Safely Surrendered Baby Law
Report to the Legislature
Five-Year Report: 2010-2014
February 2016

STATE OF CALIFORNIA
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Report to the Legislature on
THE SAFELY SURRENDERED BABY LAW

LEGISLATIVE MANDATE

The Safely Surrendered Baby (SSB) law became operative January 1, 2001, with the enactment of Senate Bill (SB) 1368 (Brulte, Chapter 824, Statutes of 2000). The California Department of Social Services (CDSS) submitted two reports to the Legislature in 2003 and 2005 regarding the effectiveness of the SSB law.

Assembly Bill (AB) 1048 (Torrico, Chapter 567, Statutes of 2010), requires CDSS to report to the Legislature on the effectiveness of the SSB law as follows:

On or before January 1, 2013, and, each subsequent year, contingent upon availability of sufficient funding, CDSS shall report to the Legislature regarding the effect of AB 1048, including, but not limited to, all of the following information, as initially required by SB 1368:
(a) The number of children one year of age or younger who are found abandoned, dead or alive, in the State for each year in which reporting is required under this act.
(b) The number of infants surrendered pursuant to this act, with their approximate age.
(c) The number of medical history questionnaires completed in those cases.
(d) The number of instances in which a parent or other person having lawful custody seeks to reclaim custody of a surrendered child, both during and after the initial period following surrender, and the outcome of those cases.
(e) Whether a person seeking to reclaim custody is the individual who surrendered the child.
(f) The number of children surrendered pursuant to this act who show signs of neglect or abuse and the disposition of those cases.
(g) The number of parents or legal guardians eventually located and contacted by social workers.

Safely Surrendered and Abandoned Infants: 2001 Through 2014

Although the specific reporting under AB 1048 began in calendar year 2010, CDSS exceeds the requirements by providing data retrospectively to the introduction of the SSB law in 2001, in order to provide the public with the most complete perspective of the effectiveness of the law over time. The retrospective review includes comprehensive data through 2012, which is a compilation of data from counties, the California Department of Public Health (CDPH) and other sources regarding child abandonments. A tally of safe surrenders and abandoned infants for 2013 and 2014, as reported to CDSS by counties, is provided in the “Annual Totals” section. Comprehensive information for 2013 and 2014 will be provided in future reports. Additionally, for the purpose of informing public outreach on the SSB law, CDSS has included available demographic data regarding safe surrenders and abandonments, demographic findings regarding mothers who surrender and abandon their babies, and a breakdown of safe surrenders by county.

Additional copies of this report can be obtained from:

California Department of Social Services
Office of Legislation
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This report also may be obtained on the CDSS website: www.babysafe.ca.gov

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Executive Summary

Since 2001, California has responded to the dilemma of baby abandonment by providing a life-saving alternative for distressed parents who are unwilling or unable to care for a newborn child. Through the enactment of SB 1368 (Brulte, Chapter 824, Statutes of 2000), a parent or individual having lawful custody of a newborn is granted immunity from criminal prosecution for specific crimes relating to child abandonment if the parent or surrendering individual surrenders the baby at a hospital or other designated safe surrender site within 72 hours of the child's birth.

The SSB law, also known as the "Safe Arms for Newborns" law, or the "Safe Haven" law, was created when SB 1368 added Health and Safety Code Section 1255.7 and Penal Code Section 271.5, and amended certain sections of the Welfare and Institutions Code. The law became effective January 1, 2001, in response to the increasing number of abandoned baby deaths in California, as reported by media accounts. The law is intended to save the life of an infant by encouraging parents or the person with lawful custody to safely surrender their infant at a designated safe surrender site rather than harming the baby or abandoning the baby in an unsafe location.

Since implementation of the SSB law, several changes have taken place to enhance its effectiveness. AB 2817 (Maddox, Chapter 1099, Statutes of 2002) required school districts to include information about the law in sex education classes. SB 139 (Brulte, Chapter 150, Statutes of 2003) clarified the definition of a "safe surrender site," allowed any on-duty personnel at the site to accept physical custody of the child, and introduced the mandatory statewide SSB logo. The SSB law had been originally written with an end-date of 2006; however, SB 116 (Dutton, Chapter 625, Statutes of 2005) extended the provisions of the SSB law indefinitely.

Although SB 1368 did not include funding provisions for a public awareness effort, in 2002 CDSS identified $1,500,000 to be used for Phase I of the SSB Public Awareness Campaign involving radio announcements and printed outreach materials. Phase II of the campaign was initiated in 2003 involving radio, television, and newspaper coverage. Recognizing future budget restrictions, CDSS distributed a County Support Kit that provides for local flexibility in customizing campaign materials to all 58 counties.

CDSS has continued to pursue outreach efforts in spite of the challenges posed by lack of funding. In early 2010, CDSS announced a statewide hotline, 877-BABYSAF, for county-specific safe surrender site locations and general SSB law information. Thereafter, CDSS incorporated the hotline information on updated outreach publications in multiple languages at no charge to counties. Later in 2010, AB 1983 (Torrico, Chapter 587, Statutes of 2010) established the SSB Fund for donations on the California resident income tax return form for the purpose of public outreach on the SSB law. At the same time, AB 1048 (Torrico, Chapter 567, Statutes of 2010) expanded the type of agencies permitted to authorize safe surrender sites to include local fire agencies. It also expanded liability protection for SSB site personnel and required CDSS to report to the Legislature on the effectiveness of the SSB law.

All data in this report reflects the named calendar year, from January 1 to December 31, unless otherwise indicated. In preparing this report, CDSS consulted with the California Department of Public Health (CDPH) and the Inter-Agency Council on Child Abuse and Neglect (ICAN) as well as county Child Welfare Services (CWS) agencies in order to obtain the most reliable, complete information. Although obstacles to data collection regarding abandoned infants pose an ongoing challenge, CDSS has recently made vast improvements. Through multiple data collection and reconciliation efforts conducted in 2013 and 2014, CDSS identified 51 safe surrender cases and 120 abandoned infant cases previously unrecorded through CDSS monitoring of the SSB law. The CDSS also conducted a thorough review of archived hard-copy records and identified demographic information for 47 of 49 safe surrender cases that had previously been missing this information.

Available data indicate a decreasing trend of abandonments since enactment of the SSB law, from 25 cases in 2002 to five or fewer cases per year since 2010. This represents an 80 percent decrease in infant abandonment statewide (see "Annual Totals: Effectiveness of the Safely Surrendered Baby Law," pg. 19). While there is continued concern for parents and families who are driven to consider abandoning a newborn infant, CDSS shares the Inter-Agency Council on Child Abuse and Neglect conclusion that the law is "a success story to be celebrated."

CDSS continues to refine its collection of SSB data and has identified additional opportunities for comparative analysis through its continued data sharing with CDPH and ICAN, as well as additional sources for county-specific SSB information. These resources will be utilized to further verify the scope and accuracy of data available to CDSS. As the quality and scope of available data is improved, CDSS will use future releases of the SSB report to provide updates to information provided in this document.

Section I. Background

What is the Safely Surrendered Baby Law?

The Safely Surrendered Baby law provides a parent or other person having lawful custody of a newborn, 72 hours old or younger, with immunity from criminal prosecution for abandonment if that person surrenders physical custody of the baby to a hospital or other safe surrender site. SSB sites are designated by a county board of supervisors or local fire agency and identified by the mandatory SSB logo display.

In the case of an unplanned and at-risk infant, the State encourages the parent(s) to voluntarily relinquish the child for adoption before considering the option to safely surrender. Voluntary relinquishment allows for greater options for the birth parents, including the possibility of a permanent placement with extended family, and provides more information on the birth parents' circumstances and medical history for the child in the future. Relinquishment also allows for the possibility of creating or maintaining a relationship with the child's birth family, which has documented benefits.

For a new parent who is unable or unwilling to participate in the adoption process, the SSB law is intended to prevent the potentially fatal abandonment of that infant. All 50 states, the District of Columbia, and Puerto Rico now have safe haven laws in place to discourage baby abandonment.

How Does the Safely Surrendered Baby Law Work?

The parent or other person having lawful custody must take the baby, within 72 hours of birth, to a hospital or other safe surrender site and voluntarily surrender the baby to staff at the safe surrender site. No identifying questions may be asked, although staff at the safe surrender site must attempt to provide the surrendering individual with an optional medical questionnaire. The questionnaire is completely voluntary and does not request the identity of the surrendering person. The purpose of the medical questionnaire is to obtain medical information that may be critical for the health and survival of the child.

Many mothers who choose SSB do so after giving birth at a hospital, either by explicitly requesting SSB or by leaving the hospital without making any provisions for the care of their infant. In these cases, the hospital must redact any personally identifying information the mother may have given in the records provided to the county Child Welfare Services (CWS) agency.

After accepting the baby, staff place a coded, confidential ankle bracelet on the infant and must attempt to provide the surrendering person with a replica bracelet. The replica bracelet is provided as a means of anonymous identification for the surrendering person in order to reclaim the infant. Safe surrender site personnel are required to ensure that a medical screening examination occurs and any necessary medical care is

provided for the baby. Additionally, staff must notify the county CWS agency within 48 hours and provide any pertinent medical information, redacting any personal identifying information regarding the surrendering individual.

The county CWS agency is responsible for taking temporary custody of the child immediately upon receiving notification that a baby has been surrendered. The CWS agency immediately investigates the details of the case and files a petition for dependency with the juvenile court. Additionally, the agency must notify CDSS of each safely surrendered baby taken into custody and report all known identifying information to the California Missing Children Clearinghouse and the National Crime Information Center as soon as possible. Personal identifying information about the parent or person surrendering the child (if known) is excluded from all public information.

What Happens to the Baby after He or She is Safely Surrendered?

