



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



540.03 SAFELY SURRENDERED BABY 07-24-17

PURPOSE

The purpose of this order is to establish procedures to help protect the life of an infant by encouraging the parents or person(s) in lawful custody to safely surrender babies at a safe-surrender site rather than abandoning them in an unsafe location.

POLICY

It shall be the policy of the Sacramento Police Department to ensure the safety and welfare of a minor child 72 hours old or younger when taken to a safe-surrender site in accordance with Penal Code 271.5 and the Safely Surrendered Baby Law (SSB).

PROCEDURE

A. GENERAL

The Safely Surrendered Baby Law (SSB) allows a parent or person with lawful custody to surrender a baby, who shows no signs of abuse, confidentially and without fear of arrest or prosecution for child abandonment or a violation of Sections 270, 270.5, 271, or 271a. This law allows up to a 14-day cooling off period, which begins the day the child is voluntarily surrendered. During this period, the person who surrendered the child can return to the safe-surrender site to reclaim the child.

B. DEFINITIONS

1. **SAFE-SURRENDER SITE** – Any public or private hospital, fire station, or other location designated by the Sacramento County Board of Supervisors to be responsible for accepting physical custody of a minor child who is 72 hours old or younger. A safe-surrender site will display the following statewide logo:



NOTE: Police Department facilities are NOT designated as safe-surrender sites.

2. **SAFE-SURRENDER SITE PERSONNEL** – Any person who is an officer or employee of a safe-surrender site or who has staff privileges at the site.

C. OFFICER RESPONSIBILITIES

Officers responding to a surrendered baby call shall place the infant in protective custody and perform the following procedures:

1. If the parent or surrendering person is still on site, officers shall contact him/her and attempt to obtain any voluntary identification information.

NOTE: The Safely Surrendered Baby Law does not preclude police officers from asking questions concerning a parent's or surrendering person's identity in the hopes of soliciting a voluntary response.

2. Conduct a thorough preliminary investigation to determine if a case of child abuse exists. If officers observe obvious signs of abuse or suspect a case of child abuse, he/she shall detain the parent or surrendering person and investigate further (refer to G.O. 540.02 – Reporting Child Abuse, Neglect, Molest or Sexual Exploitation Cases). If signs of child abuse are present, the parent or surrendering person's personal information (e.g. name, contact information) is no



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longer confidential.

3. Absent obvious signs of abuse, and if the baby appears to be in good physical health, officers shall not prevent the parent or surrendering person from leaving the site. Any identifying information that pertains to a parent or person surrendering a child that is obtained as a result of the medical questionnaire or in any other manner (e.g. during a preliminary investigation), is confidential and shall be exempt from disclosure under the California Public Records Act.
4. From the moment the baby is left by the parent or surrendering person at a safe-surrender site, the baby is deemed abandoned for purposes of the Safely Surrendered Baby Law and can only be released by Child Protective Services (CPS).
 - a. Departmental employees will not perform mental evaluations of the parent or surrendering person to determine if a surrendered baby can be released back to him/her.
 - b. Employees responding to calls for service at a safe-surrender site involving a dispute over the custody of a surrendered baby shall place the baby in protective custody and notify CPS.
5. When a baby is surrendered to a location other than a hospital, officers shall ensure the baby is transported to the Donner Reception Center (3300 Stockton Blvd) during normal business hours or the University of California, Davis Medical Center (UCDMC) Emergency Room when the center is closed (refer to G.O. 540.01 – Protective Custody).
6. Confirm that CPS has been notified by the surrender-site personnel that a child has been accepted at the site. It is the responsibility of the surrender-site personnel to contact CPS as soon as possible, but in no event later than 48 hours after the physical custody of a child has been accepted.
7. Complete the Department of Human Services Protective Custody Report form (CS 673) and an Incident/Information Report to include that CPS has been notified.
8. The Records Section shall forward the report to the Sexual Assault/Child Abuse (SACA) Unit for further follow-up (if needed).

D. SURRENDERED BABY AT POLICE FACILITIES

In the event a parent or surrendering person who is unable or unwilling to care for an infant child attempts to surrender their baby at a Sacramento Police facility, employees shall

1. Immediately request the Sacramento Fire Department respond for medical evaluation of the infant.
2. Notify the Communications Center (if needed) to dispatch an officer for further investigation and to evaluate the baby for any visible signs of abuse or suspected child abuse. If a baby shows signs of abuse, or appears older than a 72-hour old baby, employees shall attempt to obtain any identifying information (e.g. name of the child or parent, vehicle description information) for follow-up investigation.
3. If the baby reasonably appears to be 72 hours old or younger, and does not show signs of abuse, employees shall stand-by with the infant until the appropriate fire and police personnel arrive to place the child into protective custody.