
**ORANGE COUNTY SOCIAL SERVICES AGENCY
CFS OPERATIONS MANUAL**

Effective Date: March 9, 2004
Revision Date: August 5, 2020

Number: A-0409

Safely Surrendered Babies

Purpose	To provide guidelines for referrals and cases involving newborn children surrendered at designated safe surrender sites.
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Approved	This policy was approved by Anne Bloxom, Director of CFS. <i>Signature on file.</i>
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Most Recent Revision	<p>This revision of the Policy and Procedure (P&P) provides clarification of the following:</p> <ul style="list-style-type: none">• A positive toxicology screen does not prevent acceptance of a safely surrendered baby• Requirements for a newborn to qualify as a safely surrendered baby
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Background	<p>On January 1, 2001, California enacted the Safe Arms for Newborns Law, currently known as the Safely Surrendered Baby (SSB) Law, in response to the increasing number of newborn child deaths due to abandonment in unsafe locations.</p>
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Senate Bill (SB) 1368 (2000) amended and added Health and Safety Code (HSC) Section (§) 1255.7 and Penal Code (PC) § 271.5 to make provisions for a safe alternative for the surrender of a newborn child. SB 139 (2003) redefined the allowable locations of a safe-surrender site and SB 116 (2005) made the SSB law permanent in statute.

Under the SSB Law, a parent or individual with lawful custody can safely surrender a child within 72 hours of birth to personnel of a designated safe surrender site without fear of criminal prosecution for child abandonment or neglect. This law makes it easier for a

parent who might otherwise abandon their baby to safely surrender the baby for adoption.

Further, the SSB Law allows the parent(s) or surrendering person up to 14 days to reclaim the baby.

The SSB Law does not apply to a baby who is abandoned:

- More than 72 hours after birth
 - At a site other than a designated safe surrender site or public or private hospital emergency room
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Definitions

For the purpose of this P&P, the following definitions apply.

Safely Surrendered Baby: Pursuant to All County Information Notice (ACIN) I-88-10, refers to a newborn child who meets all of the criteria below:

- Voluntarily surrendered by a parent or an individual with lawful custody
- Surrendered to personnel at a designated safe surrender site
- 72 hours old or younger at the time of surrender

Safe Surrender Site: Pursuant to ACIN I-63-16, refers to:

- A. A location within a public or private hospital that is designated by that hospital to be responsible for accepting physical custody of a safely surrendered baby.
- B. Locations specifically designated by the Orange County Board of Supervisors, including:
 - All Orange County hospital emergency rooms
 - Orangewood Children and Family Center (OCFC)
 - Orange County Fire Stations staffed 24 hours a day, seven days a week

Personnel: An officer, employee, or worker with staff privileges (e.g., a private physician with hospital admitting privileges, etc.) at a designated safe surrender site.

Z-Referrals/Cases: Refers to referrals/cases that are designated with a Sensitive or Highly Sensitive classification.

Non-Surrendering Parent: Refers to the birth parent (father or mother) who was not involved in the decision to safely surrender the child.

Surrendering Parent or Individual: Refers to the birth parent or other individual having lawful custody of a child, 72 hours old or younger, who safely surrendered the child.

POLICY

General Guidelines

HSC § 1255.7 outlines the following provisions and requirements for safe surrender:

- A. Personnel at safe surrender sites accepting physical custody of a surrendered child are not subject to civil, criminal, or administrative liability for accepting the child in good faith belief that the action is required or authorized by law.

Personnel at safe surrender sites accepting physical custody of a surrendered child are mandated to:

1. Place a coded, confidential, identification bracelet on the child.
2. Provide or make a good faith effort to provide the surrendering parent or individual with a copy of the coded, confidential, identification bracelet to present in the event a request is made to reclaim the child.
3. Provide or make a good faith effort to provide and obtain a completed *Safely Surrendered Baby Medical Questionnaire (SOC 861)* from the surrendering parent or individual. The *Safely Surrendered Baby Medical Questionnaire (SOC 861)* may be declined, voluntarily completed at the time of the surrender, or returned to the surrender site at a later time in an envelope provided to the surrendering parent or individual for that purpose.
4. Provide or facilitate a medical screening examination and necessary medical care for the child.
5. Notify the county child welfare agency as soon as possible, but no later than 48 hours after accepting custody of the surrendered child.