Although the juvenile court process begins at the time the county CWS agency takes temporary custody of the child and files the dependency petition, the SSB law allows for a 14-day "cooling off" period. During this time, the person who surrendered the infant may seek to reclaim the baby. If the safe surrender site still has custody of the child and a dependency petition has not yet been filed (as may happen when a baby has been surrendered and is being cared for in a hospital nursery, but CWS has not yet been notified), the personnel shall either return the child or contact a child protective agency if they know or reasonably suspect that the child is at risk of future abuse or neglect. If the surrendering parent or individual seeks to reclaim the child after the filing of the dependency petition within the 14-day period following the surrender, the county CWS agency must: (1) verify the person's identity, (2) conduct an assessment of his/her circumstances and ability to parent, and (3) request that the juvenile court dismiss the dependency petition and order release of the child if the county CWS agency determines it is safe for the baby to be released to the guardian or individual per existing law. If the baby is not reclaimed, the dependency process continues and the baby becomes a dependent of the court, entering the foster care system with adoption or other permanent home-based family care placement as the goal.

Section II. Data Collection

Methodology: Identifying Surrendered and Abandoned Infants

Safely Surrendered Babies

CDSS gathers information on safely surrendered babies by conducting quarterly reviews of referrals and cases queried from the Child Welfare Services/Case Management System (CWS/CMS), which indicate that a child was safely surrendered. Pursuant to the SSB law, a safely surrendered baby is defined by the following criteria:

- 72 hours of age or younger **AND**
- Voluntarily surrendered by a parent or an individual with lawful custody **AND**
- Surrendered to personnel on duty at a designated safe surrender site **OR**
- Surrendered by the mother at the hospital by means of the mother leaving the hospital without her child without having made any provisions for the child's care.

CDSS reviews these case records to verify that for each safely surrendered baby, the circumstances and procedures described are consistent with the statutory definitions and requirements of the SSB law. County CWS agencies also report safely surrendered babies directly to CDSS by submitting the State of California (SOC) 880 form. This procedure serves as a cross-check for data queried from the CWS/CMS database.

Abandoned Deceased Infants

For purposes of monitoring the effectiveness of the SSB law and tracking the number of abandoned deceased infants, CDSS conducts quarterly reviews of referrals and cases from the CWS/CMS database, which indicate parental absence or abandonment of a child one year of age or younger, as well as the death of the child. CDSS also obtains data on abandoned deceased infants from the California Department of Public Health (CDPH), the Inter-Agency Council on Child Abuse and Neglect (ICAN), and child fatality cases reported to the State pursuant to Senate Bill 39 (Migden, Chapter 468, Statutes of 2007). The data on abandoned deceased infants in this report includes children who meet the following criteria:

- One year of age or younger **AND**
- Killed and abandoned in a public location (e.g., dumpster, alley, rail yard, residence steps, stairwell, ocean, etc.) or a private location (e.g., bathtub, wastebasket, etc.) **OR**
- Died from abandonment (e.g., dehydration, hyper/hypothermia, etc.) in a public or private location.

Abandoned Surviving Infants

For the purposes of monitoring the effectiveness of the SSB law and tracking the number of abandoned surviving infants, CDSS conducts quarterly reviews of referrals and cases from the CWS/CMS database which indicate parental absence or abandonment of a child one year of age or younger and the child is still alive. The data on abandoned surviving infants in this report includes children who meet the following criteria:

- One year of age or younger **AND**
- Abandoned in a public or private location **AND**
- Survived the abandonment.

Excluded from data collection are cases where infants are "abandoned" in the care of persons, even those who are strangers to the parent. These infants are excluded because infants left in the care of persons, including strangers or hospital staff, do not reflect the potentially fatal level of risk that the SSB law intends to prevent.

Prior to 2007, CDSS' data collection included infants who were abandoned into the care of other persons or left in hospitals by mothers who failed to make plans for their care, because infants in such cases would be documented in the CWS/CMS database with "abandonment" as an allegation and/or reason for intervention. In 2008, CDSS convened a multidisciplinary SSB workgroup, which included representatives from CDPH, county CWS agencies, the Administrative Office of the Courts, and Project Cuddle from Los Angeles. Through the multidisciplinary workgroup, concerns were raised that tracking data on children "abandoned" into the care of friends or relatives was overly broad and did not allow for monitoring the effectiveness of a law that was implemented to prevent infants discovered alive in dumpsters, parks or other public locations, infant deaths due to asphyxiation or stabbing prior to abandonment, or infant deaths from exposure after being abandoned. Starting with 2007 data, CDSS began analyzing abandonment data using a more refined lens, which excluded infants abandoned into the care of other persons, in order to better identify those fatal and/or potentially fatal child abandonment cases which may have been prevented if the parent or guardian had surrendered the infant under the provisions of the SSB law.

Abandoned Infant Data: Challenges

Abandoned Deceased Infants

The ability of CDSS to collect accurate data on children who have died due to abandonment has been challenging as some cases are investigated by law enforcement or the coroner rather than by the county CWS agency. When a child has been abandoned, the child's parents may remain unidentified or the abandoning family may not have other children in the home. This type of situation typically results in a law enforcement homicide investigation without a concurrent county CWS agency

investigation, because there are no known children remaining at risk of abuse and/or neglect. If the child's death is not cross-reported, the county CWS agency is not likely to be aware of the incident. To address this shortcoming, CDSS encourages county CWS agencies to establish notification procedures with local law enforcement, child death review teams, and the coroner's office.

Abandoned Surviving Infants

Beginning with 2007 data, CDSS began reviewing abandonment cases using a more refined lens than during prior years, according to the methodology developed by a multidisciplinary workgroup convened by CDSS (see "Methodology," pg. 12). This more refined lens accounts for the drastic drop from 16 abandonment cases in 2006 to one case in 2007, as well as the very low and/or completely absent numbers recorded in the years thereafter.

Table 1. Problematic Data on Abandoned Surviving Infants, Previously Recorded

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total
Count	30	33	25	23	19	16	1	4	0	0	0	0	**151**

When CDSS began reviewing CWS/CMS data queries using the revised multidisciplinary workgroup methodology, CDSS noticed that queries failed to reflect abandoned infants reported elsewhere by statewide media sources and by ICAN. In order to alleviate these deficiencies in data regarding abandoned surviving and abandoned deceased infants, CDSS undertook a combination of efforts including improved CWS/CMS data query methodology, review and purging of retrospective data collected by CDSS, and collection and reconciliation of data from multiple external sources.

Review and Purging of Retrospective Data Collected by CDSS

In order to determine the validity of prior data, in 2014 CDSS undertook a retrospective search and review of the 151 previously reported abandoned surviving infant cases noted above. Prior reports included basic information for each case: the county, date of birth, gender, and ethnicity. These data elements were used to search the CWS/CMS for matching referrals and determine which of the referrals reflected legitimate abandonment cases. The review provided evidence that the prior data was largely inapplicable and needed to be replaced and/or supplemented with meaningful data.

Table 2. Results of CDSS Retrospective Review: Abandoned Surviving Infants 2001-2012

Verified Abandoned	Verified Not Abandoned	No Record Found	Not Available	Total
8	71	47*	25**	151

*47 cases were not identified in CWS/CMS when searched by county, date of birth, ethnicity, and gender.
**25 cases were not available for search and review. Hardcopy records were not available for October through December 2003 and for 2005.

Abandoned Infant Data: Improvements

In order to compile a meaningful representation of retrospective statewide data on abandoned infants, CDSS initiated substantial efforts to improve CWS/CMS data extraction and to reconcile data obtained from partnering agencies and external sources.

CWS/CMS Data Query Methodology

In 2013, CDSS initiated steps to alleviate deficiencies in abandoned surviving infant data collection by revising CWS/CMS data query methodology. This revised methodology led to the identification of two abandoned surviving infants, one during review of data for the third quarter of 2013 and the other during the fourth quarter review of 2014, the first such cases reflected in CWS/CMS data extracts since 2008. Given this recent success, CDSS is hopeful that the revised methodology will aid the State's goal to improve identification of infant abandonment cases going forward. Review of retrospective data back to 2001 under this revised methodology is not possible due to technical constraints within the CWS/CMS data query software and system changes that have been implemented since that year.

The Inter-Agency Council on Child Abuse and Neglect (ICAN)

In 2014, CDSS consulted with ICAN, which has produced an annual report titled *Safely Surrendered and Abandoned Infants in Los Angeles (LA) County* since 2002. Data provided by ICAN has been produced by a multidisciplinary group to identify data elements regarding safely surrendered and abandoned infants including gender, ethnicity, where and how each infant was found, and cause of death as determined by the LA County Coroner. Abandonment data produced by ICAN is consistent with CDSS methodology and has been valuable in improving data collected by CDSS.

Child Fatality Reporting Data

Additionally, the enactment of SB 39 resulted in the 2008 implementation of procedures for county CWS agencies to submit the Child Fatality/Near Fatality County Statement of

Findings and Information form (SOC 826) for all child fatalities and near fatalities determined to be the result of abuse or neglect within that county's jurisdiction. CDSS has used the SOC 826 form submissions to generate aggregate statewide data for the *California Child Fatality and Near Fatality Annual Report*. Reports have been produced for each calendar year from 2008 through 2011. A report covering 2012 and 2013 was released in October 2015. The latest report can be viewed at http://www.childsworld.ca.gov/res/pdf/2012-2013AnnualChildReport.pdf. The child fatality reporting process provides CDSS with an additional resource for identifying abandoned deceased children that county CWS agencies have learned of from law enforcement cross-agency reports or other sources.

