



STANDARD OPERATING GUIDELINE

OPERATIONS

ABANDON BABY ACT

Effective: June 1, 2004

Revised: 28/Dec/2020

S.O.G. #: O-337

Page: 1 of 3



1.0 Objective

- 1.1 To provide a mechanism and procedures for a newborn infant to be relinquished to a safe environment (fire station) and for the parents to remain anonymous if they choose and avoid civil and criminal liability for the act of relinquishing the infant.

2.0 Responsibility

- 2.1 It is the responsibility of all Department personnel to understand the procedures documented in this Standard Operating Guideline.

3.0 Definitions

- 3.1 **Abused:** See glossary
- 3.2 **Child abandonment:** There is a lengthy series of criteria which defines when a person commits the crime of abandonment. For the sake of this S.O.G. however, a person **does not** commit the offense of abandonment when he or she relinquishes a child in accordance with the "Abandoned Newborn Infant Protection Act". (325 ILCS 2/ 1 et.al)
- 3.3 **Department/DCFS:** Illinois Department of Children and Family Services.
- 3.4 **Emergency Medical Professional:** This includes licensed physicians, and any emergency medical technician-basic, emergency medical technician-intermediate, emergency medical technician-paramedic, trauma nurse specialist, and pre-hospital nurse, as defined in the EMS Systems Act. (210 ILCS 50/1 et.al)
- 3.5 **Fire Station:** A fire station within the state that is staffed with at least one staff person.
- 3.6 **Mandated Reporters:** If there is suspected child abuse or neglect that is not based upon the relinquishment, the personnel of the fire station must report the abuse or neglect pursuant to the "Abused and Neglected Child Reporting Act". (325 ILCS 5/ 1 et.al)
- 3.7 **Neglected:** See glossary
- 3.8 **New Born Infant:** A child who a licensed physician reasonably believes is 30 days old or less at the time the child is initially relinquished to a hospital, fire station, or emergency medical facility, and who is not an abused or a neglected child.
- 3.9 **Relinquish:** See glossary

4.0 General information

- 4.1 Every fire station must accept and provide all necessary emergency services and care to a relinquished infant.
- 4.1.1 The act of relinquishment serves as implied consent for care and transportation.
- 4.1.2 Personnel receiving a newborn infant must arrange transportation to the nearest hospital as soon as possible.
- 4.1.3 Personnel need to understand their obligations as "mandated reporters", as well as receive training as to the signs of child abuse or neglect.
- 4.2 Fire personnel shall verbally inform the person relinquishing an infant anonymously that the person will have to petition the court if they desire to prevent termination of parental rights and regain custody of the child.
- 4.2.1 Fire personnel shall offer the relinquishing person an information packet and explain that acceptance of same is voluntary.
- 4.3 The information packet offered to the person relinquishing the infant shall contain the following:
- 4.3.1 All "Illinois Adoption Registry and Medical Information Exchange" application forms, including the medical information exchange questionnaire, and the web site address and toll-free number of the registry.



STANDARD OPERATING GUIDELINE

OPERATIONS

ABANDON BABY ACT

Effective: June 1, 2004

Revised: 28/Dec/2020

S.O.G. #: O-337

Page: 2 of 3



- 4.3.2 Written notice regarding the relinquishing person's rights regarding regaining custody of the child, as well as the process of terminating parental rights and placement of the infant for adoption.
- 4.3.3 A resource list of providers of counseling services.

5.0 Procedure

- 5.1 Fire personnel receiving infants will do so with courtesy and concern for both infant and parent. Relinquishment occurs when the person does not express intent to return or states they will *not* return.
- 5.2 The child must be checked for signs of abuse or neglect. Remember, relinquishment in this circumstance does not constitute suspected abuse or neglect. However, if personnel suspect abuse or neglect or if they suspect the child to be 72 hours old or older, they must report it pursuant to the law. (DCFS. 1-800-252-2873)
- 5.3 Inform the relinquishing parent that he/she can do so anonymously without being followed or pursued, and that he/she are not subject to criminal liability for the act of relinquishment of the infant.
- 5.4 Prior to the relinquishing person leaving the fire station, personnel should verbally inform the person that by relinquishing the child, he or she will have to petition the court to regain custody and prevent termination of parental rights.
- 5.5 Offer the information packet and state its acceptance is voluntary. Explain that registering with the Illinois Adoption Registry and Medical Information Exchange is voluntary, valuable, and the person can still remain anonymous.
- 5.6 Provide necessary care for the infant and arrange for its immediate transportation to the appropriate medical facility.
- 5.7 Regular EMS system and EMS incident reports are to be completed for the treatment/transport. "Relinquished infant" can be entered as the patient's name.