6. Provide the county child welfare agency with information concerning the child's medical screening examination and any necessary medical care provided.
 7. Exclude identifying information about the surrendering parent or individual when reporting to the child welfare agency.
- B. A parent or individual who voluntarily surrenders a child, pursuant to HSC § 1255.7, may reclaim the child within 14 days of the surrender. Refer to the "Request to Reclaim SSB" Policy section for specific guidelines.

If the surrendering parent or individual returns to reclaim a child **prior** to the filing of a dependency petition, the hospital or surrender site may either return the child or contact Children and Family Services (CFS) if abuse or neglect is suspected.

Note: The voluntary surrender of a child, pursuant to HSC § 1255.7, is not, in and of itself, a sufficient basis for reporting child abuse or neglect.

- C. Pursuant to HSC § 1255.7, the *Safely Surrendered Baby Medical Questionnaire (SOC 861)* does not require, and must not contain, identifying information about the child or the surrendering parent or individual other than the identification code provided on the ankle bracelet placed on the child.

Hospital Births

As detailed in ACIN I-57-03 and ACIN I-88-10, a child born in a hospital may be safely surrendered when all of the following conditions are met:

- A. The birth mother, by word or by action, indicates she does not want to keep the newborn child.
- B. The birth mother voluntarily surrenders physical custody of the newborn.
- C. The child is 72 hours old or younger and in the care of hospital staff.

**Positive
Toxicology
Screen**

Per PC § 11165.13, a positive toxicology screen at the time of delivery of an infant is not in and of itself a sufficient basis for reporting child abuse or neglect and the child may be considered a safely surrendered baby. However, if a parent comes forward to reclaim the child within 14 days of the surrender, an assessment will occur to determine if the child has been the victim of child abuse or neglect. Refer to the “Request to Reclaim SSB” Policy section for specific guidelines.

OCFC

For a newborn child safely surrendered to OCFC, CFS staff will:

- A. Comply with OCFC’s Safely Surrendered Babies protocol.
- B. Immediately contact CAR to report the safe surrender.
- C. Complete the following if a *Safely Surrendered Baby Medical Questionnaire (SOC 861)* was accepted and completed by the surrendering parent/individual:
 - 1. Search CWS/CMS to locate the referral/case and identify the assigned Senior Social Worker (SSW).
 - 2. Forward the *Safely Surrendered Baby Medical Questionnaire (SOC 861)* to the assigned SSW in a **sealed** envelope placed within a second sealed envelope.

The assigned SSW (or designee) will document information contained in the *Safely Surrendered Baby Medical Questionnaire (SOC 861)* in the child’s Child Welfare Services/Case Management System (CWS/CMS) case.

For additional information on the documentation and data entry of health information for children in out-of-home care, refer to CFS P&P [Health and Education Passport \(I-0403\)](#) and [CWS/CMS Data Entry Standards—Health and Education Passport](#).

**Suspected
Abuse of
SSB’s
Sibling(s)**

If there is suspected child abuse or neglect of the SSB’s sibling(s), a new report will be made to the Child Abuse Registry (CAR), without reference to the identity of or circumstances surrounding the birth of the surrendered child.

The CAR referral regarding the SSB’s sibling(s) will not be a companion to case (C to C) to the surrendered child. For further

guidance on CAR reports involving a SSB's sibling(s) refer to "CFS Response to SSB" policy section below.

CFS Response to SSB

In response to reports of safely surrendered babies from designated surrender sites:

A. **The Child Abuse Registry (CAR) SSW will:**

1. Receive reports from designated safe surrender sites regarding safely surrendered babies.
2. Complete referral information in CWS/CMS, as outlined in [CWS/CMS Data Entry Standards—Safely Surrendered Baby Referrals](#).
3. Transfer the referral to Emergency Response (ER) for assignment.
4. Provide immediate notification of the SSB report by completing a *Special Incident Report (F063-03-48)*, as outlined in the "Immediate Notifications—Safely Surrendered Baby" Policy section.