The Fatal Child Abuse and Neglect Surveillance System

In order to pursue the best representation of data on abandoned deceased infants, CDSS has teamed with CDPH, which provides data extracted from the Fatal Child Abuse and Neglect Surveillance (FCANS) monitoring system. A Memorandum of Understanding between CDSS and CDPH was executed on January 18, 2013, to allow the departments to continue child death data analysis efforts, including an analysis of infant deaths as a result of abandonment. CDPH provided abandoned deceased infant data from FCANS from 2005 through 2012. FCANS utilizes information collected from local child death review teams (CDRTs) and data from several statewide databases. Although some records do not provide enough detail to differentiate abandonment deaths from other infant deaths, limited abandonment data is available from FCANS as reported by CDRTs, which often collect and review enough detailed information to identify abandoned infant deaths. Due to slight variation in the types of cases reviewed by CDRTs, as well as the level of detail, "stillborn" or undetermined cause of death cases may be excluded by some teams. In spite of these shortcomings, CDSS is able to provide a count of cases that are: (1) identified by CDRTs, (2) sufficiently reviewed, and (3) submitted to FCANS.

Statewide Media Sources

In order to supplement data produced by CDSS and its partnering agencies, in 2014 CDSS undertook an extensive review of media articles reporting cases of abandoned infants since implementation of the SSB law in 2001. All cases identified were logged with available information from each article including the gender of the child victim, date of abandonment, ethnicity, county in which the infant was located, approximate age when abandoned, and article excerpts indicating the circumstances of the child's abandonment. This information was utilized to reconcile media accounts against records from CWS/CMS data and from partnering agencies. Reviewed publications include but are not limited to the following news agencies:

The Alameda Times-Star
The Argus (Freemont-Newark)
The Bakersfield Californian
The Burlingame Daily News
The Fresno Bee
The Lodi News Sentinel
The Los Angeles Times
The Madera Tribune
The Marin Independent Journal
The Merced Sun-Star
The Modesto Bee
The Monterey County Herald
The Oakland Tribune
The Orange County Register
The Press Democrat (Sonoma)
The Press-Enterprise (Riverside)
The Reporter (Vacaville)
The Sacramento Bee
The San Diego Tribune
The San Francisco Chronicle
The San Francisco Daily
The San Jose Mercury News
The Santa Maria Times
The Sun (San Bernardino)
The Tribune (San Luis Obispo)
The Tri Valley Herald
The Ventura County Star

Results of Data Collection and Reconciliation

Through obtaining abandonment records from ICAN, FCANS, child fatality reporting data (SOC 826 forms), and statewide media sources, CDSS has identified a total of 122 abandonment cases previously unrecorded by CDSS for the purpose of monitoring the SSB law. These comprise the majority of the 155 total abandonment cases identified to date by CDSS. Table 3 indicates the number of cases identified from each source:

Table 3. Additional Abandonment Cases Identified through Reconciliation 2001-2012

Source	Media	ICAN	FCANS	SOC 826 Forms	Total
Abandoned Surviving	41	9	0	0	50
Abandoned Deceased	17	33	20	2	72
Total	**58**	**42**	**20**	**2**	**122**

A CWS/CMS referral has been identified for 40 of these 122 cases. Where possible, CDSS aims to identify referrals for the remaining cases. However, such identification is extremely difficult given the limited information available in many of these cases. Going forward, CDSS will continue its effort to identify additional cases of abandoned infants from CWS/CMS data queries and reconciliation with external data sources.

Section III. Safely Surrendered and Abandoned Infants: 2001 Through 2014

Annual Totals: Effectiveness of the Safely Surrendered Baby Law

As noted earlier in this report, comprehensive data through 2012 from counties, CDPH and other sources regarding child abandonments is presented. A tally of safe surrenders and abandoned infants for 2013 and 2014, as reported to CDSS by counties, is also presented. Comprehensive information for 2013 and 2014 will be provided in future reports.

Available data indicate a decreasing trend of abandonments since enactment of the SSB law, from 25 cases in 2002 to five or fewer cases per year since 2010. This represents an 80 percent decrease in infant abandonment statewide, as illustrated below in Chart A and Tables 4 and 5. An anomalous spike of 26 cases in 2006 represents the highest number of abandonments identified within an annual period, as well as an exception to the overall trend. The three cases in 2012 represent the lowest number of abandoned infants identified within an annual period. CDSS continues to identify abandonment cases from various sources and will continue to report updates.

Chart A. Total Abandoned Infants 2001-2012

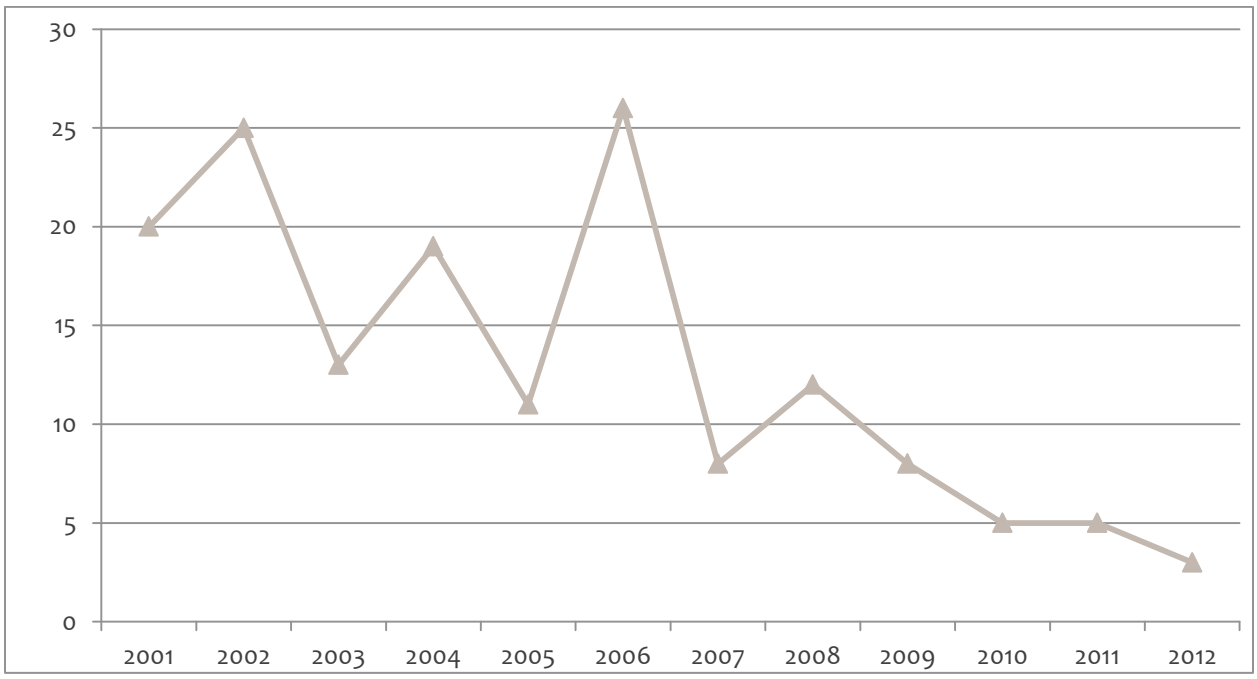


Table 4. Safely Surrendered Babies and Abandoned Infants 2001-2012

Year	Reclaimed	Safely Surrendered	Total Abandoned	Abandoned Deceased	Abandoned Surviving
2001	0	**2**	**20**	13	7
2002	0	**17**	**25**	12	13
2003	0	**25**	**13**	8	5
2004	1	**33**	**19**	12	7
2005	0	**52**	**11**	7	4
2006	0	**65**	**26**	16	10
2007	1	**47**	**8**	4	4
2008	0	**61**	**12**	9	3
2009	1	**57**	**8**	6	2
2010	5	**71**	**5**	3	2
2011	2	**48**	**5**	4	1
2012	4	**72**	**3**	3	0
TOTAL	14*	**550**	**155**	97	58

*Safely Surrendered Babies include Reclaimed

Data for 2013 and 2014 (below in Table 5) should be considered preliminary and may change once comprehensive data has been received from counties, CDPH and other sources.

Table 5. Safely Surrendered Babies and Abandoned Infants Recorded to Date 2013- 2014

Year	Reclaimed	Safely Surrendered	Total Abandoned	Abandoned Deceased	Abandoned Surviving
2013	2	**62**	**4**	2	2
2014	0	**74**	**5**	1	4
TOTAL	2	**136**	**9**	3	6

The comprehensive data on the following pages is only available for the years 2001 through 2012 at the time of this report.

County by County Breakdown

The greatest number of safely surrendered babies and abandoned infants has been reported by Los Angeles (LA) County, which accounts for 25 percent of the State's child population.[1] The number of safe surrenders reported by CDSS for LA County is higher than the number reported by ICAN. Whereas ICAN only reports cases where the surrendering person knew about the law before going to the safe surrender site, CDSS reports all infants surrendered under the law. The ICAN reports data according to these criteria in order to monitor public outreach efforts in LA County. Counties that have not recorded a safe surrender or abandonment case have not been included below.

