

Safely Surrendered Unwanted Infants No Shame! No Blame! No Names!

1. Summary

Can you believe that a mother would abandon her infant to die in a trash dumpster? Why would a mother do such a thing? Some abandoned infants are rescued, others are found dead. Yet, there is an alternative to this infanticide.

The Safe Surrender Law offers safe alternatives to infant abandonment. Since this California law became effective in 2001, infants in Orange County have been left at safe drop-off sites where they are cared for and eventually adopted into loving families.

Ignorance of this safe alternative has led some mothers to abandon their infants in secret and peril. Is Orange County doing enough to inform mothers to help protect these infants?

The 2005-2006 Orange County Grand Jury conducted a study and found:

- 1.1** With the participation of Orange County fire stations, 137 safe drop-off sites have been added to the previously designated 33 safe sites; however, law enforcement agencies do not formally participate.
- 1.2** Documented statistics about abandoned infants are not considered sufficient in quantity to support the maintenance of data.
- 1.3** Education and public awareness about Safe Surrender is minimal, creating the need to promote and publicize this alternative.

2. Introduction and Purpose of the Study

The purpose of this study was to ascertain if the Safe Surrender Law is effectively implemented in Orange County and what improvements, if any, are needed.

3. Method of Study

To determine if Orange County infants are safe from the perils of abandonment, the Grand Jury:

- Reviewed California legislation and data pertaining to this subject
- Visited designated safe drop-off sites

Some Acronyms in this Report

OCFA	Orange County Fire Authority
OCH	Orangewood Children's Home
SSA	Social Services Agency

- Interviewed employees/members at Orangewood Children's Home (OCH), Orange County Fire Authority (OCFA), municipal fire stations, Social Services Agency (SSA), Orange County Coroner Division, Clerk Recorder's Vital Records Division, Orange County Juvenile Court, Juvenile Justice Commission, Orange County Department of Education, Child Death Review Team members, and non-profit organizations
- Surveyed secondary school district nurses and superintendents, and Orange County Department of Education assistant superintendents
- Reviewed availability of educational/public awareness programs
- Reviewed the extent to which birth/death records about abandoned infants are collected by county agencies
- Reviewed the need to explore the root causes of why mothers who abandon their infants make the decisions they do
- Reviewed the efforts of a non-profit organization working to help eliminate infant abandonment
- Reviewed Grand Jury reports on this topic from previous years to ascertain effectiveness of required responses to these reports

4. Background

The Safe Surrender concept is implemented in other states and is known by other names such as Safe Arms, Safely Surrendered, Safe Haven and Open Arms, and the Baby Moses Law.

SB 1386, The Safe Surrender Law, was enacted in 2001 by the State of California to help alleviate the dilemma of mothers who are at risk of abandoning their infants in secret and in peril. Safe Surrender designates places where a mother can leave her infant safely and anonymously and not fear criminal prosecution.

4.1 Safe Drop-off Sites

The 2002-2003 Orange County Grand Jury reported that other counties designated their fire stations as safe drop-off sites; however, Orange County did not. The report stated there were 33 safe drop-off sites in the county, including emergency rooms and OCH. In May 2005, the OCFA and municipal fire stations were asked by the Board of Supervisors to participate and display the blue Safe Surrender sign to let mothers know the fire stations are safe drop-off sites for their infants.

4.2 Educating California Students

The California legislature enacted SB 2817 in 2002, which calls for Safe Surrender to be included in the health education curriculum of public secondary schools. SB 2817 was

amended in 2003 to mandate Safe Surrender in secondary school health classes if a school district provides comprehensive sexual health education as part of the curriculum.

4.3 Orange County Education /Public Awareness

Reports issued by the 2001-2002 and 2002-2003 Grand Juries recommended an educational/public awareness program to better inform mothers and the public about Safe Surrender. In the responses to both reports, the SSA indicated that it was unable to follow through on these recommendations due to budgetary cutbacks at the county and state levels.

4.4 Non-profit Organizations

There are non-profit organizations in Orange County which work to inform women about Safe Surrender. They do a service for Orange County with minimal resources. Two such groups are:

The RAISE Foundation, Irvine, California, educates and distributes flyers throughout Orange County to inform the public about Safe Surrender drop-off sites by providing addresses and telephone numbers. RAISE is presently coordinating an effort with Orange County disposal businesses to mark dumpsters with the Safe Surrender sign (in English, Spanish and Vietnamese) to remind mothers there is an alternative as close as the nearest local fire station or hospital emergency room. Also, RAISE is working with movie theater management across Orange County to eventually provide public service announcements.