If CAR receives a report alleging child abuse or neglect regarding the siblings of a safely surrendered baby or other children in the home of a safely surrendered baby, the CAR SSW **will not:**

- Document or reference any information concerning the SSB referral
- Create a new referral until there is a new report of abuse or neglect for the siblings
- Link the referrals as Companion-To-Case (C-To-C) reports

B. **The ER SSW will:**

1. Consult with the Reporting Party (RP) and obtain information that is useful in providing for the child's needs and care.
2. Pursuant to ACIN 1-06-19, obtain the following information from Safe Surrender Site personnel and document per [CWS/CMS Data Entry Standards—Safely Surrendered Baby Referrals](#), if not already completed:

- Ankle bracelet identification number
 - Whether or not the surrendering parent or individual was given and accepted the bracelet identification number
 - Whether or not the surrendering parent or individual was offered the *Safely Surrendered Baby Medical Questionnaire (SOC 861)* and if it was accepted or declined by the parent
 - Information from the *Safely Surrendered Baby Medical Questionnaire (SOC 861)*, if completed
 - An attempt should be made to obtain a copy of the *Safely Surrendered Baby Medical Questionnaire (SOC 861)* and include it in the child's permanent record.
3. Place the child into protective custody by filing an *Application for Petition (F063-28-43)* or initiating a *Hospital Hold (F063-25-125)*.

Refer to CFS P&P [Abuse Investigations—Protective Interventions \(A-0414\)](#) for information on filing petitions and placing hospital holds.

Note: In the event information concerning suspected child abuse or neglect of other children in the home is disclosed, the ER SSW will contact CAR to file a separate report. The ER SSW will **not** provide CAR with any information concerning the SSB referral.

All SSB information is confidential and will not be referenced in any other report.

4. In accordance with HSC § 1255.7, report all identifying information concerning the safely surrendered baby (excluding any identifying information regarding the surrendering parent or individual) to the [California Missing Children Clearinghouse \(MCCH\)](#) **as soon as possible, but no later than 24 hours** after taking the child into protective custody.

Pursuant to HSC § 1255.7, child welfare agencies are required to report identifying information concerning the safely surrendered baby to both the [California Missing Children Clearinghouse \(MCCH\)](#) and the National Crime Information Center (NCIC). However, ACIN 1-19-12, clarifies that although child welfare agencies are

mandated to report to both agencies, there is no established process for child welfare agencies to report directly to NCIC. Child welfare agencies are directed to contact MCCH to report a safely surrendered baby, pursuant to HSC § 1255.7. MCCH will cross report safely surrendered baby information received from child welfare agencies to the NCIC.

5. Not cross report the referral to law enforcement.
6. Ensure identifying information regarding the surrendering parent or individual is kept confidential and not documented in the permanent record.

For further guidelines, refer to the “Documentation” Policy section below.

**Immediate
Notifications—
Safely
Surrendered
Baby**

When CAR receives a report of a safely surrendered baby, the CAR SSW will **immediately** (including weekends, after hours, and holidays) provide notification of the report by completing and forwarding a *Special Incident Report (F063-03-48)* by email to the following:

- A. CAR Program Manager (PM) or PM designee.
- B. All CAR Senior Social Services Supervisors (SSSSs).
- C. RFA Inbox.
- D. RFA Long Term Placement OD.
- E. Designated Data Analysis and Reporting Team (DART) Staff Specialist.

Upon receipt and review, the CAR PM or PM designee will **immediately** (including weekends, after hours, and holidays) forward the *Special Incident Report (F063-03-48)* by email to:

- CFS Deputy Director of Intervention and Prevention Services
- CFS Director
- SSA Chief Deputy Director
- SSA Director

Note: In the event a report is not originally received as a safely surrendered baby (e.g., birth parent initially seeks to place the child for adoption, etc.), however, the child is subsequently safely

surrendered, the CFS staff member bringing the child into protective custody will be responsible for completing the *Special Incident Report (F063-03-48)* and for immediately providing notification as outlined above.