Table 6. Safely Surrendered Babies and Abandoned Infants by County January 1, 2001 – December 31, 2012

Safely Surrendered Babies: 550					
Los Angeles	**120**	Butte	**5**	Santa Cruz	**2**
San Bernardino	**65**	San Mateo	**5**	Shasta	**2**
Orange	**58**	San Benito	**4**	Amador	**1**
Sacramento	**45**	San Luis Obispo	**4**	Del Norte	**1**
San Joaquin	**40**	Solano	**4**	Imperial	**1**
Kern	**27**	Sonoma	**4**	Kings	**1**
Riverside	**22**	Yolo	**4**	Lake	**1**
Alameda	**21**	El Dorado	**3**	Mendocino	**1**
Santa Clara	**19**	Humboldt	**3**	Modoc	**1**
San Diego	**18**	Merced	**3**	Napa	**1**
Fresno	**12**	Monterey	**3**	Nevada	**1**
Stanislaus	**12**	San Francisco	**3**	Siskiyou	**1**
Ventura	**8**	Santa Barbara	**3**	Tehama	**1**
Contra Costa	**8**	Madera	**3**	Tulare	**1**
Marin	**6**	Mono	**2**		

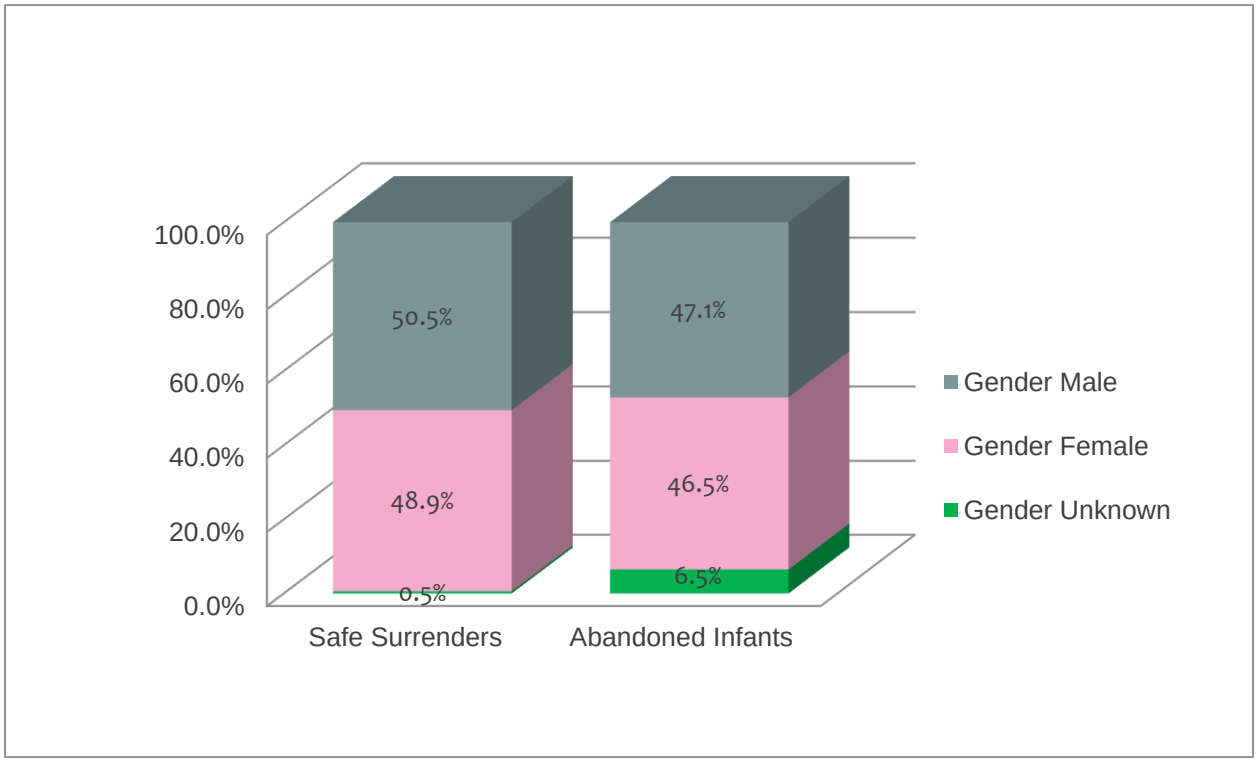
Abandoned Infants: 155					
Los Angeles	**80**	Kern	**3**	Placer	**1**
Santa Clara	**11**	Monterey	**3**	San Francisco	**1**
Alameda	**10**	Contra Costa	**2**	San Luis Obispo	**1**
San Diego	**7**	Riverside	**2**	San Mateo	**1**
Orange	**5**	San Joaquin	**2**	Solano	**1**
San Bernardino	**5**	Santa Barbara	**2**	Ventura	**1**
Sacramento	**4**	Sonoma	**2**	Yolo	**1**
Stanislaus	**4**	Madera	**1**		
Tulare	**4**	Marin	**1**		

[1] California Dept. of Finance, Race/Ethnic Population with Age and Sex Detail, 1990-1999, 2000-2010, 2010-2060 (May 2013); U.S. Census Bureau, Current Population Estimates, Vintage 2012 (June 2013).

Gender

Data for safely surrendered babies indicate a nearly equal distribution of male and female infants who were surrendered between 2001 through 2012. The percentage of safe surrender cases and abandoned infants with "unknown" gender is a result of archived data for which full demographics information is not available.

Chart B. Gender of Safely Surrendered Babies and Abandoned Infants 2001-2012



Due to rounding, percentages may not add to 100%

Ethnicity

In order to display a comparison of safely surrendered and abandoned infant ethnicity, CDSS has collected data provided by the California Child Welfare Indicators Project (CCWIP), a collaborative venture between the University of California at Berkeley and CDSS. The CCWIP obtains general population demographic data from the California Department of Finance and U.S. Census Bureau. For the purposes of this report, CDSS has calculated the average percentage of each reported ethnic group during 2001-2012 for infants under one year of age. These averages are provided in the "Infants Statewide" row of Table 7 on the following page.

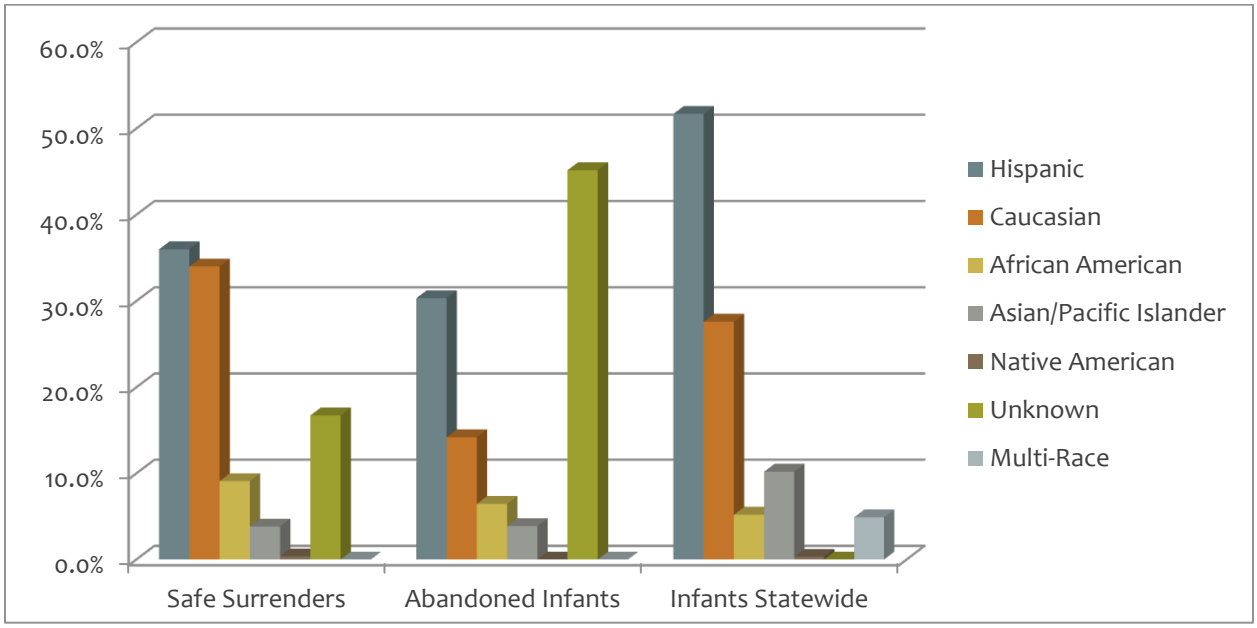
Because there is a large percentage of safely surrendered and abandoned infants for whom the ethnicity is unknown, CDSS is not drawing conclusions regarding ethnic proportionality at this time. Rather, CDSS provides this data for reference purposes so

that the public has access to the most complete data currently available. As shown in Table 8 on page 25, there were 92 safe surrenders (16.7 percent of all recorded safe surrenders to date) for which the ethnicity was "unknown," which may be a result of the surrendering person's reluctance to reveal any identifying information or the inability of safe surrender site personnel to make such a determination. Ethnicity is also unknown for 70 abandoned infant cases (45.2 percent), as shown below in Table 9, mostly due to unidentified demographics in media coverage of abandoned infants. The information available to CDSS thus far provides a limited picture of the ethnicity of safely surrendered and abandoned infants statewide.

Table 7. Ethnicity: Safely Surrendered and Abandoned Infants vs. Statewide Infant Population 2001-2012

Category	Hispanic	Caucasian	African American	Asian/ Pacific Islander	Native American	Unknown	Multi-Race
Safely Surrendered	36.0%	34.0%	9.1%	3.8%	0.4%	16.7%	No Results
Abandoned	30.3%	14.2%	6.5%	3.9%	0.0%	45.2%	No Results
Infants Statewide[2]	51.7%	27.6%	5.2%	10.2%	0.3%	No Results	4.9%

Chart C. Ethnicity: Safely Surrendered and Abandoned Infants vs. Statewide Infant Population 2001-2012



[2] California Dept. of Finance, Race/Ethnic Population with Age and Sex Detail, 1990-1999, 2000-2010, 2010-2060 (May 2013); U.S. Census Bureau, Current Population Estimates, Vintage 2012 (June 2013).