Project Cuddle, Costa Mesa, California, reaches out to young women who are pregnant and need help. It offers many ways to assist mothers and their infants. To help mothers make appropriate choices for themselves and their infants, Project Cuddle promotes Safe Surrender, using its web site and a 24/7 toll-free hot line, staffed by volunteers. During every contact made, Project Cuddle distributes wallet-sized information cards with a short message about alternatives available, along with their telephone number. This group has been instrumental in rescuing infants, finding adoptive homes, and providing counseling to the mothers.

5. Observations and Discussion

5.1 Increased Safe Surrender Drop-off Sites

In May 2005, OCFA and municipal fire departments added 137 fire stations where mothers may surrender their infants. All Orange County fire stations staffed year-round by career firefighters now have Safe Surrender signs in prominent locations informing mothers and the public about the safe drop-off sites. The Orange County Fire Chiefs' Association developed a Safe Surrender training program for firefighters and paramedics to participate in the care of these infants and their mothers. Inclusion of these 137 fire stations as safe drop-off sites now provides a county-wide network of 170 locations to safely leave a newborn infant.

The following table shows the number of safe surrender sites, the date first designated as a site, and, based on interviews, the number of infants saved.

DESIGNATED SAFE SURRENDER SITES IN ORANGE COUNTY	Number of Sites	Infants Saved
Hospital Emergency Rooms (January 2001)	32	16
Orangewood Children’s Home (January 2002)	1	1
Orange County Fire Stations (May 2005)	137	3
Total	170	20

After preliminary medical care and evaluation, infants left at emergency rooms and fire stations are transported to OCH.

The Grand Jury visited some fire stations newly designated as safe sites and reviewed the rescue procedures with the fire fighters. They seemed well prepared, providing a supportive environment for Safe Surrender infants and their mothers.

The addition of all Orange County law enforcement agencies as safe drop-off sites would increase the likelihood of mothers leaving their infants to be rescued. This is illustrated by the three infants saved from May-November, 2005 as a result of adding fire stations.

5.2 What happens to Safe Surrender Infants?

After appropriate medical care and evaluation, rescued infants are placed by the SSA in those foster homes with prospective adoptive parents. The most desirable outcome for all those involved is the adoption of these infants by qualified families. The rescue of Safe Surrender infants and adoption by families who want an infant should be recognized.

5.3 Statistics

The 2001-2002 Grand Jury report indicated a need to keep statistics on living and deceased abandoned infants and recommended that the SSA keep these statistics. The SSA response to this 2001-2002 report stated that statistics for living infants were maintained, but not for deceased infants.

Early interviews by the 2005-2006 Grand Jury with the SSA, the OCH, and the Coroner Division indicated the number of abandoned dead infants in a year is too small, and, therefore, were not entered into their computer data bases. These agencies could provide anecdotal, but not documented statistics at that time, about either living or dead infants. The Coroner Division claims that there have been no dead abandoned infants since 1999.

The Vital Records Division indicated birth information about Safe Surrender infants is maintained in a “birth file” which could not be shared with the Grand Jury. Birth certificates for living infants do not include information about Safe Surrender.

OCH verbally made the commitment to the Grand Jury to keep public Safe Surrender statistics for living infants and will probably need to do so manually at this time. Neither the SSA nor the Coroner Division keeps statistics about abandoned infants who are found dead. Without such a mechanism in place, how can the public know how many infants have been cast aside to possibly die.

The 2005 “Safely Surrendered Baby Law (SSB) - Report to the Legislature”, reported:

“The ability to collect accurate data on abandoned children found deceased has been very challenging because cross reporting of child fatalities doesn’t always occur between child welfare services and other agencies that are more likely to have this information, such as county coroners or law enforcement. The CDSS [California Department of Social Services] encouraged CWS [Child Welfare Services] agencies to establish procedures with their local law enforcement agencies, child death review teams, and coroner’s office to ensure they are notified when deceased infants are discovered.