**California
Department of
Social
Services
(CDSS)
Notification**

Pursuant to ACIN I-19-12, upon receipt of the *Special Incident Report (F063-03-48)*, the designated DART Staff Specialist will immediately report safely surrendered baby information to CDSS by:

- A. Completing the *Safely Surrendered Baby Report to the California Department of Social Services (SOC 880)*.
- B. Saving the SOC 880 as a Portable Document Format (PDF) file and sending via SECURE (i.e., encrypted) email to ssb@dss.ca.gov.

The designated DART Staff Specialist will document in the CFS Safely Surrendered Baby Report, the date the SOC 880 was sent to CDSS.

For additional information on encrypting and sending email outside of the SSA network, refer to CFS P&P [Confidentiality—CFS Client Records \(F-0105\)](#).

**CFS Search
Requirements**

Pursuant to WIC §§ 294 and 361.5, the CFS Search Unit will complete a search and prepare a declaration of due diligence regarding search efforts for the unknown mother and father for all SSB cases.

All identifying information regarding the parents, other than “unknown mother” and “unknown father,” will be redacted from search documentation and the declaration of due diligence to maintain anonymity.

For additional information on completing an absent parent search and declaration of due diligence, refer to CFS P&P [Absent Parent Search \(G-0801\)](#).

**Naming
Children**

CFS staff will name the safely surrendered baby according to procedures for naming foundlings (i.e., Baby Boy Doe or Baby Girl Doe).

For further information on obtaining birth certificates, amending birth certificates, or registering births, refer to CFS P&P [Birth Certificate—Foster Child \(D-0401\)](#).

Z Status CFS staff will determine, in consultation with supervisory staff, if a SSB referral or case requires Z status. In accordance with All County Letter (ACL) 17-23, designating a referral or case as Sensitive or Highly Sensitive should be limited.

Refer to CFS P&P [Sensitive/Highly Sensitive Referrals and Cases \(F-0107\)](#) for further guidelines on identifying, processing, handling, and maintaining Sensitive and Highly Sensitive referrals/cases.

Sealing of Records In accordance with ACL 17-23, CFS staff will **not** seal SSB referrals and cases in CWS/CMS, unless directed to do so by court order and upon consultation with County Counsel. Refer to CFS P&P [Case Sealing \(E-0109\)](#) for further guidelines on sealing of dependency court cases pursuant to a court order.

Filing The *Safely Surrendered Baby Medical Questionnaire* (SOC 861) will be filed on the *Medical Acco* (F063-25-1115). Refer to CFS P&P [Referral and Case Filing \(E-0102\)](#) for further guidelines on filing child welfare documents associated with a referral or case.

Request to Reclaim SSB Pursuant to HSC § 1255.7, A parent or individual who voluntarily surrenders a child may reclaim the child **within** 14 days of the surrender.
CFS staff will respond as follows, if a request is received to reclaim a safely surrendered baby.

A. **Initial Action:**

Per CFS policy, if a parent or other individual contacts CFS at any time after the safe surrender of a child and requests to reclaim the child, CFS staff will respond immediately or as soon as possible to the request.

CFS staff will obtain the following information from the parent or individual, if available:

- Parent's or individual's name and contact information (telephone number and alternate number)
- Child's bracelet identification number
- Child's date of birth
- Name and location of Safe Surrender Site where the child was surrendered
- Date child was surrendered

CFS staff will inform the parent or individual that he/she will be contacted by a SSSS as soon as possible at the telephone number(s) provided.

CFS staff will immediately notify, by telephone, the assigned SSW's SSSS of the date and time the parent or individual contacted CFS and provide all information gathered.

Note: If the call is received after business hours, on weekends, or on holidays, CFS staff will contact the ER On-Call SSSS and provide the above information.

To ensure timely follow-up to the request to reclaim the child, the SSSS receiving the notification will **immediately**:

1. Contact the parent or individual by telephone to inform that the assigned SSW or designee will contact him or her as soon as possible.

Note: If the initial attempt is unsuccessful, make diligent, subsequent attempts to contact the parent or individual.