Table 8. Ethnicity: Safely Surrendered Babies 2001-2012

Ethnicity	Hispanic	Caucasian	African American	Asian/ Pacific Islander	Native American	Unknown	Total
Total	**198**	**187**	**50**	**21**	**2**	**92**	**550**
Percent	*36.0%*	*34.0%*	*9.1%*	*3.8%*	*0.4%*	*16.7%*	*100.0%*

Chart D. Ethnicity: Safely Surrendered Babies 2001-2012

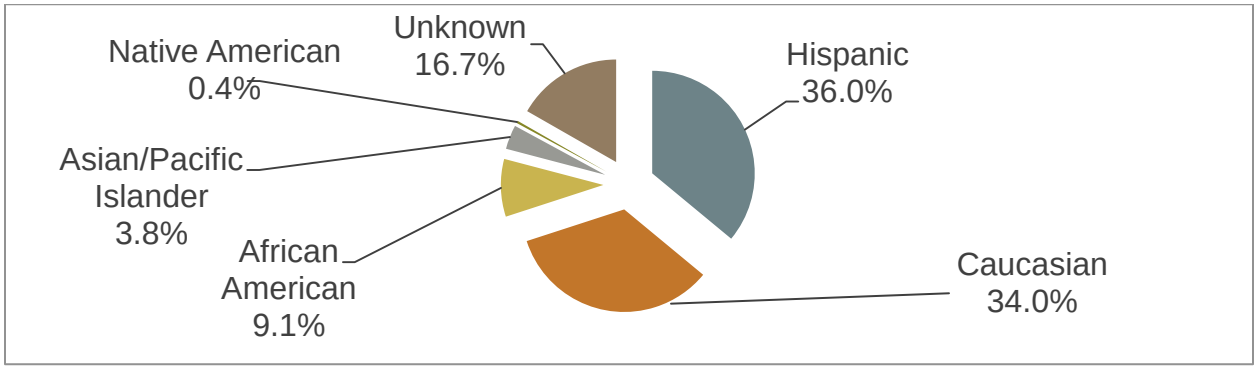
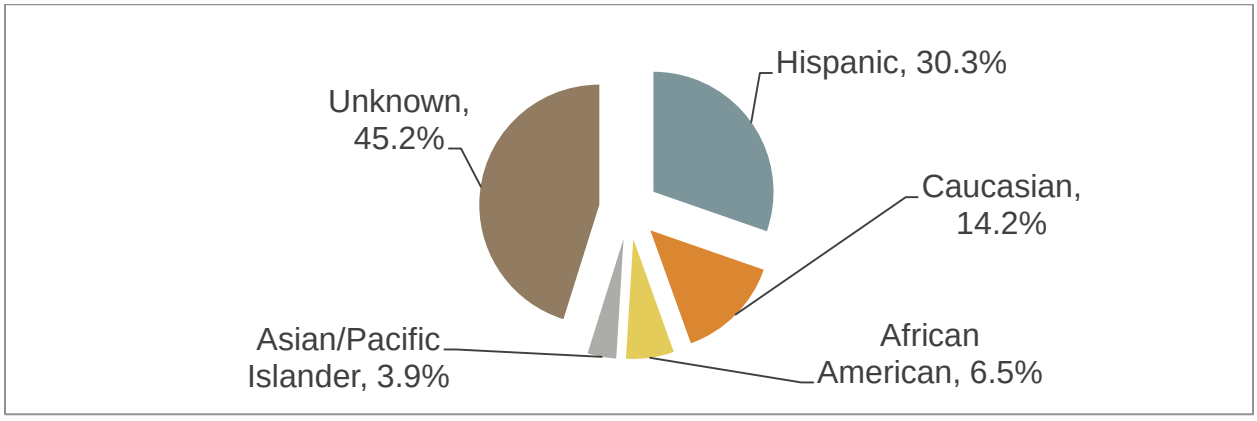


Table 9. Ethnicity: Abandoned Infants 2001-2012

Ethnicity	Hispanic	Caucasian	African American	Asian/ Pacific Islander	Unknown	Total
Total	**47**	**22**	**10**	**6**	**70**	**155**
Percent	*30.3%*	*14.2%*	*6.5%*	*3.9%*	*45.2%*	*100.0%*

Chart E. Ethnicity: Abandoned Infants 2001-2012



Section IV. Assembly Bill 1048: Safely Surrendered Baby Data 2010 Through 2014

Assembly Bill 1048

The passage of AB 1048 (Torrico, Chapter 567, Statutes of 2010) expanded the types of agencies that could be authorized as safe surrender sites by granting such authority to local fire agencies. It also expanded liability protection for safe surrender site personnel.

As required by AB 1048, the prior section of this report includes the number of children one year of age or younger who are found abandoned in the State for each year in which reporting is required by this bill, as well as the number of babies safely surrendered. Although reporting as required by AB 1048 began in 2010, CDSS exceeds this requirement by providing this data retrospectively back to the introduction of the SSB law in 2001 in order to provide the public with the most complete perspective of the effectiveness of the law over time. As noted earlier, the retrospective review includes comprehensive data through 2012 as well as a tally of safe surrenders and abandoned infants reported to CDSS for 2013 and 2014.

AB 1048 also requires that CDSS report more specific SSB data for the years being reported pursuant to its mandate, which began in 2010. Accordingly, CDSS has monitored data required by AB 1048 since 2010 and will present this data for 2010 through 2014 in the remainder of this section of the report. Data for 2010-2012 includes comprehensive information obtained from counties, CDPH and other sources. Data for 2013 and 2014 reflects data reported to CDSS by counties and may be updated in future reports.

Reclaimed Safely Surrendered Babies

AB 1048 requires CDSS to report instances in which a parent or other person having lawful custody seeks to reclaim custody of a surrendered child, both during and after the initial period following surrender, the outcome of those cases, and the person seeking to reclaim custody.

There were five attempted reclaims in 2010 and two in 2011. Each was attempted within the 14-day reclaim period by the person who surrendered the child and all were successful reclaims.

There were eight attempted reclaims in 2012, each within the 14-day reclaim period and each attempted by the person who had surrendered the child. Of these eight attempts, six were successfully reclaimed. Two attempted reclaims in 2012 were unsuccessful due to indications of substantial risk of abuse or neglect. These two cases subsequently proceeded as standard adoptions with visitation rights, rather than safe surrenders, and they are not included in the statewide count for 2012.

There were two successful reclaims and one attempted reclaim in 2013, each attempted by the person who had surrendered the child. The child in the denied reclaim was placed with relatives due to concerns over the parents' substance abuse. The child was later reunified with his parents. There were no attempted reclaims in 2014.

Table 10: Reclaimed Safely Surrendered Babies 2010-2012

Year	Attempted Reclaims	Reclaim By Person Who Surrendered	Reclaim During 14-Day Reclaim Period	Successful Reclaims	Unsuccessful Reclaims	Total SSB
2010	5	5	5	5	0	71
2011	2	2	2	2	0	48
2012	8	8	8	6	2	72
2013	3	2	2	2	1	62
2014	0	0	0	0	0	74
Total	**18**	**17**	**17**	**15**	**3**	**327**

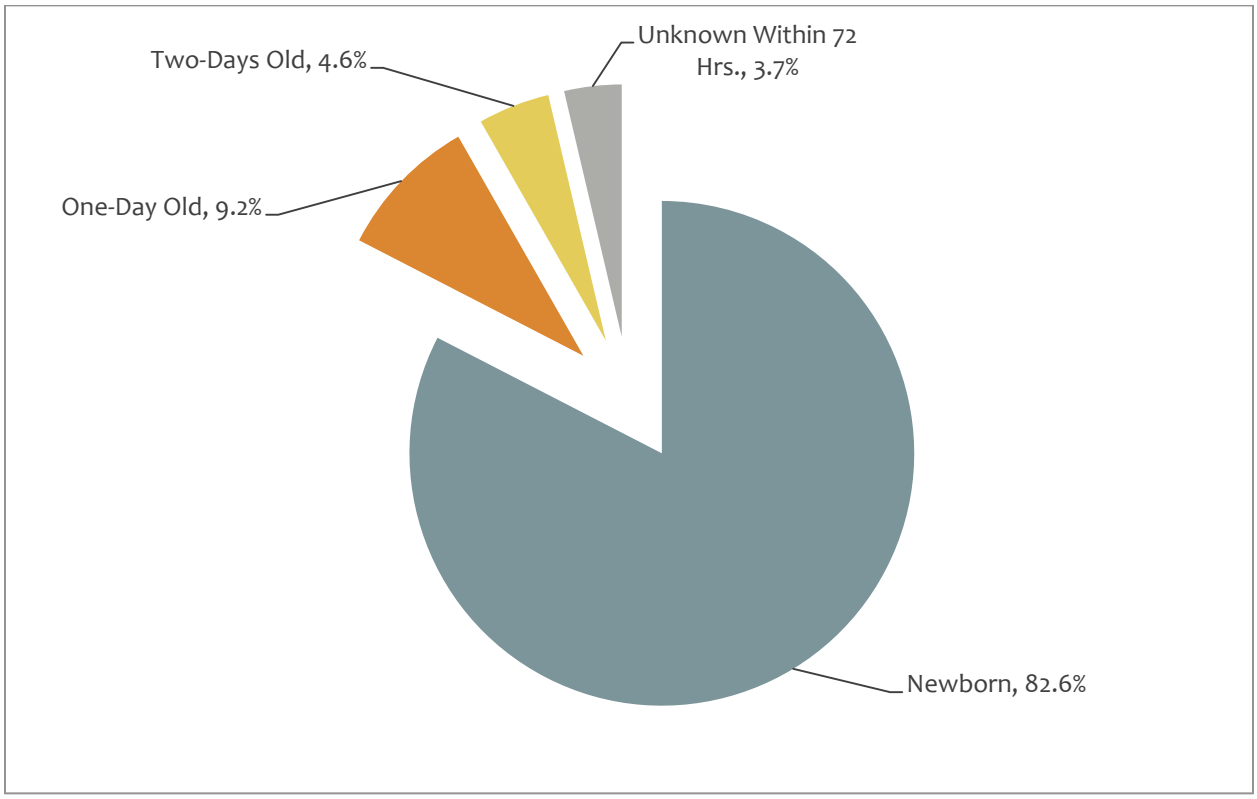
Safely Surrendered Babies and Their Approximate Age

Between 2010 and 2014, 327 infants were safely surrendered under the SSB law, including fifteen successful reclaims. Of the 327 infants, 270 were newborns surrendered at birth, 30 were one day old, and fifteen were two days old. In thirteen cases, although it was noted that the infant had been surrendered within 72 hours of birth, the available records were unclear as to whether the infant was newborn, one day old, or two days old at the time of the surrender.

