

# COLLINGSWOOD POLICE DEPARTMENT POLICY & PROCEDURES



**SUBJECT: SAFE HAVEN INFANT PROTECTION**

**BY THE ORDER OF:**  
Chief of Police

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**PURPOSE** The purpose of this policy is to maintain compliance with the *New Jersey Safe Haven Infant Protection Act*, N.J.S.A. 30: 4C-15 et seq.

**POLICY** It is the policy of the Collingswood Police Department to adhere to the tenets of the *New Jersey Safe Haven Infant Protection Act*. The intent of this law is to save infant lives by decriminalizing abandonment, under certain narrow circumstances, and place it outside the realm of child abuse and child neglect. The first priority in receiving an infant under the Act shall be to ensure the safety and wellbeing of the infant.

## PROCEDURES

### I. DEFINITIONS

- A. The Act means the *New Jersey Safe Haven Infant Protection Act*, N.J.S.A. 30: 4C-15 et seq.
- B. Safe Haven for Infants Hotline means the toll-free, 24-hour hotline established by the Department of Human Services pursuant to the Act and staffed by specially trained Department of Children and Families (DCF) employees 1-877-839-2339. The Safe Haven for Infants Hotline serves the following purposes:
1. To receive and process referrals from a hospital emergency room when an infant is brought there from a police department, or brought directly to the hospital pursuant to the Act;
  2. To provide support to persons who may be considering giving up, or abandoning a newborn infant or a child not yet born;
  3. To respond to inquiries from the public about the Act, safe placement alternatives for infants, and information about adoption proceedings in New Jersey.
- C. Infant means a child no more than 30 days old or who appears to be no more than 30 days old. This definition should be interpreted generously. There are no guidelines to determine the exact age of an infant. Use common sense to arrive at a preliminary conclusion concerning the infant's age.
- D. Hospital means a licensed general hospital or medical center operating within the State of New Jersey under applicable state law.
- E. Parent means an infant's birth mother or birth father.
- F. Police department means a state, county or municipal police department operating within the State of New Jersey, including substations.
- G. Non-identifying information means information about an infant that is not intended to identify the parents or birth family.

### II. GENERAL

- A. The Act provides procedures that are similar to the way in which foundlings have been historically handled in this state, except that the timeframe for adoption proceedings regarding these children has been substantially accelerated and the act of leaving a child has been decriminalized, provided that the child has not been abused or neglected before being left at a police department or hospital emergency room.
- B. Although the Act specifies that the child must be brought to a police department or hospital emergency room, parent(s) may bring the child to someone else, such as another family member or clergy member, who may then bring the child to a police department or hospital emergency room for protection under the Act.

1. Note: N.J.S.A. 30: 4C-15 et seq., also permits a person to bring an infant to a fire station of a municipal, county, fire district, or volunteer fire department that is staffed 24 hours a day, seven days a week, and does not express an intent to return for the child; and
  2. Further note: N.J.S.A. 30: 4C-15 et seq., also permits a person to bring an infant to a public or private ambulance, first aid, or rescue squad that is staffed 24 hours a day, seven days a week.
- C. The Act provides that police officers and hospital staff members who act in good faith in the application of the Act shall be immune from criminal and civil liability.
- D. The Act permits parent(s) who want to permanently give up rights to an infant, or a person acting on parent(s)' behalf, to voluntarily deliver and subsequently leave an infant at a police department, fire station, first aid squad, or a hospital emergency room.
- E. The 24-hour toll free *Safe Haven for Infants Hotline* number may be provided to the public to satisfy any inquiry about the Act. It can also serve as a basic investigative or support resource tool.
- F. This agency is not required to conduct an independent missing/unidentified person investigation of an infant being surrendered in compliance with the Act but, shall assist the Camden County Prosecutor's Office and/or the State Police Missing and Exploited Persons Unit upon request.
- G. All press or other media inquiries pertaining to the handling of the *Safe Haven Infant Protection Act* shall be directed to the [Department of Children & Families, Office of State Haven Infant Protection](#) at (609) 292-0422.