2. Notify the assigned SSW, SSSS (if On-Call SSSS initially received the information) and PM of the request, by telephone.
3. Complete a *Special Incident Report (F063-03-48)* to include the following:
 - a. Date and time the parent or individual contacted CFS.
 - b. Date and time the SSSS made contact with the parent or individual.
 - c. As applicable, unsuccessful attempts to contact the parent or individual.
 - d. Follow-up actions completed.
4. Forward the completed *Special Incident Report (F063-03-48)* by email, to CFS staff outlined in "Immediate Notifications—Reclaim Requests" Policy section.

- B. **Reclaim Request from Surrendering Parent or Individual:**
The assigned SSW will complete the following if, subsequent

to the filing of a dependency petition and within the 14-day period, a **surrendering** parent or individual comes forward to reclaim the safely surrendered baby.

1. Verify the identity of the parent or individual. Request a copy of the identification bracelet provided at time of surrender.

Note: Per HSC § 1255.7, possession of the ankle bracelet identification, in and of itself, does not establish parentage or a right to custody of the child.

2. Conduct an assessment of the parent's or individual's circumstances, safety issues, and ability to parent. Consider obtaining criminal history information through the California Law Enforcement Telecommunications System (CLETS). Refer to CFS P&P [CLETS \(B-0116\)](#) for additional information on requesting and obtaining a criminal clearance for investigation purposes through CLETS.
3. Consult County Counsel regarding the request to reclaim the child and response decisions.
4. If the child is not determined to be at risk of abuse or neglect as described in WIC § 300, request that the Juvenile Court dismiss the dependency petition and order the release of the child.
5. Contact the RFA Long Term Placement OD as soon as possible to:
 - Coordinate the child's release, if applicable
 - Consider arranging a meeting between the parent, caregiver, and the SSW to facilitate the child's transition
6. Inform the DART PM of the outcome of the reclaim request. Include:
 - Name of the parent or individual requesting to reclaim the child
 - Relationship to the child
 - Date parent or individual initially contacted SSA to reclaim the child
 - If the reclaim request was successful

- C. **Custody Request from Non-Surrendering Parent:**
The provisions outlined in HSC § 1255.7 to reclaim a child within 14 days of voluntarily surrendering the child **do not apply to a non-surrendering parent.**

The non-surrendering parent may request that the Court make a judgment of parentage. Pursuant to California Rules of Court, Rule 5.635, the Court has a duty to inquire and determine parentage of each child who is the subject of a petition filed under WIC § 300.

In accordance with ACIN 1-63-16, when a non-surrendering alleged father or alleged mother comes forward and requests custody of a safely surrendered baby, the assigned SSW will promptly notify the Court and the child's counsel of the parent's request.

D. **Documentation:**

1. **DART:** The DART Staff Specialist will complete the "Reclaim Information" section of the Special Project tab if the request to reclaim the safely surrendered baby is successful.

Refer to [CWS/CMS Data Entry Standards—Safely Surrendered Baby Referrals](#) for further guidelines.

2. **CFS Staff:** CFS staff will omit and redact information regarding the surrendering parent or individual from CWS/CMS and from all documentation associated with the child's permanent record, unless and until:

- The surrendering parent or individual returns to claim physical custody of the child within 14 days, pursuant to H&S Code §1255.7

–And–

- The reclaim is successful

**Immediate
Notifications—
Reclaim
Requests**

Per CFS policy, the SSSS receiving notification of a surrendering parent's or individual's request to reclaim the child will provide immediate notifications to the following CFS staff by forwarding the *Special Incident Report (F063-03-48)* to the following:

- PM or designee of the assigned SSSS
- On-call PM

- Assigned SSW
- Designated DART Staff Specialist
- RFA Inbox

The PM receiving the notification will forward the *Special Incident Report (F063-03-48)* upon receipt and review, to the following:

- All CFS Deputy Directors
- Public Information Officer
- RFA PMs, ER PMs, OCFC PM, CAR PM, Specialized Family Services (SFS) PM, and Court Services PM

Relative Placement Request

Pursuant to WIC § 361.3, if a child is removed from the physical custody of his/her parents, preferential consideration for placement will be given to a request by the child's relative.