Table 11. Safely Surrendered Babies and Their Approximate Age 2010-2014

Year	Newborn		One Day Old		Two Days Old		Unknown Within 72 Hrs.		Total
2010	58	81.7%	6	8.5%	4	5.6%	3	4.2%	71
2011	43	89.6%	4	8.3%	0	0.0%	1	2.1%	48
2012	53	73.6%	12	16.7%	5	6.9%	2	2.8%	72
2013	52	83.9%	3	4.8%	2	3.2%	5	8.1%	62
2014	64	86.5%	5	6.8%	4	5.4%	1	1.4%	74
Total	**270**	**82.6%**	**30**	**9.2%**	**15**	**4.6%**	**12**	**3.7%**	**327**

Chart F. Safely Surrendered Babies and Their Approximate Age 2010-2014



Medical History Questionnaires Completed in Safe Surrender Cases

Of the 71 safe surrenders in 2010, 40 medical questionnaires were confirmed as being offered to the surrendering individual, of which 30 were completed. In two cases the person surrendering the infant left the premises before safe surrender site personnel had the opportunity to offer a medical questionnaire, and in 29 cases the records do not indicate whether a medical questionnaire was offered to the surrendering individual.

Of the 48 safe surrenders in 2011, 30 medical questionnaires were confirmed as being offered to the surrendering individual, of which 22 were completed. In 18 cases, the records do not indicate whether a medical questionnaire was offered to the surrendering individual.

Of the 72 safe surrenders in 2012, 45 medical questionnaires were confirmed as being offered to the surrendering individual, of which 33 were completed. In four of the 12 cases in which the medical questionnaire was not completed, the surrendering individual specifically declined to complete the form. In one case, safe surrender site personnel noted that there was no opportunity to offer a medical questionnaire, and in 26 cases the records do not indicate whether a medical questionnaire was offered to the surrendering individual.

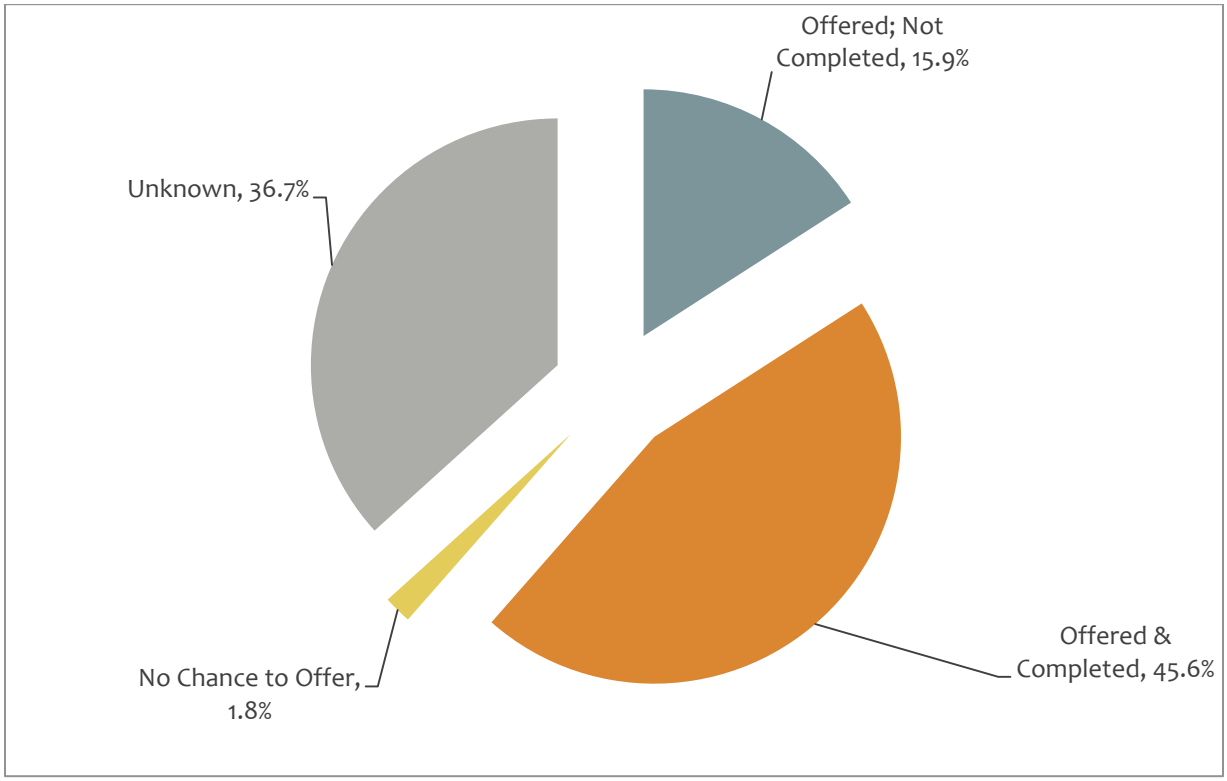
Of the 62 safe surrenders in 2013, 40 medical questionnaires were confirmed as being offered to the surrendering individual, of which 29 were completed. In one case, medical responders did not have the opportunity to offer a medical questionnaire to the parent. In 21 cases the records do not indicate whether a medical questionnaire was offered to the surrendering individual.

Of the 74 safe surrenders in 2014, 45 medical questionnaires were confirmed as being offered to the surrendering individual, of which 35 were completed. Records indicated that staff were unable to offer the questionnaire in two cases.

Table 12. Medical History Questionnaires Completed in Safe Surrender Cases 2010-2014

Year	Offered; Not Completed		Offered & Completed		Total Offered		No Chance to Offer		Unknown if Offered		Total SSB
2010	10	14.1%	30	42.3%	40	56.3%	2	2.8%	29	40.8%	71
2011	8	16.7%	22	45.8%	30	62.5%	0	0.0%	18	37.5%	48
2012	12	16.7%	33	45.8%	45	62.5%	1	1.4%	26	36.1%	72
2013	11	17.7%	29	46.8%	40	64.5%	1	1.6%	21	33.9%	62
2014	11	14.9%	35	47.3%	46	62.2%	2	2.7%	26	35.1%	74
Total	**52**	**15.9%**	**149**	**45.6%**	**201**	**61.5%**	**6**	**1.8%**	**120**	**36.7%**	**327**

Chart G. Medical History Questionnaires Completed in Safe Surrender Cases 2010-2012



Surrendered Babies Who Show Signs of Neglect or Abuse

AB 1048 requires CDSS to report the number of babies surrendered pursuant to the SSB law who show signs of neglect or abuse and the disposition of those cases. None of the safely surrendered babies were reported by safe surrender sites as showing signs of abuse or neglect. However, 67 of the 327 babies surrendered between 2010 and 2014 had positive toxicology screenings. None of these infants were reported by safe surrender sites for showing risk factors in addition to the positive toxicology screenings. Therefore, they were not investigated for abuse or neglect pursuant to Penal Code Section 11165.13, which states that a positive toxicology screen at the time of the delivery of an infant is not in and of itself a sufficient basis for reporting child abuse or neglect.

Table 13. Surrendered Babies Who Show Signs of Neglect or Abuse 2010-2012

Year	Surrendered with Signs of Abuse or Neglect	Surrendered with Positive Toxicology
2010	0	17
2011	0	7
2012	0	15
2013	0	9
2014	0	19
Total	**0**	**67**

As noted in the "Reclaimed Safely Surrendered Babies" section on page 22, three attempted reclaims were unsuccessful because, upon requesting the reclaim, the parents were assessed by the county CWS agency as posing substantial risk of future abuse or neglect to the child. It is important to clarify that although risk of future abuse or neglect prevented the reclaim of both babies, neither baby showed signs of having suffered abuse or neglect when they were safely surrendered other than being born drug exposed.

Parents or Guardians Contacted by Social Workers

AB 1048 also requires CDSS to report the number of parents or legal guardians eventually located and contacted by social workers. CDSS did not identify any instances of parents or legal guardians in 2010, 2011 or 2012 who surrendered their baby and were subsequently located and contacted by social workers, though past reports to the Legislature released in 2003 and 2005 indicated such instances. A review did show two cases in 2014 where the social worker attempted to contact the parents. In one case, the mother left the hospital with no information and the social worker attempted to contact the mother to confirm that she wished to surrender or see if a voluntary relinquishment was possible. There was no information available on the reason for the social worker contact in the second case. As the SSB law provides a safe and anonymous means for individuals to surrender rather than abandon a newborn, it is predictable that few parents will be located or contacted.

Section V. Public Outreach and Awareness of the Law

Mothers Who Surrender or Abandon Their Infants

In the process of collecting data for safely surrendered and abandoned infants, the Inter-Agency Council on Child Abuse and Neglect (ICAN) has made efforts to gather information about mothers who safely surrendered their infants and those who abandoned their newborns in an unsafe manner to see if there are differences in these two groups or if there is a common profile for the mothers in either group.

The ICAN has noted that it is inherently difficult to obtain data about mothers who safely surrender their children in California. The SSB law is intended to assure confidentiality to mothers or other surrendering parties, which thereby limits access to information. What ICAN has learned about the mothers who safely surrendered their newborns between 2002 and 2012 is based primarily on what these mothers or other surrendering parties may have disclosed to those to whom they safely surrendered, such as hospital personnel or fire department staff.

The ICAN also notes that it is inherently difficult to obtain data about mothers who abandon their infants. Because these women have committed a crime, they do not wish to be identified. If they are located and identified by law enforcement and subsequently charged with a crime, those who defend them in criminal matters most often advise them *not* to disclose information about their pregnancies and circumstances surrounding the abandonment of their children. The information ICAN has obtained about the mothers who abandoned their infants and have been identified has been collected from interviews with law enforcement personnel who have had contact with the mothers, as well as from coroner records.

