

1 [Resolution Designating San Francisco Fire Stations as Permissible Locations to Safely  
2 Surrender a Child 72 Hours Old or Less Without Criminal Prosecution for Child  
3 Abandonment.]

4 **Resolution designating San Francisco Fire Stations as permissible locations for a**  
5 **parent or any adult with legal custody of a child to safely surrender that child without**  
6 **criminal prosecution for child abandonment.**

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8 WHEREAS, Newborn babies in California are being abandoned and frequently die  
9 before being discovered; and,

10 WHEREAS, Previous sections of the California Health and Safety Code and Penal  
11 Code may have prevented desperate people from behaving in a humane and responsible  
12 way; and,

13 WHEREAS, In response, in 2001, the California Legislature amended the Health and  
14 Safety Code and the Penal Code to provide assistance to women and families in crisis and to  
15 provide a haven for infants to be safely surrendered, known as the "Safe Haven" legislation;  
16 and,

17 WHEREAS, Penal Code section 271.5 now allows a parent or other person with lawful  
18 custody of a child, less than 72 hours old, to voluntarily surrender that child to any employee  
19 on duty at a public or private hospital emergency room, or at any other location designated by  
20 the Board of Supervisors by resolution; without criminal liability for child abandonment; and,

21 WHEREAS, The vast majority of San Francisco firefighters are certified emergency  
22 medical technicians or paramedics and have the necessary training and experience to  
23 respond to and appropriately care for abandoned newborns; and,

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\*\*Supervisor Hall\*\*

**BOARD OF SUPERVISORS**

1           WHEREAS, Designating San Francisco Fire Stations as Safe Haven sites will expand  
2 access for parents and other adults with legal custody of a child to locations where they may  
3 safely and permissibly surrender their infants in San Francisco; and,

4           WHEREAS, Consistent with recommendations from the San Francisco Safe Haven for  
5 Newborns Task Force; now, therefore, be it

6           RESOLVED, That pursuant to Penal Code section 271.5, the Board of Supervisors  
7 designates San Francisco Fire Stations as authorized locations for a parent or other adult with  
8 legal custody of a child, less than 72 hours old, to safely surrender that child without criminal  
9 liability for child abandonment; and, be it

10          FURTHER RESOLVED, That for purposes of this resolution only, "Fire Stations"  
11 means locations that are staffed by firefighters on a 24-hour basis who respond to calls for  
12 emergency medical care; and, be it

13          FURTHER RESOLVED, That the designated San Francisco Fire Stations, in  
14 cooperation with the San Francisco Safe Haven for Newborns Task Force, will provide the  
15 necessary materials, training and support to fire personnel consistent with the requirements  
16 under Penal Code section 271.5; and, be it

17          FURTHER RESOLVED, That this resolution shall become effective as soon as each  
18 Fire Station receives the necessary materials, training and support required for compliance  
19 with Penal Code Section 271.5.

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