6.0 Glossary of terms

- 6.1 **Abused Child:** A child whose parent or immediate family member, or any individual residing in the same home as the child, or a paramour of the child's parent:
 - 6.1.1 Inflicts, causes to be inflicted, or allows to be inflicted upon such child physical injury, by other than accidental means, which causes death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;
 - 6.1.2 Creates a substantial risk of physical injury to such child by other than accidental means which would be likely to cause death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;
 - 6.1.3 Commits or allows to be committed any sex offense against such child; as such sex offenses are defined in the Criminal Code of 1961, as amended, and extending to those definitions of sex offenses to include children under 18 years of age;
 - 6.1.4 Commits or allows to be committed an act or acts of torture upon such child;
 - 6.1.5 Inflicts excessive corporal punishment;
 - 6.1.6 Commits or allows to be committed the offense of female genital mutilation, as defined in section 12-34 of the Criminal Code of 1961, against the child; or
 - 6.1.7 Causes to be sold, transferred, distributed, or given to such child under 18 years of age, a controlled substance defined in Section 102 of the Illinois Controlled Substances Act, except for controlled substances that are prescribed in accordance with article III of the Illinois Controlled Substances Act and are dispensed to such child in a manner that substantially complies with the prescription.



STANDARD OPERATING GUIDELINE

OPERATIONS

ABANDON BABY ACT

Effective: June 1, 2004

Revised: 28/Dec/2020

S.O.G. #: O-337

Page: 3 of 3




6.2 **Neglected Child:** Any child who is not receiving the proper or necessary nourishment or medically indicated treatment, including food or care not provided solely on the basis of the present or anticipated mental or physical impairment as determined by a physician acting alone or in consultation with other physicians; or otherwise is not receiving the proper or necessary support or medical or other remedial care recognized under state law as necessary for a child's well being, including adequate food, clothing and shelter; or who is abandoned by his or her parents or other person responsible for the child's welfare without a proper plan of care; or who is a newborn infant whose blood, urine, or meconium contains any amount of a controlled substance as defined in Subsection (f) of Section 102 of the Illinois Controlled Substance Act or a metabolite thereof, with the exception of a controlled substance or metabolite thereof whose presence in the newborn infant is the result of medical treatment administered to the mother of the newborn infant. A child shall not be considered neglected for the sole reason that the child's parent or other person responsible for his or her welfare has left the child in the care of an adult relative for any period of time. A child shall not be considered neglected or abused for the sole reason that the child has been relinquished in accordance with the Abandoned Newborn Infant Protection Act. A child shall not be considered neglected or abused for the sole reason that such child's parent or other person responsible for his or her welfare depends upon spiritual means through prayer alone for the treatment or cure of disease or remedial care as provided under Section 4 of this act. A child shall not be considered neglected or abused solely because the child is not attending school in accordance with the requirements of Article 26 of the School Code, as amended.

6.3 **Relinquish:** To bring a newborn infant, who a licensed physician would reasonably believe is 30 days old or less, to a hospital, fire station, or emergency medical facility and to leave the infant with personnel of the facility, if the person leaving the infant does not express an intent to return for the infant or states that he or she will not return for the infant.

7.0 Reference

- 7.1 Highland Park Fire Department
- 7.2 Abandoned Newborn Infant Protection Act
- 7.3 Illinois Department of Children and Family Services
- 7.4 Illinois EMS Act
- 7.5 Illinois Controlled Substances Act
- 7.6 Illinois Criminal Code of 1961
- 7.7 Illinois School Code

Approved:  Fire Chief