Even with inherent difficulties in gathering data, the information collected by ICAN does provide some direction in better implementing the SSB law. The ICAN has learned that any public information campaign must be very broad. For example, ICAN found that in LA County, a safe surrender outreach campaign must be directed to females of all childbearing ages, ethnicities, socioeconomic classes, and geographic locations. Further, ICAN concludes that information must reach the general population so that family members, friends, and co-workers can support women at risk for abandoning or harming their infants.

The ICAN found that women who abandoned their infants indicated a great need to deny their pregnancies and made a tremendous effort to hide their pregnancies due to fear of their families' reactions. Many reported fear of disappointing their families or bringing shame on them. In some instances, the women were afraid they would lose

their support or even the right to live with their families if their pregnancies became known. The report concludes that although it may be uncomfortable to ask a woman if she is pregnant and provide her with support, ignoring suspicions and colluding in a woman's denial of her pregnancy, as apparently occurred in some cases of infant abandonment, must be challenged. Even though an unplanned pregnancy can cause emotional turmoil and moral or religious conflict, every woman should be aware of and encouraged to provide a safe and secure future for her child, no matter the circumstances surrounding the mother's pregnancy or childbirth experience.

For additional information, please see the 2002 to 2012 report produced by ICAN, entitled *Safely Surrendered and Abandoned Infants in Los Angeles (LA) County*, which can be found at ICAN's webpage: ican4kids.org.

Public Awareness and Outreach Campaign

In its continued effort to increase public awareness, CDSS has printed new outreach posters and informational pamphlets featuring the SSB hotline, printed separately for counties utilizing the 211 LA and BABYSAF phone numbers. While CDSS previously made these publications available in English and Spanish only, the June 2012 release of All County Information Notice (ACIN) I-35-12 introduced SSB outreach publications, the medical questionnaires, and the "Fast Facts" sheet translated into Chinese and Russian. This ACIN also provided updates regarding the newly designed SSB website, babysafe.ca.gov, which was redesigned to be more approachable for an individual considering the safe surrender of his or her baby, prominently displaying SSB hotline information and the statewide SSB logo.

2010: The SSB Fund

The enactment of AB 1983 (Torrico, Chapter 587, Statutes of 2010) established the SSB Fund for donations on the California resident income tax return form. The bill required that revenue generated from the SSB Fund be utilized for outreach to better inform the public of the SSB law. The SSB Fund balance for the fiscal year 2012-13 was $285,251. During the same fiscal year, approximately $19,470 was generated from voluntary contributions made by taxpayers. A total of $54,692 was used to fund the general hotline number that routes to 211 LA. The hotline can handle calls in over 140 languages 24 hours a day, seven days a week via a telephonic interpreting service, and it monitors how many calls are received from each zip code. Revenue from the SSB Fund is used to train hotline staff on specific crisis management topics including responding to callers in a state of depression or at risk of suicide, callers who are in a state of panic or anxiety, and callers who have just recently given birth and may be in unsafe locations or without any shelter.

2012: Removal of the SSB Fund, Televised Outreach

The SSB Fund is no longer included on the resident income tax return form because the State of California Franchise Tax Board estimated that the fund would not meet the minimum threshold contribution amount of $250,000. Accordingly, the fund was not included on the 2012 tax return form. Revenue was used by 211 LA in 2012-2013 to fund the SSB hotline and to develop and disseminate English and Spanish television public service announcements across the state in 15- and 30-second lengths to promote the hotline and the SSB law.

2015: Remaining SSB Funds

Remaining funds from the 2011 tax donation SSB fund revenues will continue to be utilized by 211 LA to facilitate the statewide hotline. Revenues will also be utilized by CDSS to fulfill requests for SSB outreach brochures and posters.

Conclusion

The available data indicates an 80 percent decrease in infant abandonment since the introduction of the SSB law. Such tragedies have not been entirely eliminated, however, which begs the question of whether improved or additional public outreach would prevent such deaths altogether. CDSS continues to pursue answers to this critical question, which may save the lives of vulnerable infants in the future.

Going forward, CDSS has specific goals in SSB outreach and the prevention of abandoned infants. See the “Future Plans” section (next) for further information.

Section VI. Future Plans

Public Outreach

It is the goal of CDSS to eliminate infant abandonment, an effort that has seen significant progress since implementation of the SSB law. To continue progress, CDSS has initiated extensive data analysis geared towards more effective public outreach in the form of printed materials, education, awareness campaigns, and technological resources.

Utilize Success of Public Outreach to Inform Outreach in Other Areas

The available data indicate a successful trend of decreasing child abandonment since the introduction of the SSB law, which may provide insight for successful outreach efforts in other child abuse prevention areas that face similar challenges. The CDSS' Office of Child Abuse Prevention (OCAP) is working to implement a comprehensive multi-prong strategy to reduce the number of child deaths in California, particularly those that are the result of abusive head trauma (shaken baby syndrome). These objectives will be accomplished by employing evidence-based strategies and collaborating with partners and stakeholders.

The CDSS, through OCAP, operates as part of an extensive network including CDPH, the California Department of Health Care Services, the private hospitals systems, and nonprofit organizations, each of which are integral to accomplishing the prevention goals set forth by OCAP. Additionally, OCAP is a key participant in several statewide initiatives, including the Safe, Stable, Nurturing Relationships and Environments program (led by CDPH), the Early Childhood Comprehensive Systems, and the Strengthening Families Roundtable (led by OCAP). Through these initiatives, statewide policy and systems changes can be effectively implemented and contribute to the prevention of Shaken Baby Syndrome and child deaths caused by blunt force trauma. For more information on this multi-pronged campaign, review the "Future Plans" section on page 82 of the *California Child Fatality and Near Fatality Annual Report for Calendar Year 2011*.

Easy Access to Safely Surrendered Baby Sites

CDSS is currently looking into the feasibility and legality of adding SSB sites to existing location search engines, such as Google Maps™, by adding the SSB logo to the map legend and incorporating a safe surrender site address search option. Because the use of such mapping programs is so widespread, they provide a potentially cost-effective means of providing the public with up-to-date safe surrender site information. This process will include obtaining and maintaining accurate data on all current SSB sites in all 58 counties.

Additional Demographic Data from 211 Los Angeles

Currently, only 37 counties on the CDSS website are directed to the 877-BABYSAF hotline for local safe surrender site and SSB law information. The remaining counties are instructed to dial their local 211 help hotline, which typically offers assistance for many public programs via an automated menu. This can pose a significant barrier to struggling parents seeking information about where to safely surrender a newborn, whereas 877-BABYSAF connects the caller directly with SSB assistance. In order to improve direct public access to SSB information and promote the State's efforts to prevent infant abandonment, CDSS is exploring expansion of the 877-BABYSAF number to include all counties.

In addition, converting to a single SSB hotline may improve the State's ability to identify SSB outreach and education needs because it would enable CDSS to track statewide information from SSB related calls, including caller locations and language selection.
The 877-BABYSAF hotline is currently facilitated by 211 LA, which has been funded by the SSB Fund. Those funds, however, will be depleted by June 2017. CDSS will utilize other funding to either extend the contract with 211 LA or put the statewide hotline out to bid and promote the use of 877-BABYSAF for all SSB related calls. CDSS anticipates the statewide hotline will be easier for callers to navigate and will hopefully aid in the prevention of infant abandonment.

Expand Outreach Materials

The SSB outreach materials may be accessed and ordered through the CDSS website www.babysafe.ca.gov. The "Fast Facts" one-page information notice is also available through the website in English, Spanish, Chinese, and Russian. Going forward, CDSS is moving away from paper outreach materials in favor of electronic media and aims to incorporate more detail regarding correct procedures for surrendering a baby according to the provisions of the SSB law.

Sex Education Course Content and the SSB Law

Sex education courses are not required in California schools. If, however, a school does provide a sex education course, it must advise students of the SSB law provisions in Health and Safety Code Section 1255.7 and Penal Code Section 271.5. Currently, there are no uniform California-specific curricula being provided to school districts or counties. Therefore, coverage of the SSB law varies widely by county and school district and may not accurately address all SSB law requirements. CDSS hopes to explore a partnership with the California Department of Education (CDE) to review and promote an exemplary SSB law course curriculum that is specific to California and emphasizes correct procedures for surrendering an infant under the SSB law. The goal of this strategy is to decrease potential misconceptions about the procedures for the legal safe surrender of an infant and decrease incidents of infant abandonment. This strategy would take several years to implement and requires the partnership of CDE.

Policy Development

CDSS continues its efforts to refine data collection in order to evaluate the effectiveness of the SSB law in preventing infant abandonment, as well as to analyze current policy and ensure the intent of the law is being fulfilled.

Documentation of the Optional Medical Questionnaire

Records from CWS/CMS frequently failed to indicate whether a medical questionnaire was offered during the intake of a safely surrendered infant (38.2 percent of cases). In those cases where it was documented that the medical questionnaire was offered, a majority of them were completed. CDSS considers this a high priority going forward, because the medical questionnaire may greatly improve the health and medical care for a surrendered infant. CDSS has drafted an ACIN, to be released in Spring 2016, which will provide the data findings noted in this report and remind counties of documentation responsibilities.

Law Enforcement Notification of Abandoned Infants

The ability of CDSS to collect accurate data on children who have died due to abandonment continues to be a challenge because some cases are investigated by law enforcement or the coroner rather than the county CWS agency. If the child's death is not cross-reported, the county CWS agency is not likely to be notified of the incident. To address this shortcoming, CDSS encourages county CWS agencies to establish notification procedures with local law enforcement, child death review teams, and the coroner's office. CDSS has drafted an ACIN to this intent, which will be released in Spring 2016.

What About Dad?