Additionally, [in 2003] ... the Department of Justice, in conjunction with the California State Child Death Review Council, reminded all county sheriffs, chiefs of police, county coroners, county medical examiners, county child death review team chairs, and all homicide investigators of their responsibility to cross report all cases of child deaths related to child abuse and neglect, especially those infants who die as a result of being abandoned by a parent(s).”

5.4 Education and Public Awareness

The 2001-2002 and 2002-2003 Grand Jury reports and this study found the problem with abandoned infants continues and reaffirms a need to educate and inform women. Recent media comments reflective of this situation:

- “It is difficult to determine how effective the law actually is.” “Other experts say that the laws are effective in some cases but that education about them is not consistent.”
- “More publicity for Baby Drop-off Law urged.”
- “Surrender Baby Law fails because of poor publicity.”
- “This is a law that will not be effective without public awareness.”
- “Safe Haven laws on the face feel good but they don’t reach the people they’re aimed at.”
- “Little known law helps parents in trouble.”

5.4.1 Educating Orange County Students

According to Education Code § 51933, school districts that choose to include sex education in their curriculum must provide instructions and materials about Safe Surrender of infants commencing at grade 7. The current Grand Jury study found that Safe Surrender is part of the current health education curriculum in approximately 60% of Orange County school districts with secondary schools.

Orange County school districts individually decide if sex education is taught in the health education classes of secondary schools.

There are 28 school districts in Orange County. As in every county, Orange County also has a Superintendent of Schools who performs the standard duties: payroll, credential verification, pensions, teacher development programs, and financial reports, etc.

In addition, the Orange County Superintendent of Schools is responsible for the "29th" school district and educating its 18,000 students. These include students in Orange County institutions/programs such as Juvenile Hall, OCH, Probation, Special Education, Home Teaching, Alternative Education, etc. The Superintendent's Office reported Safe Surrender education is provided in some Alternative Education classes but not in other county-operated secondary school programs.

There is no public educational leadership in the county of Safe Surrender; therefore, a large number of Orange County students do not receive instruction about this vital, public safety topic.

5.4.2 Orange County School Nurses

Interviews with secondary school district nurses indicated they have knowledge of Safe Surrender but are unaware if it is included in the health curriculum of their schools. The school nurses interviewed indicated they would accept Safe Surrender information such as placards to post in their offices, along with handout materials, to allow self-education of their students.

These nurses also indicated they do not receive such information from SSA, the Superintendent of Schools, or their school districts.

5.4.3 State of California's Education and Public Information Program

In 2002, the State of California developed a pamphlet, "No Shame. No Blame. No Names." as part of a state public information program. This program was cut back due to budgetary constraints. The state has recently renewed publishing this pamphlet which is now available in quantity and free of cost.

5.4.4 Orange County's Education and Public Information Program

In 2002, the SSA developed a public awareness pamphlet, "Don't Throw Your Baby Away", in response to a Grand Jury report; however, there was limited distribution due to a lack of funds. The SSA recently adapted a version of the state publication, "No Shame. No Blame. No Names." to promote the addition of all the Orange County fire stations as safe drop-off sites. The SSA could have the state brochure at no cost. The SSA did not know when their pamphlet would be available for public distribution.

5.4.5 Lack of Public Awareness

The State of Indiana has a model program called Safehaven. This program is a state-wide mandated effort by all concerned agencies regarding saving abandoned infants, *i.e.*:

- All State of Indiana law enforcement and fire departments provide safe drop off sites
- Educational and promotional programs are state wide
- Public service announcements for radio and television broadcasting, and media programs are promoted across the state

Some aspects of this proactive and comprehensive approach of Indiana's Safehaven program could help create and increase public awareness of Safe Surrender in Orange County.

Here in Orange County, there is very little public information fostered by governmental agencies through any media campaign to educate and increase awareness about Safe Surrender. The SSA implemented some public education geared to teenagers by utilizing Family Resource Centers which since have reduced greatly in number due to budgetary concerns. A copy of the SSA document "Give Your Baby a Chance for Life" appears on the SSA web site (www.ssa.ocgov.com) for public use.

