

Lompoc City Council Agenda Item



City Council Meeting Date: July 5, 2011

TO: Laurel M. Barcelona, City Administrator

FROM: Jeffrey R. States, Fire Chief
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SUBJECT: Safe Surrender Site

Recommendation:

That Council adopt resolution **5730(11)** authorizing the establishment of a Safe Surrender Site and designating the City of Lompoc Fire Stations as safe surrender sites pursuant to the California Safely Surrendered Baby Law (Health and Safety Code section 1255.7).

Background/Discussion:

The California safely Surrendered Baby Law (also known as the Safe Haven Law or Newborn Abandonment Law, California Health and Safety Code section 1255.7) was signed into law by Governor Davis in September 2000 and went into effect on January 1, 2001. That law has been amended four times since adoption, including by Gov. Arnold Schwarzenegger signing Senate Bill 116, which extended the act permanently as of January 1, 2006.

The Newborn Abandonment Law authorizes the City Council to designate locations where newborns (72 hours old or younger) may be surrendered, pursuant to Section 271.5 of the Penal Code, by a parent or other person having lawful custody of that child without criminal prosecution. That law, as amended, allows a person to surrender a minor child 72 hours old or younger to a person at any local government designated fire station, safety surrender site, or emergency department without fear of arrest or prosecution; provided, that the infant has not been abused or neglected. According to the law, no person or entity that accepts a surrendered child shall be subject to civil, criminal, or administrative liability for accepting the child and caring for the child in good faith belief that action is required or authorized by the law, including but not limited to, instances where the child is older than 72 hours or the person surrendering the child did not have lawful physical custody of the child.

Fire Departments and Fire Protection Districts throughout Santa Barbara County are being designated as safe surrender sites under this program.

Fiscal Impact:

Start-up costs associated with the “Baby Safe” are \$150.00 which includes signs for the Fire Stations and the Newborn Safe Surrender Kit, (2 per station). This can be accommodated within the existing Fire Department budget.

Jeffrey R. States, Fire Chief

APPROVED FOR SUBMITTAL TO THE CITY ADMINISTRATOR:

Jeffrey R. States, Fire Chief

APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:

Laurel M. Barcelona, City Administrator