

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
SUBJECT: SAFELY SURRENDERED BABY SITES AT
FIRE STATIONS
STAFF PRESENTER: KEN SEBASTIANI
DIVISION CHIEF
FIRE DEPARTMENT
AGENDA ACTION: RESOLUTION

ISSUE(S)

Should the Council by Resolution designate Santa Rosa Fire Stations as Safe Surrender Sites?



COUNCIL GOALS AND STRATEGIES

Goal 5: Improve the Partnerships between Neighborhoods, Community Organizations, Schools, and the City to Support and Promote Thriving, Inclusive, and Diverse Neighborhoods.

Goal 6: Commit to Making Santa Rosa a Healthy Community Where People Feel Safe to Live, Work, and Play.

BACKGROUND

1. California law establishes a procedure for the voluntary surrender of a baby within 72 hours of birth. Under this law, parent(s)/legal custodian(s) can safely surrender their baby and be protected from prosecution for child abandonment. The purpose of this law is to protect the newborn infant from being abandoned in an unsafe place when a parent(s)/legal custodian (s) feel(s) he or she cannot or will not handle the responsibility.
2. Statewide Statistics: From January 1, 2001 – December 31, 2012, 493 newborns have been safely surrendered in California. There have been 151 babies that have been found alive following their illegal abandonment and 31 babies had passed away due to being illegally abandoned, for a total of 675 babies.
3. The Fire Department along with the Director of Family, Youth and Children's Division and the Program Planning Analyst from Sonoma County presented a Staff Briefing to Council on April 4, 2012, outlining the steps necessary for

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approval from Sonoma County Board of Supervisors and, if successful, a plan to ask Council for approval for implementation.

4. The Fire Department along with the Director of Family, Youth and Children's Division and Program Planning Analyst, on April 24, 2012 presented a Resolution to the Sonoma County Board of Supervisors. The Sonoma County Board of Supervisors adopted a Resolution No. 12-0193 designating all ten (10) Santa Rosa Fire Stations as Safe Surrender Baby Sites.
5. The Fire Department created a new Standard Operating Procedure that details the procedure for accepting Safely Surrendered Babies at the Fire Stations and has completed the training with all of the stakeholders that will assist with program- Sonoma County Human Services Department, Santa Rosa Police Department, American Medical Response Ambulance personnel, Santa Rosa Police and Hospitals.

ANALYSIS

Pursuant to Health & Safety Code section 1255.7 (h); The Fire Department personnel have immunity for good faith actions under the Safely Surrendered Baby law.

(h) A safe-surrender site, or the personnel of a safe-surrender site, shall not have liability of any kind for a surrendered child prior to taking actual physical custody of the child. A safe-surrender site, or personnel of the safe-surrender site, that accepts custody of a surrendered child pursuant to this section shall not be subject to civil, criminal, or administrative liability for accepting the child and caring for the child in the good faith belief that action is required or authorized by this section, including, but not limited to, instances where the child is older than 72 hours or the parent or individual surrendering the child did not have lawful physical custody of the child. A safe-surrender site, or the personnel of a safe-surrender site, shall not be subject to civil, criminal, or administrative liability for a surrendered child prior to the time that the site or its personnel know, or should know, that the child has been surrendered. This subdivision does not confer immunity from liability for personal injury or wrongful death, including, but not limited to, injury resulting from medical malpractice.

RECOMMENDATION

It is recommended by the Fire Department that Council, by resolution, designate the ten (10) Fire stations as Safe Surrender sites in Santa Rosa.

Author: Ken Sebastiani

Attachments:

- None