

## 1.21 BABY SAFE HAVEN

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# BABY SAFE HAVEN

POLICY & PROCEDURE NO. <b>1.21</b>	SECTION <b>OPERATIONS</b>	PAGES: 4
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## I. GENERAL CONSIDERATIONS AND GUIDELINES

In 2004 the Massachusetts Legislature passed Chapter 227, An Act Relative to the Placement of Newborn Infants, a temporary law that provided a mechanism for parents to voluntarily abandon newborn infants, within seven days of birth, without the abandonment itself constituting criminal neglect. The law was made permanent with the passage of Chapter 86 of the Acts of 2007.

The purpose of this policy is to provide guidance to officers faced with voluntary abandonment. This policy does not in any way prohibit police from accepting an infant or child believed to be older than seven days.

## II. POLICY

The West Brookfield Police Department will ensure that infants voluntarily abandoned are received, cared for, and transferred to the appropriate social services agency.

## III. DEFINITIONS

## 1.21 BABY SAFE HAVEN

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### **IV. PROCEDURES**

The act of abandonment in and of itself shall not constitute abuse or neglect provided that the newborn infant is:<sup>1</sup> **[41.2.6(1-C)(3)]**

1. Seven (7) days of age or less.
2. Delivered to an appropriate person.
3. Delivered to a designated facility, defined as:
  - a. A hospital.
  - b. A police department; or
  - c. A manned fire station.

Acts of abuse or neglect are not exempted under this statute.

If an infant or child is obviously more than seven days old, this procedure shall be followed, and in addition:

1. The officer shall attempt to identify the abandoning parent.
2. An investigation shall be conducted, and a report prepared; and
3. The District Attorney's Office should be consulted before any criminal charges are sought.

### **INITIAL RESPONSE TO VOLUNTARY ABANDONMENT**

Upon receiving a request for voluntary abandonment, Public Safety Communication Center (C8) personnel shall immediately:

1. Notify a Supervisor and Chief of Police. (C8 is not going to do that first, they would notify the officer first, request ems, then notify a supervisor, when the officer requests it.)
2. Assign an officer to meet the parent(s) and take custody of the infant; and
3. Request EMS to respond to check the medical condition of the infant and transport the infant to an acute care hospital emergency department, if available.

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## 1.21 BABY SAFE HAVEN

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If there are obvious signs of physical abuse or neglect, the officer shall initiate a preliminary investigation and submit a report of Neglect and Abuse to DCF.<sup>2</sup>

### **INTERACTING WITH THE CARETAKER**

If one or more parents are available, thank them for bringing the infant to a safe place and ask if they would be willing to provide information that will assist in planning for the child's future care. Encourage the parent to provide information and inform them that situations often arise that only information from a parent can address.

The following information should be recorded on the department's Baby Safe Haven form if possible:

1. The name of the newborn infant.
2. The name and address of the parent placing the newborn infant.
3. The newborn infant's birthplace.
4. Information relative to the newborn infant's medical history.
5. His or her biological family's medical history.
6. Any other information that might reasonably assist the department in determining the best interest of the child; and
7. Whether the parent plans on returning to seek future custody of the child.

After obtaining any information possible from the parent(s), the officer should take custody of any food, clothing, blankets, or other items the parent has with them for the child. The officer should inquire about any assistance the parent needs, including domestic violence or substance abuse services. The Baby Safe Haven Hotline number should also be provided to the parent(s): 1-866-814-SAFE (7233).

### **CARING FOR THE INFANT**

An employee or other appropriate person shall be assigned to care for the infant until custody is transferred to another appropriate person. An employee with an infant or very young child may be very helpful in immediately caring for the infant until additional assistance arrives.

## 1.21 BABY SAFE HAVEN

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The infant shall be kept in a safe and comfortable place with the temporary caretaker and shall never be left unattended. The infant shall be turned over to EMS personnel upon their arrival, along with any food, clothing, or other items. A copy of the information volunteered by the parent should accompany the infant.

### **DEPARTMENT OF CHILDREN AND FAMILIES**

The assigned officer shall notify DCF and advise them of any information that is available about the infant, including:

1. The infant's name and any other information volunteered by the parent.
2. Any items left with the infant (food, clothing, blankets, etc.); and
3. The location where a social worker can take custody of the infant (police station, hospital, etc.).

### **REPORTS**

Officers assigned to an abandoned infant shall submit an incident report prior to the end of their tour of duty. A copy of the Baby Safe Haven form and of the officer's incident report shall be provided to DCF as soon as they are available.

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<sup>1</sup> M.G.L. c. 119, §39 1/2.

<sup>2</sup> M.G.L. c. 119, §51A.