

Laurel Police Department – General Order  
Chapter IV, Section 100, Order 114 - Maryland Safe Haven Program  
December 1, 2013

**4 / 114.05 POLICY**

It shall be the policy of this Department to provide safe haven for newborn infants abandoned by their parent(s) pursuant to Maryland State Law.

**4 / 114.10 PURPOSE**

To set guidelines for Department personnel in the handling of relinquished newborns

**4 / 114.15 DEFINITIONS**

Relinquished Newborn                      An unharmed newborn within ten (10) days of birth given up by a parent(s) to a reasonable adult

**4 / 114.20 PROCEDURES**

A. SAFE HAVEN PROGRAM

1. In the State of Maryland a person who leaves newborn with a responsible adult within ten (10) days after the birth of the newborn, as determined within a reasonable degree of medical certainty, and does not express intent to return for the newborn shall be immune from civil liability or criminal prosecution for the act.
2. If the person leaving a newborn is not the mother of the newborn the person shall have the approval of the mother to do so.
3. A person with whom a newborn is left, under the circumstances described in this General Order, as soon as reasonably possible shall take the newborn to a hospital or other designated facility designated by the State of Maryland Office of the Secretary of Human Resources.
4. A responsible adult and a hospital or other designated facility that accepts a newborn under the Safe Haven Program shall be immune from civil liability or criminal prosecution for good faith actions taken related to the acceptance of or medical treatment of care of the newborn unless injury to the newborn was caused by gross negligence or willful or wanton misconduct.

B. RESPONSIBILITIES OF PERSONNEL

1. All Department employees, whether sworn or civilian, shall accept an unharmed newborn, reasonably believed by the employee to ten (10) days old or younger, left with the Department employee on the premises of the police station.
2. The Department employee accepting the newborn shall make a physical appraisal of the condition of the infant for any signs of abuse or neglect.
  - a. If there is no evidence of abuse and/or neglect of a relinquished newborn the relinquishing person has the right to remain anonymous and to leave the police station at any time without being questioned, pursued or followed.

Laurel Police Department – General Order  
Chapter IV, Section 100, Order 114 - Maryland Safe Haven Program  
December 1, 2013

3. The Department employee may inquire about the medical history of the mother or newborn, but the relinquishing person is not required to provide any information.
4. A Child Protective Services investigation or Department a criminal investigation may not be initiated solely because a newborn infant is relinquished under the Safe Haven Program.
5. If the Department member is unable to determine the age of the newborn, the newborn shall be accepted.
6. The Department employee accepting the relinquished newborn shall tell the parent that by relinquishing the child anonymously, he/she will have to petition the court if he/she wants to prevent the termination of parental rights and custody.
7. The Department employee accepting the relinquished newborn shall provide the relinquishing person with a Safe Haven information packet including the Birth Parent Registration Identification form.
  - a. The packet is available on the Department's 'Blank Form' folder.
    - 1) Form: Birth Parent Registration Identification
    - 2) Form: Medical Information Form
  - b. If the relinquishing person completes this form before leaving, the forms will be submitted to the Prince George's County Department of Social Services.
  - c. The relinquishing person should be instructed that if they choose to do so, they can complete this form at a later time and return to the agency by US Mail.
8. A supervisor shall immediately be contacted.

C. SUPERVISOR RESPONSIBILITIES

1. The on-duty supervisor will assign an officer to complete an Incident Report relating to the relinquishment of the newborn.
2. If a Birth Parent Registration Identification Form and/or Medical Information Form have been completed, copies of same will be attached to the Incident Report.
3. A search of the listed on-line databases will be completed to determine if the relinquished newborn is abduction or kidnapping victim.
  - a. National Crime Information Center (NCIC)
  - b. National Center for Missing and Exploited Children (NCMEC)
  - c. Review of Special Operation Division Missing Persons
4. The assigned officer will also be instructed to contact the Prince George's County Department of Social Services within twenty four (24) hours after acceptance of the newborn.
5. As soon as reasonably practical, the Laurel Volunteer Rescue Squad shall be notified to transport the newborn to a medical facility.

Laurel Police Department – General Order  
Chapter IV, Section 100, Order 114 - Maryland Safe Haven Program  
December 1, 2013

**D. RETURN OF PARENT**

1. If the relinquishing parent returns to reclaim the child within seventy two (72) hours of relinquishing the newborn to this Department, the relinquishing parent shall be notified of the name and location of the hospital to which the infant was transported and shall be provided with contact information for the Prince George’s County Department of Social Services.

**E. EVIDENCE OF ABUSE**

1. If the initial appraisal of the condition of the infant indicates any signs of abuse or neglect, the relinquishing parent should be held until an investigation can be completed.
  - a. The on-duty supervisor shall be contacted immediately and a Special Operations Division investigator notified.
2. If there is clear evidence of abuse or neglect, the investigation will proceed as with any other such criminal investigation.

**F. REPORTING**

1. If there is no evidence of abuse or neglect of the relinquished newborn, an Incident Report will be written using the UCR code for Child Abandonment.
2. The Prince George’s County Department of Social Services / Child Protective Services will be contacted by the investigating officer as soon as reasonably possible.

**4 / 114.25 GOVERNING LEGISLATION AND REFERENCES**

Maryland Code, Courts and Judicial Proceedings, Title 5. Limitations, Prohibited Actions and Immunities, Subtitle 6. Immunities and Prohibited Actions – Health and Public Safety, Section 5-641. Immunity from Liability for Persons Who Leave Unharmed Newborn Child with a Responsible Adult  
CALEA Standard 41.2.6

**4 / 114.30 ANNEX**

None