

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:

Prepared on: 9/15/03
Department Name: District Attorney's Office
Department No.: 021
Agenda Date: 10/7/03
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Thomas W. Sneddon, Jr.
District Attorney

STAFF CONTACT: Megan Riker-Rheinschild, Victim Witness Program Director
ext. 2408

SUBJECT: Safe Arms for Newborns Law

Recommendation(s):

That the Board of Supervisors:

Accept and file a report regarding the "Safe Arms for Newborns Law"

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with Goal No. 7: A community that Fosters the Safety and Well-Being of Families and Children.

Executive Summary and Discussion:

On January 1, 2001 California became one of a dozen states to enact a new law that is intended to provide for the health and safety of unwanted newborn children. The "*Safe Arms for Newborns*" law (Senate Bill 1368) states that "no parent or other person who has lawful custody of a minor child 72 hours old or younger may be prosecuted for child abandonment if he or she voluntarily surrenders physical custody of the child to a designated employee at a public or private hospital emergency room *or other location designated by the county board of supervisors.*" In an effort to disseminate information regarding this important legislation the California Department of Social Services selected the campaign used by the State of New Jersey called "*No Shame, No Blame, No Names*" and developed outreach materials to convey this message including posters, brochures and public service announcements.

The District Attorney strongly supports this effort and has taken proactive steps to protect infants and deter the criminal conduct of the parent. Under the leadership of the District Attorney, the Victim Witness

Assistance Program has partnered with the Children and Families First 5 Santa Barbara to devise a county wide comprehensive outreach campaign. Each of the area hospitals; Cottage Health Systems, Marian Medical Center, and Lompoc Hospital, has been contacted and confirm that they have implemented procedures which comply with the law. In response to a newborn abandonment case which occurred in Santa Maria in 2001, the Santa Maria Police Department, in conjunction with Marian Medical Center and the Department of Social Services issued a press release in July of 2001 to disseminate information regarding passage of the law and its provisions.

The Santa Barbara County District Attorney's Office in partnership with the Children and Families First 5 Santa Barbara is preparing to launch an outreach campaign beginning in October 2003 to disseminate information regarding the law's existence. Although the law has been in effect since January 1, 2001, it appears that information regarding its provisions is not widely known. To ensure that the Santa Barbara County community is made aware of this law and that the lives of newborns are protected we intend to initiate the campaign by disseminating public service announcements aired on both English and Spanish speaking radio and Television. Thereafter press releases will be distributed to local media agencies. The Santa Barbara District Attorney's Office Victim Witness Division and the Children and Families First 5 Santa Barbara will work with local partners to determine target audiences and distribution sites for printed informational materials.

Mandates and Service Levels:

All public or private hospitals with emergency rooms must designate staff to comply with the Safe Arms for Newborns requirements.

No later than 48 hours after taking custody of an abandoned child, the person accepting the child is required to notify the county agency responsible for providing child welfare services under Welfare and Institutions Code Section 16501. The county child welfare services agency is to take temporary custody of the child under Section 300 of the Welfare and Institutions Code immediately upon receiving notification that a child has been surrendered. Additionally, the county child welfare agency must immediately investigate the details of the case and file a petition according to Section 311 of the Welfare and Institutions Code with the juvenile court. The county welfare agency must also immediately notify the California Department of Social Services of each child taken into temporary custody.

Fiscal and Facilities Impacts:

A nominal cost may be incurred to edit and reproduce print materials made available through the State of California.

Special Instructions:

Accept and File a report regarding the "Safe Arms for Newborns Law".