In accordance with ACIN I-63-16, if an alleged relative comes forward requesting placement of a safely surrendered baby, the assigned SSW will inform the Court, as soon as possible, via Ex Parte or court report prepared for the next scheduled hearing. The assigned SSW may also encourage the alleged relative to inform the Court of his or her request.

Note: The Court makes determinations regarding relationships and appropriateness of placing with relatives.

The assigned SSW will maintain confidentiality regarding the SSB's case file records when corresponding with the alleged relative and will not disclose information regarding the safely surrendered baby (e.g., child's identification bracelet number, gender of the child, site where child was surrendered, etc.).

Request to Reclaim SSB After 14 Days

Per ACIN 1-63-16, if the surrendering parent or individual returns to claim the child **after** the 14-day reclaiming period has ended, he or she may seek to file a petition, pursuant to WIC § 388, to gain custody of the child upon grounds of new evidence or change of circumstance.

REFERENCES

Attachments and CWS/CMS

Hyperlinks are provided below to access attachments to this P&P and any CWS/CMS Data Entry Standards that are referenced.

Data Entry Standards

- [CWS/CMS Data Entry Standard—Health and Education Passport](#)
 - [CWS/CMS Data Entry Standard—Non-Foster Care Placement of Safely Surrendered Baby](#)
 - [CWS/CMS Data Entry Standards—Safely Surrendered Baby Referrals](#)
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Hyperlinks

Users accessing this document by computer may create a direct connection to the following references by clicking on the link provided.

- [California Department of Social Services, Safely Surrendered Baby Homepage](#)
 - [California Missing Children Clearinghouse](#)
 - CFS P&P [Absent Parent Search \(G-0801\)](#)
 - CFS P&P [Abuse Investigations—Protective Interventions \(A-0414\)](#)
 - CFS P&P [Birth Certificate-Foster Child \(D-0401\)](#)
 - CFS P&P [Case Filing \(E-0102\)](#)
 - CFS P&P [CLETS \(B-0116\)](#)
 - CFS P&P [Confidentiality—CFS Client Records \(F-0105\)](#)
 - CFS P&P [Health and Education Passport \(I-0403\)](#)
 - CFS P&P [Sensitive/Highly Sensitive Referrals and Cases \(F-0107\)](#)
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Other Sources

Other printed references include the following:

None.

FORMS

Online Forms

Forms listed below may be printed out and completed, or completed online, and may be accessed by clicking on the link provided.

Form Name	Form Number
Safely Surrendered Baby Medical Questionnaire	SOC 861
Safely Surrendered Baby Medical Questionnaire (Spanish)	SOC 861 (SP)
Safely Surrendered Baby Medical Questionnaire (Chinese)	SOC 861 (CH)

Safely Surrendered Baby Medical Questionnaire (Russian)	SOC 861 (RS)
Safely Surrendered Baby Report to the California Department of Social Services	SOC 880
Special Incident Report	F063-03-48

Hard Copy Forms

Forms that may be completed in hard copy (including multi-copy NCR forms) are listed below. ***For reference purposes only***, links are provided to view these hard copy forms, where available.

Form Name	Form Number
Hospital Hold	F063-25-125
Application for Petition	F063-28-43

CWS/CMS Forms

Forms that may **only** be obtained in CWS/CMS are listed below. ***For reference purposes only***, links are provided to view these CWS/CMS forms, where available.

Form Name	Form Number
Health and Education Passport	OHCHEP REV

Brochures

Brochures to distribute in conjunction with this policy may include:

Brochure Name	Brochure Number
There is an Option. Don't Abandon Your Baby (available in English , Spanish , Chinese , and Russian) (issued by CDSS)	PUB 400A

LEGAL MANDATES

[Health and Safety Code Section \(§\) 1255.7:](#)

- Defines safe surrender site; outlines requirements and responsibilities of safe surrender personnel
- Establishes confidentiality of a parent or individual who surrenders a minor child 72 hours old or younger
- Outlines responsibilities of child welfare services personnel investigating the circumstances of a safely surrendered minor child 72 hours old or younger and mandates notification to the California Missing Children Clearinghouse and to the National Crime Information Center
- Outlines responsibilities of safe surrender personnel and child welfare services personnel when a parent or individual who has voluntarily surrendered a minor

child 72 hours old or younger returns within 14 days of the voluntary surrender to claim physical custody of the child

