

## **Safe Haven law – 9/2008**

As Florida's Attorney General and chief legal officer, and as a father and grandfather, I welcome the opportunity to help the non-profit Gloria M. Silverio Foundation raise awareness about Florida's life-giving Safe Haven for Newborns law.

The Safe Haven law was passed in 2000 to address the tragedy of infant abandonment, which too often ends in the preventable death of the innocent child. We have all seen news stories of desperate parents, often young teenagers, who do the unthinkable because they felt they had no other options. The Safe Haven law was intended as a safety net for both the mother and the newborn to prevent this nightmare. The law allows the mother, the baby's father, or whoever is in possession of an unharmed newborn to leave the baby, no questions asked, at a "Safe Haven" - a hospital or staffed fire rescue or Emergency Medical Services (EMS) facility – without fear of prosecution.

### **104 lives saved**

This compassionate law has saved at least 104 newborns in Florida, including Nicholas, a newborn boy safely turned over to personnel at a fire station on Florida's west coast in June. Nicholas had the distinction of being the 100<sup>th</sup> life saved in this state under the Safe Haven law. While we do not know what difficult circumstances led Nicholas's mother to bring him to that fire station, we can take comfort in knowing Nicholas now has a chance to grow up healthy and happy, loved and wanted by adoptive parents who can care and provide for him.

The law designates hospital emergency rooms, fire rescue or EMS facilities as Safe Havens because of the potential for crisis surrounding a birth and the professional medical training of personnel on duty. Officials including members of law enforcement and the criminal justice community who were aware of the program have also offered assistance to mothers and transported babies to the nearest hospital or contacted a fire/EMS station. The mothers remained anonymous and the babies were placed for adoption under the guidelines of the Safe Haven program.

### **Anonymity protected**

In these and other circumstances, if the mother's confidentiality had been breached and she had been pursued by the legal community, the program would have suffered immeasurable harm. Too many girls and women fearing public disclosure would not seek help for their newborn at a Safe Haven. The anonymity aspect of the law is vital to the continued success of the Safe Haven program. It is the single most important factor in saving lives of unwanted newborns in Florida. Unless abuse or neglect is suspected, notification of law enforcement or the Department of Children and Families is not required or specified under the law.

### **Four more days**

With the hard work of the not-for-profit Gloria M. Silverio Foundation, the support of the Florida Fire Chiefs Association and the cooperation of the Florida Legislature this spring, Florida's Safe Haven law (Florida Statute 383.50) was amended to increase the window of time in which parents may turn over a newborn from three days to seven days from the child's birth. These additional four days will most certainly result in life-saving decisions made by the mothers of many more babies.

### **Raising awareness**

To ensure that parents in crisis and the legal community throughout the State of Florida are aware of the rights provided under the Safe Haven law, the Gloria M. Silverio Foundation is addressing the issue of infant abandonment through education, grass roots community involvement and a 24-hour multilingual statewide referral helpline. Educational materials including videos, decals for placement on emergency vehicles, and Safe Haven training PowerPoint presentations are available for your agency or organization from the foundation at no charge. Through this grass roots approach and public awareness campaigns, information about the Safe Haven law now reaches all 67 Florida counties.

This law is not the final answer to the societal problems contributing to the causes of infant abandonment, which affects people of all races, cultures, and economic backgrounds, but it does provide a compassionate approach to saving the lives of innocent and helpless babies. The Safe Haven law provides a positive outcome for all involved -- a child's life is saved; mothers and fathers are saved from a lifetime of guilt, anguish and legal prosecution; and the hopes and dreams of a family waiting to adopt a child are fulfilled.

It is critical to the continued success of this life-saving program that all legal and law enforcement professionals become familiar with this law. More information is available online at: [www.asafehavenfornewborns.com](http://www.asafehavenfornewborns.com).  
FFCA Staff