CDSS has recently received inquiries from county CWS agencies with questions regarding cases where an alleged biological father has come forward requesting custody of a safely surrendered baby. While the SSB law does not specifically address custody rights for a father who was not involved with the safe surrender of his baby and who seeks custody, he would have the same opportunity to establish paternity as any other father whose child is subject to dependency proceedings. CDSS has drafted an ACIN as a reminder of these procedures, which will be released in Spring 2016.

Section VII. Reference Information

Safely Surrendered Baby Law Implementation Timeline

- January 1, 2001, SB 1368 (Brulte, Chapter 824, Statutes of 2000) provided a safe and anonymous alternative to infant abandonment.

- January 12, 2001, CDSS issued All County Letter (ACL) No. 02-01 providing counties with direction for handling SSB law cases, as well as the data collection process to be utilized by county CWS agencies.

- October 30, 2001, the California Department of Health Services (which is now two departments – the California Department of Public Health and the California Department of Health Care Services) issued All County Welfare Directors Letter (ACWDL) No. 01-58 detailing the Medi-Cal eligibility determination process for children surrendered under the SSB law, as well as the process for claiming reimbursement for health screenings of safely surrendered babies. The letter also addressed a hospital's responsibility to provide care for such a newborn until the child is placed with an adoptive parent or enters the foster care system with continued eligibility established under normal Medi-Cal program criteria. Copies of the medical questionnaire in Spanish and English were included with the letter.

- September 18, 2002, CDSS issued ACIN I-66-02 to remind county CWS agencies of the reporting requirements for both the SSB law and child death cases. Additionally, CDSS reissued ACL No. 14-01, which instructed counties regarding procedures for county CWS agencies to track infants deceased due to abandonment.

- September 20, 2002, CDSS issued ACIN I-68-02 to provide information about the launching of the SSB Public Awareness Campaign and the availability of materials to increase awareness and promote this important law.

- September 29, 2002, AB 2817 (Maddox, Chapter 1099, Statutes of 2002) required all public elementary, junior high, and senior high school classes that teach sex education to include information about the law in the curriculum.

- February 27, 2003, and May 5, 2003, CDSS assembled an SSB workgroup comprised of representatives from public and private agencies involved with child welfare services to discuss and develop proposed legislative changes to enhance the law.

- May 8, 2003, California Department of Health Services issued ACWDL No. 03-26 further clarifying Medi-Cal coverage enrollment for children under the Safe Arms for Newborns law.

- September 17, 2003, CDSS issued ACIN I-57-03 to reaffirm that voluntary relinquishment remains the preferred option (rather than safe surrender) and to clarify that babies may be voluntarily surrendered utilizing the SSB law whether or not the birth occurred in a hospital.

- January 1, 2004, SB 139 (Brulte, Chapter 150, Statutes of 2003) eliminated the requirement that the child be surrendered to a "designated employee" on duty in the emergency room of a hospital or location designated by a county board of supervisors and also required that information about the parent remain confidential and that safe surrender sites display the statewide SSB logo adopted by CDSS.

- August 2, 2004, CDSS issued ACIN I-16-04 to announce the statutory changes implemented by SB 139.

- January 1, 2006, SB 116 (Dutton, Chapter 625, Statutes of 2005) made the SSB law permanent. The law had been previously written with an end-date of 2006.

- July 10, 2006, CDSS issued ACIN I-46-06 announcing updated and redesigned public outreach materials, which included posters and brochures available in both English and Spanish at no cost.

- July 14, 2008, and August 26, 2008, CDSS reconvened the SSB workgroup, comprised of representatives from public and private agencies involved with child welfare services, to discuss and develop clearer definitions and improved intake procedures.

- March 29, 2010, CDSS issued ACIN I-19-10 notifying counties of a statewide toll-free number for the hotline providing statewide safe surrender site locations and general SSB law information.

- November 2, 2010, CDSS issued ACIN I-88-10 which utilized recommendations from the 2008 SSB workgroup to clarify the definition of a safely surrendered baby. The ACIN also provided clarifications for safe surrender site personnel regarding the intake of a safely surrendered baby and reminded CWS staff of CWS/CMS data entry procedures for safely surrendered babies.

- January 1, 2011, AB 1048 (Torrico, Chapter 567, Statutes of 2010) expanded the agencies that can authorize a safe surrender site, expanded protection of SSB site personnel, and required an annual CDSS report to the Legislature on the effectiveness of the SSB law.

- January 1, 2011 AB 1983 (Torrico, Chapter 587, Statutes of 2010) established an SSB Fund for donations on the California resident income tax return form. The bill required that revenue generated from the SSB Fund be utilized for outreach to better inform the public of the SSB law.

- June 6, 2011, CDPH issued All Facility Letter 11-07 in response to the CDSS objective of an updated definition of a "safely surrendered baby" and updated intake procedures to be distributed to safe surrender site personnel in California hospitals. The CDPH distributed the letter to general acute care hospitals, acute psychiatric hospitals, and specialty hospitals statewide.

- May 8, 2012, CDSS issued ACIN I-19-12 providing instructions for county CWS agencies to report safely surrendered babies to CDSS, to the California Missing Children Clearinghouse, and to the National Crime Information Center as mandated by the SSB law. The ACIN included a streamlined form for reporting to CDSS via secure, dedicated e-mail, as well as procedures established by collaboration between CDSS and the Department of Justice for reporting to the Missing Children Clearinghouse and National Crime Information Center simultaneously with a single hotline phone call.

- June 12, 2012, CDSS issued ACIN I-35-12 announcing updates to the CDSS babysafe.ca.gov webpage, including SSB outreach publications in multiple languages, a downloadable statewide SSB logo, and contact information for county CWS agencies to obtain the Certificate of Finding of Unknown Child or Safely Surrendered Baby (Vital Statistics form VS-136) in place of a birth certificate as required by CDPH.

- January 18, 2013, CDSS executed a data-sharing Memorandum of Understanding with CDPH regarding data on child deaths.

- October 30, 2013, CDSS reconciled safely surrendered and abandoned deceased infant data from the following sources:
    - 2001-2005 CDSS archived hardcopy files
    - 2006-2013 CDSS electronic files
    - 2010 safely surrendered and abandoned infant county survey
    - 2001-2013 LA County SSB master list
    - 2001-2013 Kern County SSB master list
    - 2002-2013 LA County abandoned deceased infant data from ICAN
    - 2005-2011 abandoned deceased infant data provided by CDPH from the Fatal Child Abuse and Neglect Surveillance system

  As a result of this reconciliation, CDSS identified the following cases previously unrecorded by CDSS for the purpose of monitoring the SSB law: 51 safe surrenders and 48 abandoned deceased infants, including demographic data for most of those cases.

- June 26, 2014, CDSS obtained and reconciled abandoned surviving infant data for 2001 through 2012 from ICAN and from statewide media sources. As a result of this reconciliation, CDSS identified 43 abandoned surviving infants, providing a meaningful portrayal of the number of abandoned surviving infants since the introduction of the SSB law.

- December 22, 2014, CDSS obtained additional abandoned surviving and abandoned deceased infant records from statewide media sources and reconciled with existing records. As a result of this reconciliation, CDSS identified an additional 24 abandoned deceased infants and seven additional abandoned surviving infants.

Appendix

All County Letter No. 02-01
(Safe Arms for Newborns Law, also known as Safely Surrendered Baby Law)

All County Welfare Directors Letter No. 01-58, California Department of Health Services
(Medi-Cal Coverage for Children Under the Safe Arms for Newborns Law – Abandoned Baby Program)

All County Information Notice I-66-02
(Reporting Requirements: Safely Surrendered Baby Law and Child Fatalities)

All County Information Notice I-68-02
(Public Awareness Campaign)

All County Welfare Directors Letter No. 03-26, California Department of Health Services
(Medi-Cal Coverage for Children Under the Safe Arms for Newborns Law – Abandoned Baby Program)

All County Information Notice I-57-03
(Safely Surrendered Baby Law – Hospital Births)

All County Information Notice I-16-04
(Safely Surrendered Baby Law – Updates)

All County Information Notice I-46-06
(Safely Surrendered Baby Law Publications)

All County Information Notice I-19-10
(New Statewide Toll-Free Number for Hotline Providing Statewide Safe Surrender Site Locations)

All County Information Notice I-88-10
(Safely Surrendered Baby Definition, Intake and Data Entry)

Safely Surrendered Baby Law Fast Facts Sheet
(Basic Introduction to the Safely Surrendered Baby Law)

All Facility Letter 11-07, California Department of Public Health
(Hospital Infant Safe Surrender Requirements)

All County Information Notice I-19-12
(Reporting Safely Surrendered Babies to the California Department of Social Services, the California Missing Children Clearinghouse, and the National Crime Information Center)

All County Information Notice I-35-12
(Safely Surrendered Baby Law Translated Publications, Statewide Logo, and Certificate of Finding of Unknown Child or Safely Surrendered Baby – Vital Statistics Form VS-136)

Website: www.babysafe.ca.gov

Callers from the following 21 counties can either dial “211” to reach 211 LA and be directed to 1-877-BABYSAF or they can dial 1-877-BABYSAF directly:

Alameda	Orange	Santa Barbara
Contra Costa	Riverside	Santa Clara
Fresno	Sacramento	Solano
Kern	San Bernardino	Sonoma
Marin	San Diego	Stanislaus
Monterey	San Francisco	Ventura
Napa	San Luis Obispo	Yolo

Callers from these 37 counties must dial 1-877-BABYSAF directly:

Alpine	Humboldt	Mariposa	San Benito	Tehama
Amador	Imperial	Mendocino	San Joaquin	Trinity
Butte	Inyo	Merced	San Mateo	Tulare
Calaveras	Kings	Modoc	Santa Cruz	Tuolumne
Colusa	Lake	Mono	Shasta	Yuba
Del Norte	Lassen	Nevada	Sierra	
El Dorado	Los Angeles	Placer	Siskiyou	
Glenn	Madera	Plumas	Sutter	