state as authorized locations for safe surrenders. The Orange County Board of Supervisors has designated Orangewood Children's Home as an additional safe surrender location. Orange County did not designate fire stations.

## METHOD OF STUDY

Documents reviewed: California State Law (SB 1368), *Safe Arms for Newborns* 2001-2002 Grand Jury Final Report, California Penal Code 271.5 and relevant case law.

Interviews: Santa Ana Fire Department, Orange County Fire Authority, Orange County Emergency Medical Service, Orange County Board of Supervisors, Orange County Social Services Agency, Emergency Room and Labor/Delivery Nurses.

## BACKGROUND

From 1996 to 2001 forty-five abandoned dead newborns were found in trashcans, in dumpsters, along roadways and washed up on beaches in California. They have been buried at The Garden of Angels Cemetery in Riverside. The Safe Arms for Newborns Law was enacted on January 1, 2001, to help prevent these tragedies.

The State designated hospital emergency rooms as a place for a parent or other person with lawful custody of a newborn seventy-two hours old or younger to voluntarily surrender the infant. Penal Code Section 271.5(a) also delegated authority to the Board of Supervisors of each county to designate "...any additional location...by resolution..."

An Orange County resident can be confused as to where safe drop off points are. Los Angeles, San Bernardino, Riverside and San Diego Counties have designated fire stations as locations to surrender newborns. Southern California television stations and newspapers routinely report fire stations as designated

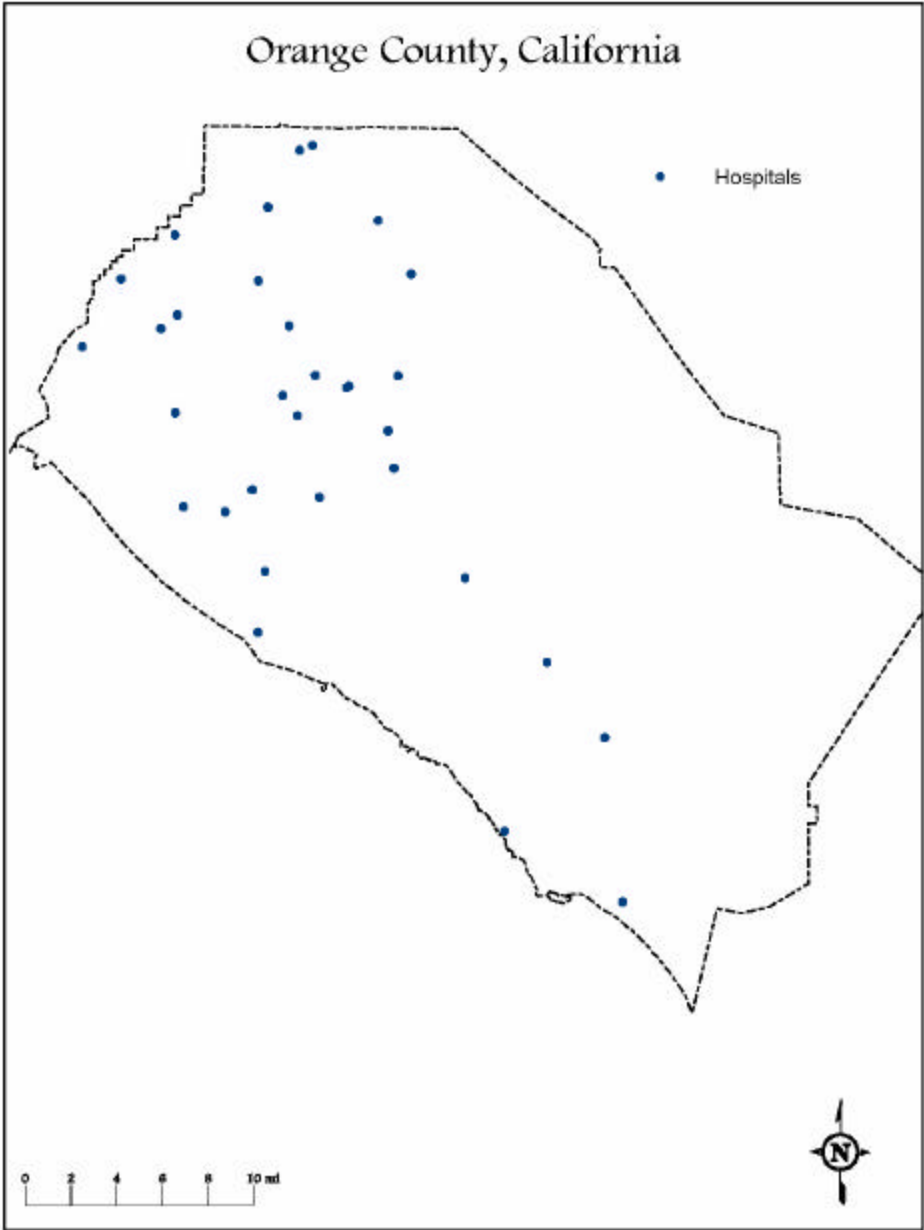
surrender points with no county designation. As recently as January 29, 2003, a local NBC TV news reporter detailed the finding of a newborn in a dumpster and gave the information that newborns could be safely surrendered at fire stations. While this is true in Los Angeles where the reporter was on location in front of a fire station, this is not the case in Orange County. The only additional location the Orange County Board of Supervisors designated was Orangewood Children's Home. The Orange County public is understandably confused by where safe arms are located.