### III. INFANT INTAKE

- A. Upon any person(s) appearing at this agency to surrender an infant:
1. Under no circumstances shall the person with an infant be turned away or directed to take the child to another agency or a hospital.
  2. The receiving officer shall take physical custody of the infant, immediately notify a supervisor/OIC, and take the appropriate steps to protect the infant's physical health and safety. These steps include, but are not limited to:
    - a. Make a visual assessment of the infant for readily apparent signs of abuse or neglect. There is no obligation to remove the clothing of an otherwise apparently healthy infant to make the assessment;
    - b. Contact EMS to check on the health of the infant;
  3. ***If signs of abuse or neglect are observed, the person delivering the infant should be detained.*** Contact a detective and the Camden County Prosecutor's Office. The officer or supervisor/OIC shall make contact with the [New Jersey Department of Children & Families](#) (1-877-839-2339) or [www.njsafehaven.org](#).

4. Determine if any infant had been reported missing within the preceding 30 days.
5. Offer the parent(s) or person acting on behalf of the parent(s) literature provided by the Department of Children & Families.
6. Offer the parent(s) or person acting on behalf of the parent(s) medical services or inquire if they need medical care.
7. Contact BLS to transport the infant to a hospital emergency room.
8. Ask the person who delivered the infant to the police station the following questions and record the answers:
  - a. Whether that person is the parent of the infant; and
  - b. Whether the infant is no more than 30 days old; and
  - c. Whether the infant is being delivered voluntarily; and
  - d. Whether the parent intends to return for the infant.
9. Proof of identification is not required if the circumstances fall within the parameters of the Act. The Act does not apply in the following circumstances:
  - a. If the person delivering the infant is not the parent and indicates that the parent did not voluntarily arrange for that person to leave the infant at the police station; or
  - b. If the parent indicates that their actions are not voluntary (coerced); or
  - c. If the infant is more than 30 days old; or
  - d. If the parent or person delivering the infant expresses an intent to return for the infant; or
  - e. If signs of abuse or neglect are present. In this case, the incident will become a criminal investigation. The supervisor/OIC shall initiate an investigation.
10. If it appears that the Act does apply and, **if offered**, record basic, non-identifying information from the parent(s) or person who brought the infant here. Record this information as it is being given. *(Note: A parent or person who is delivering an infant is not required to disclose any information and cannot be compelled to disclose this information. They will most likely be nervous, anxious or distrustful. Be concerned and supportive. **Do not** be judgmental. Remember that the safety of the infant is the paramount concern.)* Although this department cannot compel the person to provide information, some information may be useful to the hospital or to DCF. This information may include but, is not limited to:

- a. The infant's present health. Has the infant been sick since birth? Does the infant appear to have any handicap(s), physical or developmental problems?
  - b. The infant's race;
  - c. The composition of the infant's birth family;
  - d. The age of the parent(s);
  - e. Does the infant have a name?
  - f. The infant's date and place of birth, city/state/country (This particular piece of information may be invaluable in determining the infant's age);
  - g. The infant's pre-natal history. Did the birth mother receive medical care while pregnant? Did she deliver in a hospital or birthing center? Was the infant full-term? What was the infant's birth weight?
  - h. The physical and medical health history of each parent. Any hospitalizations?
  - i. Whether either parent has any serious medical problems?
  - j. Did the birth mother take/use drugs and/or abuse alcohol while pregnant?
  - k. Why is the infant being given up?
  - l. Is the father aware of the birth of the infant? Is the extended family aware of the birth?
11. If the Act applies, the person delivering the infant shall be permitted to leave and shall not be detained while awaiting medical clearance regarding the condition of the infant. The person delivering the infant shall not be required to accompany the infant to the hospital.
  12. Provide known details to the hospital emergency room staff about the infant. Deliver any non-identifying information to the hospital staff that had been obtained from the parent(s) or person who delivered the infant. This information will be documented on the infant's medical chart.
  13. The supervisor/OIC shall ensure that the Safe Haven for Infants Hotline (1-877-839-2339) and the New Jersey State Police Missing and Exploited Persons Unit (609-882-2000 ext. 2554) are contacted and informed that an infant had been surrendered and is en route to a hospital.
  14. Ensure that an investigation report is submitted documenting the details of the matter.

15. Provide reasonable assistance to the [New Jersey Department of Children & Families](#) upon request. This may include accessing computerized databases to determine if the infant had been reported missing, assisting with any follow up investigation, or providing a copy of the investigation report.