Media and governmental studies report a lack of public awareness. Areas promoting the message of Safe Surrender to the Orange County public by the SSA could include:

- Public information advertisements on radio, television and in printed media
- A toll-free telephone number to answer questions and to direct callers to nearest Safe Surrender drop-off sites
- Public transportation and kiosk advertisements
- A web page giving information with a list of safe drop-off sites and promoting a toll-free telephone number (include the web page on the Orange County government web site as is done on the Los Angeles County government web site)
- Distribution of Safe Surrender placards and educational materials by the SSA to all Orange County agency facilities, with and without public access, to promote and educate the public
- Provide Safe Surrender materials to all Orange County educational institutions and women's facilities such as jails, shelters, juvenile detention facilities, district school nurses, etc.

- Provide wallet size cards with Safe Surrender information for distribution by members of law enforcement, parole officers, hospitals, public health clinics, etc.

5.5 Root Causes of This Problem

During this study, the Grand Jury was not made aware of any formal research into root causes that would suggest a common profile of mothers who abandon their infants.

Reports about abandoned infants suggest that mothers may come from all lines of race, geography, age, education and socioeconomic levels. While no one set of demographics can predict that a mother is at risk for abandoning her infant, a “Safe Haven for Abandoned Babies Task Force” report indicates the following common characteristics of mothers who abandoned or were at risk for abandonment of their infants:

- Denial of and/or desire to conceal the pregnancy
- Lack of familial or social support system
- Fear of negative consequences should the pregnancy be discovered
- Failure to seek pre-natal care services and/or presenting for care at point of delivery

Many of these mothers have kept their pregnancies a secret and do not give birth in hospitals. Denial about being pregnant is an important factor with these mothers. When they give birth, they may continue to deny what has happened. Denial may then continue by disposing of the infant as if the baby never existed. Unspoken are the cultural and/or social pressures and ramifications these mothers fear the most.

5.6 Funding Alternatives

In November 1998, there was an agreement by the nation’s four major tobacco companies and the states resulting in new revenues to state and local governments through 2025. In November 2000, Orange County voters approved Measure H that used these revenues to create the Orange County Tobacco Settlement Fund and specified that monies be allocated and appropriated for health programs. This was a unique opportunity to reduce the prevalence of smoking, provide funds to protect necessary health care, and promote health research programs in California.

Los Angeles County has been aggressive in obtaining funds from this tobacco tax to promote Safe Surrender materials to the public with stickers, posters, etc. Non-profit organizations have also obtained these funds to promote such endeavors.

The California Children and Families Act of 1998 was designed to provide, on a community-by-community basis, all prenatal up to five-year old children with a comprehensive, integrated system of early childhood development services. Through the integration of health care, quality child care, parent education and effective intervention

programs for families at risk, children and their parents and caregivers will be provided with tools necessary to foster secure, healthy, and loving attachments.

The SSA could, but does not currently, seek to obtain grants or tobacco tax funds to promote health education, increase public awareness about Safe Surrender, and promote intervention programs for at risk pregnant women and their infants.

6. Findings

In accordance with California Penal Code § 933 and § 933.05, each finding will be responded to by the government entity to which it is addressed. The responses are to be submitted to the Presiding Judge of the Superior Court. The 2005-2006 Orange County Grand Jury has arrived at the following findings:

- 6.1** *Additional drop-off sites* : Communities outside of Orange County have elected to have both fire stations and law enforcement facilities participate as Safe Surrender drop-off sites, thereby increasing the availability of places for infants to be rescued. In Orange County, fire stations but not law enforcement stations provide safe sites.
- 6.2** *Teaching about Safe Surrender*: Secondary schools for which the Orange County Superintendent of Schools has responsibility, and teaches sex education in the health curriculum, do not include Safe Surrender, except for some Alternative Education programs. Senate Bill 2817 mandates education about Safe Surrender by school districts providing comprehensive sexual health education within their secondary school health education curriculum.
- 6.3** *Lack of funding*: A lack of funding is reported as the reason why public awareness programs about Safe Surrender are not available; however, the SSA does not avail itself of tobacco tax funds and free state promotional literature, nor does the SSA seek grants from the California Children and Families Act.
- 6.4** *Promoting Safe Surrender*: Public education and promotion to increase awareness of Safe Surrender as a safe alternative to infant abandonment by mothers at risk is lacking.
- 6.5** *Statistics*: Lack of adequate statistical public information related to live and dead infant abandonment makes assessment of this problem challenging. The SSA has kept official records on live Safe Surrender infants for reporting data to the State. The Orange County Sheriff's Department/Coroner Division knows of no dead abandoned infants since 1999.