Fire stations are logical and appropriate places for the safe and anonymous surrender of newborn babies. All city and county firemen have Emergency Medical Training and some have Paramedic Training. Many have delivered babies and provided them with the necessary care. One fireman commented, "I would rather a baby be dropped here with us than to go on a call to one abandoned in the bushes."

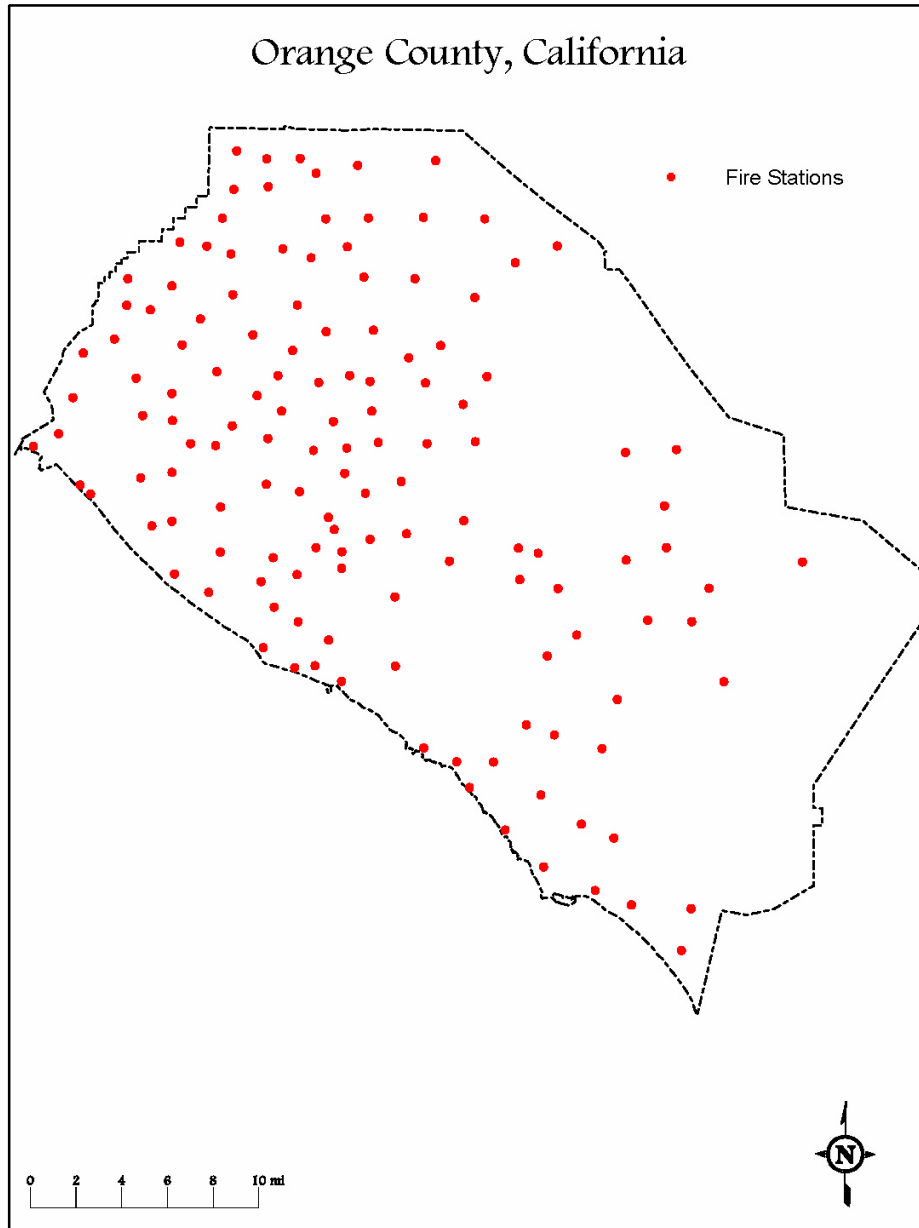
One hundred and thirty-seven fire stations are located in neighborhoods all over the County (See Figure B) and have a friendly atmosphere. The thirty-two hospital emergency rooms (See Figure A) are more difficult to locate and are more intimidating. The doorbell of the fire station is easier to negotiate than the line at the emergency room. Fire stations, like emergency rooms, are staffed twenty-four hours a day.

By designating fire stations for the safe surrender of babies, the Orange County Board of Supervisors would align Orange County with the practice of other Southern California Counties. This, together with an associated education campaign within the County, will help to dispel the confusion and facilitate the safe and easy surrender of these special newborn babies.

Figure A - Hospital Locations



**Figure B - Fire Station Locations**



## **FINDINGS**

Under *California Penal Code* Sections 933 and 933.05, responses are required to all findings. The 2002 – 2003 Orange County Grand Jury arrived at the following finding.

1. The Board of Supervisors has not designated fire stations as locations to surrender newborns.

Response to Finding 1 is required from The Board of Supervisors.

## **RECOMMENDATIONS**

In accordance with California Penal Code 933 and 933.05, each recommendation requires a response from the government entity to which it is addressed. These responses are submitted to the Presiding Judge of the Superior Court. Based upon the finding, the 2002-2003 Orange County Grand Jury makes the following recommendations:

1. Work with the Orange County Fire Authority and the cities in Orange County that operate their own fire departments to implement a plan whereby each fire station in Orange County will become a designated location for the surrender of newborns. (Finding 1)
2. Continue to educate the public, especially teenagers, regarding designated safe surrender points. (Finding 1)

Responses to Recommendations 1 and 2 are required from The Board of Supervisors.