

RESOLUTION NO. 4284

**A RESOLUTION OF THE CITY OF COUNCIL OF THE CITY OF SOLEDAD
ADOPTING THE STATE OF CALIFORNIA SAFELY SURRENDER BABY PROGRAM
AND CITY OF SOLEDAD FIRE DEPARTMENT STANDARD OPERATING
PROCEDURE NO. 350.2**

WHEREAS, on January 1, 2001 the State of California adopted and established a Safely Surrender Baby Program pursuant to the California Safely Surrender Law (SB1368); and

WHEREAS, on October 7, 2005 (SB1368) was amended by legislation (SB116), which identified fire stations as potential safe surrender sites; and

WHEREAS, there are no designated safe surrender sites in South County.

NOW THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Soledad as follows:

Section 1: The City Council hereby approves Standard Operating Procedure #350.2., establishing a Safely Surrender Baby Program.

Section 2: The City Council hereby designates the City of Soledad Fire Station as a safe surrender baby site.

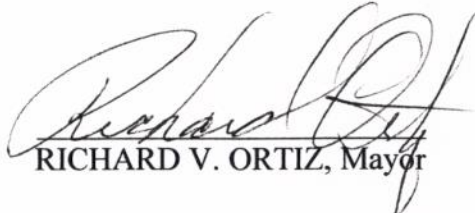
PASSED AND ADOPTED at a regular meeting of the City Council of the City of Soledad duly held on the 17th day of September 2008 by the following vote:

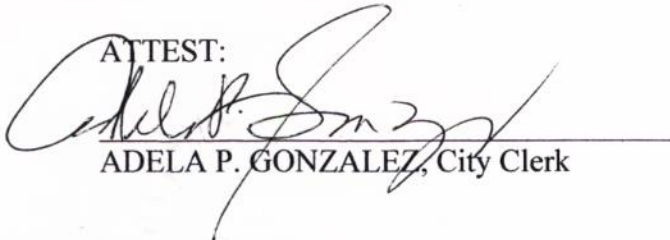
AYES, and in favor thereof, Councilmembers: Martha Camacho, Juan Saavedra, Patricia Stephens, Mayor Pro Tem Christopher Bourke, Mayor Richard Ortiz

NOES, Councilmembers: None

ABSTAIN, Councilmembers: None

ABSENT, Councilmembers: None


RICHARD V. ORTIZ, Mayor

ATTEST:

ADELA P. GONZALEZ, City Clerk

Soledad Fire Department

Standard Operating procedure

Section 300 – Operations / Emergencies/Non-Emergencies – SOP#305.2

Safely Surrender Baby Program

I. Purpose:

The purpose of this policy is to designate the City of Soledad Fire Department as a “safe-surrender site” and establish a Safely Surrender Baby Program pursuant to the California Safely Surrendered Baby Law (SB1368) that went into effect on January 1, 2001 and was amended by legislation (SB116) on October 7, 2005. The Safely Surrender Baby Law allows a person to surrender an infant 72 hours or younger to any designated “safe-surrender site”.

II. Legislation:

The California Safely Surrender Baby law provides that no parent or other person having legal custody of a minor child 72 hours old or younger may be prosecuted if he or she voluntarily surrenders physical custody of the child to an employee on-duty at a designated safe surrender site. This legislation is intended to provide a safe location to surrender a baby 72 hours old or younger without the fear of prosecution. The State of California believes that the Safely Surrender Baby Program will save the lives of many newborns who would otherwise suffer undue harm or even death due to abandonment.

III. Scope:

Once the city’s Fire Station becomes a designated site, this policy will pertain to all personnel of the City of Soledad Fire Department. According to section 1255.7 of the California Health and Safety Code:

“Any person on-duty at a safe surrender site shall accept physical custody of a minor child 72 hours old or younger pursuant to this section if a parent or other individual having lawful custody of the child voluntarily surrenders physical custody of the child to personnel who are on-duty at the safe surrender site.”

IV. Location Identification:

A. As a Safe Surrender Site, the City of Soledad Fire Station will prominently display the Safe Surrender Site Sign on the west side of the building.

B. This sign shall be maintained at all times and will remain clearly visible.

V. Times and Days of Baby Surrender:

- A. As a designated safe-surrender site, personnel of the City of Soledad Fire Department will accept a surrendered infant 24 hours a day, seven days a week.

- B. At no time will a parent or legal guardian who wishes to surrender an infant be turned away or directed to another facility. Surrendered infants will be accepted in all cases.

VI. Procedures for Accepting a Surrendered Infant:

- A. The following procedures will take place if a person arrives at the fire station to surrender an infant.
 - 1. Welcome the parent or person surrendering the infant. Do not be judgmental of the person or the situation. This is an emotional and difficult time for the person surrendering the infant.
 - 2. Ascertain that the infant is under 72 hours old or younger. Accept the infant even if the infant appears older than 72 hours.
 - 3. Notify the Monterey County Communication Center (FIRECOMM) and request an ambulance response to the fire station. Unless there is an immediate medical need presented by the infant, request the ambulance to respond code 2.
 - 4. Initiate a Monterey County First Responder Form and record the necessary information.
 - 5. Locate and open the Newborn Safe Surrender Kit. Provide, or make a good faith effort to provide, the surrendering person the inner business reply mail envelope containing the following:
 - a. Newborn Family Medical History questionnaire.
 - 1. The Newborn Family Medical History Questionnaire may be declined, voluntarily filled out and returned at the time of surrender, or later filled out and mailed in the envelope provided for this purpose.
 - b. An informational fact sheet.
 - c. A copy of the coded confidential bracelet.

6. Place the smaller coded confidential ankle bracelet on the infant and record the code number on the EMS First Responder Report. In addition, record this number in the narrative portion of the City of Soledad Fire Department Incident Report.
7. Perform a medical assessment of the surrendered infant and provide the appropriate medical care as needed.
8. Provide the appropriate care for the infant until the arrival of the ambulance including maintaining warmth and comfort.
9. Once on scene, the ambulance paramedic shall assume custody of the infant, initiate base hospital contact, assess, and provide for any medical needs of the infant.
10. The Paramedic shall accompany the infant to the appropriate receiving hospital and transfer custody to a designated hospital employee. The receiving hospital will take custody of the infant, and will be responsible for notifying Child Protective Services within 48 hours of receiving the infant.
11. Obtain an incident number and times from FIRECOMM and enter a medical incident report.

VII. Immune from Liability:

- A. According to the adopted legislation,

“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. This subdivision does not confer immunity from liability for personal injury or wrongful death, including, but not limited to, injury resulting from medical malpractice.”

VIII. References:

- A. Senate Bill 116 (enacted October 7, 2005) amending Section 1255.7 of the California Health and Code.
- B. State of California – Safely Surrender Baby Law Informational Pamphlet and Fact Sheet

IX. Attachments:

- A. Newborn Family Medical Questionnaire
- B. Safe-Surrender Site Sign