

Council/Agency Meeting Held: _____	_____ City Clerk's Signature
Deferred/Continued to: _____	
<input type="checkbox"/> Approved <input type="checkbox"/> Conditionally Approved <input type="checkbox"/> Denied	
Council Meeting Date: February 22, 2005	Department ID Number: FD 05-004

**CITY OF HUNTINGTON BEACH
REQUEST FOR COUNCIL ACTION**

SUBMITTED TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

SUBMITTED BY: *Penelope Culbreth Graft*
PENELOPE COLBRETH-GRAFT, City Administrator

PREPARED BY: DUANE OLSON, Fire Chief *DSC*

SUBJECT: **ADOPT RESOLUTION DESIGNATING ALL CITY OF HUNTINGTON
BEACH MUNICIPAL FIRE STATIONS AS "SAFE-SURRENDER
SITES FOR NEWBORNS** *Res. No. 2005-13*

RECEIVED
CITY CLERK
CITY OF
HUNTINGTON BEACH, CA
2005 FEB 22 4 28 PM

Statement of Issue, Funding Source, Recommended Action, Alternative Action(s), Analysis, Environmental Status, Attachment(s)
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Statement of Issue: This resolution designating all Huntington Beach fire stations as "safe-surrender" sites for newborns is being proposed for adoption.

Funding Source: None required.

Recommended Action: MOTION TO:

Adopt the attached resolution designating all Huntington Beach fire stations as "safe-surrender" sites for newborns.

Alternative Action(s): Do not approve the attached resolution.

(Continued on next page)

REQUEST FOR COUNCIL ACTION

MEETING DATE: February 22, 2005

DEPARTMENT ID NUMBER: FD 05-004

Analysis: Since 1999, over 40 states have passed legislation designating safe surrender conditions for parents who wish to relinquish infants they are unable to care for. Governor Davis signed the California Safely Surrendered Baby Law in September 2000. The purpose of the law is to protect babies from being hurt or killed when they are abandoned in unsafe areas, such as trash bins or dumpsters.

This law allows a parent or legal guardian to confidentially surrender an infant, who is three days old or younger, to any hospital emergency room or other site designated by the County Board of Supervisors. As long as the baby has not been abused or neglected, the person may surrender the baby to the designated site without fear of arrest or prosecution. It also provides immunity for the safe surrender site and the personnel of the safe surrender site from civil, criminal, and administrative liability.

The Orange County Fire Authority, representing 22 cities, and the other Orange County cities, are in the process of adopting it. If the City of Huntington Beach adopts it, it would provide the same level of service in our City as is offered in the rest of the County with respect to the safety of newborns.

Environmental Status: Not applicable.

Attachment(s):

City Clerk's Page Number	No.	Description
3	1.	Resolution designating all City of Huntington Beach municipal fire stations as "safe-surrender" sites for newborns 2005-13

RCA Author: Olson /Justen

E-10.2

E - 10.3

ATTACHMENT #1

RESOLUTION NO. 2005-13

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF HUNTINGTON BEACH REQUESTING THE
ORANGE COUNTY BOARD OF SUPERVISORS TO
DESIGNATE ALL CITY OF HUNTINGTON BEACH
MUNICIPAL FIRE STATIONS AS "SAFE-SURRENDER
SITE" FOR NEWBORNS

WHEREAS, California Health and Safety Code Section 1255.7, known as the "Safe Haven Law," was enacted in 2000 in response to widespread reports of babies being abandoned in trash bins and restrooms, and on the highways, and being discovered dead or in life-threatening medical and physical condition; and

The "Safe Haven Law" encourages persons with custody of unwanted newborn children to anonymously surrender the newborn so that it may receive immediate medical attention; and

According to the California Department of Social Services, in the first two years that the "Safe Haven Law" was in effect, 20 babies were safely surrendered, but 88 babies were still illegally abandoned, 20 of whom died; and

The "Safe Haven Law" provides that (a) a parent or person having lawful custody of a child 72 hours old or younger, who delivers the child to a designated "Safe-Surrender Site," would be immune from criminal prosecution; (b) a person accepting custody of a newborn at a "Safe-Surrender Site" must notify the County Child Protective Services Agency within 48 hours; and (c) permits the person surrendering a newborn to anonymously provide medical information to the person accepting custody; and

The "Safe Haven Law" defines a "Safe-Surrender Site" as a location "designated by the board of supervisors of a county" to be responsible for accepting physical custody of a newborn; and

The Safe Haven Law provides immunity for the safe surrender site and the personnel of the safe surrender site from civil, criminal, and administrative liability; and

The City Council of the City of Huntington Beach strongly supports the "Safe-Surrender Site" program and desires that all City of Huntington Beach municipal fire stations be designated as "Safe-Surrender Sites,"

NOW, THEREFORE, BE IT RESOLVED as follows:

The City Council of the City of Huntington Beach hereby formally requests that the Orange County Board of Supervisors designate all fire stations within the City of Huntington

E-10.4

Beach jurisdiction as "Safe-Surrender Sites" pursuant to California Health and Safety Code Section 1255.7.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 200__.

Mayor

REVIEWED AND APPROVED:

Verelene Culbertson
City Administrator

APPROVED AS TO FORM:

Terrence M. Feat 2/13/05
City Attorney

INITIATED AND APPROVED:

Dave Chan
Fire Chief

E-10.5

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