Responses to Findings 6.1, 6.3, 6.4 and 6.5 are requested from the Director, Social Services Agency.

Response to Finding 6.2 is required from the Orange County Superintendent of Schools, Department of Education.

Response to Findings 6.1 and 6.5 is required from the Orange County Sheriff-Coroner.

7. Recommendations

In accordance with California Penal Code § 933 and § 933.05, each recommendation will be responded to by the government entity to which it is addressed. The responses are to be submitted to the Presiding Judge of the Superior Court. Based on the findings, the 2005-2006 Orange County Grand Jury makes the following recommendations:

- 7.1 Increasing Safe Surrender sites:** The SSA should work with Orange County law enforcement agencies to increase the number of safe drop-off sites by including their many facilities to expand the Safe Surrender safety net. (See Finding 6.1.)
- 7.2 Funding public awareness:** The SSA should seek tobacco tax funds and other state grants to promote public awareness about Safe Surrender. (See Findings 6.3 and 6.4)
- 7.3 Educating students:** SSA should utilize the free state pamphlet titled "No Shame. No Blame. No Names."; should give available Safe Surrender materials to secondary school district nurses; and, should develop additional Safe Surrender materials for educating students and other members of the public. (See Findings 6.3 and 6.4.)
- 7.4 Education of students in county-operated schools:** The Orange County Superintendent of Schools should revisit and reconsider Safe Surrender instruction of the students for whom he is responsible. The Superintendent should also consider providing county-level educational leadership about Safe Surrender. (See Findings 6.2.)
- 7.5 Public Education and Awareness:** The SSA should seek funds for a media campaign to educate females that there are alternatives to abandoning an infant safely without fear of arrest and/or prosecution. (See Findings 6.3 and 6.4.)
- 7.6 Statistics:** The SSA should set up official and public retrievable statistics on rescued Safe Surrender infants. The Chief Deputy Coroner should continue to act

as the collection and reporting focal point for dead abandoned infants. (See Finding 6.5.)

Responses to Recommendations 7.1, 7.2, 7.3, 7.5 and 7.6 are requested from the Director, Social Services Agency.

Response to Recommendation 7.4 is required from the Orange County Superintendent of Schools, Department of Education.

Response to Recommendations 7.1 and 7.6 is required from the Orange County Sheriff-Coroner.

8. Acknowledgement

The Grand Jury commends the ORANGE COUNTY FIRE AUTHORITY and MUNICIPAL FIRE FIGHTERS for their assistance in expanding the number of safe drop-off sites in OC from 33 to 170 and their commitment to caring for these infants and their mothers.

9. Appendix

9.1 Selected References

1. "Safely Surrendered Law", State of California, SB 1386, 2001
2. "Amend Sunset Clause of Safe Surrender", State of California, SB 116, 2005
3. "Authorized Inclusion of Safe Surrender Instruction in California Schools' Health Curriculum, Grades 7-12," State of California, SB 2817, 2002
4. OC Grand Jury reports for 2001-2002 and 2002-2003
5. SSA Report to Board of Supervisors – Findings and Recommendations 2001-2002, 2002-2003
6. State of California Report to the Legislature on the Safe Surrender Baby Law, 2000, 2003, 2005
7. "Safe Surrender Babies in California", State of California, Social Services, May 14, 2003
8. "Safe Surrender Baby Campaign Fast Facts", State of California, January 2002
9. "Tobacco Settlement Revenue", Welcome to TSR Web Site, Orange County, Health Care Agency
10. "Infant Surrender FAQ's", Orange County Fire Authority, 2005

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11. News Release, Orange County Fire Authority, January 27, 2005
12. Safe Haven For Abandoned Babies Task Force, Los Angeles Children's Planning Council, Los Angeles, CA, April 5, 2002
13. "1st Annual Report", Orange County Children's Services Coordination Committee, Santa Ana, CA, June 2002
14. "Annual Report", Orangewood Children's Home, Orange, CA, 2005
15. Safehaven website, Fort Wayne, Indiana
16. RAISE Foundation documents, Irvine, CA
17. Project Cuddle documents, Costa Mesa, CA
18. Educational Code § 51933
19. Coroner Division Report of Child Deaths 2003, 2004 , 2005
20. Minutes, Orange County Juvenile Justice Committee, September 21, 2005 and October 5, 2005