- Provides immunity from liability for a safe surrender site or personnel of a safe surrender site that accepts custody of a surrendered child pursuant to this section
- Provides immunity from liability for a person who in good faith and without financial compensation provides assistance for the purpose of affecting a safe surrender
- Defines “assistance” and “lawful custody”

[Welfare and Institutions Code \(WIC\) § 291](#) outlines requirements for notification of hearings after the initial petition hearing.

[WIC § 294](#) outlines requirements for notification for hearings held pursuant to WIC § 366.26.

[WIC § 366.26](#) stipulates due diligence requirements in attempting to identify an unknown parent in preparation for a WIC § 366.26 Selection and Implementation hearing.

[WIC § 388](#) states any parent or other person having an interest in a child who is a dependent child of the juvenile court may, upon grounds of change of circumstance or new evidence, petition the court for a hearing to change, modify, or set aside any order of court previously made or to terminate the jurisdiction of the court.

[WIC § 300](#) includes an unclaimed safely surrendered child as a child within the jurisdiction of the Juvenile Court who may be adjudged as a dependent child.

[WIC § 361.3](#) mandates a relative’s request for placement of a dependent child is to be given preferential consideration and provides guidance for determining whether placement with a relative is appropriate.

[WIC § 361.5](#) exempts the provision of reunification services to a parent or guardian when the court finds, by clear and convincing evidence, that the parent or other person having custody of the child, voluntarily surrendered physical custody of the child pursuant to HSC § 1255.7.

[Penal Code \(PC\) § 271.5](#) exempts a parent or other individual having lawful custody of a minor child 72 hours old or younger who surrenders the child to on duty personnel at designated safe surrender sites from criminal prosecution for abandonment, desertion, and failure to provide.

[PC § 11165.13](#) stipulates that a positive toxicology screen at the time of the delivery of an infant is not in and of itself a sufficient basis for reporting child abuse or neglect; requires that any indication of maternal substance abuse will lead to an assessment of the needs of the mother and child; stipulates that if other factors are present that

indicate risk to the child a child abuse report will be made to the county child welfare department.

[All County Letter \(ACL\) 02-01](#) outlines provisions of the “Safe Arms for Newborns” Law enacted through Senate Bill 1368 (2000).

[ACL 17-23](#) outlines the appropriate use of the sealed case/referral command and sensitive case/referral command in CWS/CMS.

[All County Information Notice \(ACIN\) I-57-03](#) provides clarification for safe surrender of a child born in a hospital and whose birth parent subsequently decides to surrender the child.

[ACIN I-88-10](#) clarifies the definition of “safely surrendered baby”, provides guidelines for safe surrender intake, Safely Surrendered Baby (SSB) data entry into CWS/CMS, and completion of revised *Safely Surrendered Baby Medical Questionnaire (SOC) 861*.

[ACIN 1-19-12](#) clarifies a county’s responsibilities for reporting a safely surrendered baby to the California Department of Social Services (CDSS), the California Missing Children Clearinghouse (CMCC) and the National Crime Information Center (NCIC).

[ACIN 1-63-16](#) provides guidelines for safe surrender sites, responding to a safely surrendered baby born drug exposed, a relative’s request for placement of a safely surrendered baby, and a non-surrendering parent’s request for custody of a safely surrendered baby.

[ACIN 1-06-19](#) clarifies the expectation for the social worker to document whether the medical questionnaire was offered to, accepted or declined by the surrendering parent, in CWS/CMS. The answers in the medical questionnaire should be input in CWS/CMS and an attempt made to obtain a copy of the questionnaire to include it in the child’s permanent record.

REVISION HISTORY

Since the Effective Date of this P&P, and prior to the Current Revision Date, the following revisions were published:

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January 18, 2011
March 17, 2011
September 28, 2012

May 21, 2015
November 6, 2017
June 14, 2019