What does the Safe Haven Law provide?
The law protects a parent who leaves their baby at a “Safe Haven” location. The parent will not face criminal prosecution simply for leaving the child.

What is the purpose of this law?
TO SAVE BABIES! The hope is that there will be a decrease in the number of babies who are abandoned in unsafe places (dumpsters, toilets, etc.)

When was the Safe Haven law passed?
The Nevada State Legislature passed the law in 2001 in response to the increase in abandonment cases in Clark County. Governor Guinn signed the bill into law on May 31, 2001. During the 5 months that it took to get this piece of legislation passed, 2 babies in Clark County were found abandoned in dumpsters – both died.
What is “Safe Haven”?  

The LAW

NRS 432B.630 Delivery of newborn child to provider of emergency services.

A provider of emergency services **shall** take immediate possession of a child who is or appears to be not more than 30 days old when the child is voluntarily delivered to the provider by a parent and the parent does not express an intent to return for the child.
WHO can leave a Safe Haven baby?

• A parent
• Another provider of emergency services

WHERE can a parent leave a child:

A parent who delivers a child to a provider of emergency services/Safe Haven location SHALL leave the child:

1. In the physical possession of a person whom the parent believes to be an employee of the provider of emergency services, or
2. On the property of the provider in a manner and location that the parent has reasonable cause to believe will not threaten the physical health or safety of the child, and immediately contact the provider, through 911 or otherwise, and inform the provider of the delivery and the location of the child.

*** Safe Haven Pocket Card ***
Did you know this facility is a Safe Haven location for safe baby surrenders?

What is Safe Haven?
Safe Haven law protects babies from being harmed due to unsafe and illegal abandonment by providing parents a safe and anonymous option for surrendering their baby. Babies must be:
- unharmed,
- no more than 30 days old, and
- be left with a staff member at an identified Safe Haven location.

What should you do?
1. If possible, obtain medical information for the baby. If the parent volunteers the infant’s medical history, provide a medical history questionnaire and forward to the emergency medical care facility where the infant will be transported. Remember, the parent is not required to provide any information.
2. Notify your supervisor and review your department’s policy.
3. Ensure emergency medical services are provided to the child.
4. If you are not child welfare or law enforcement, notify them within 24 hours of taking possession of the infant.
5. For law enforcement only: notify clearinghouse and investigate further to determine if the child has been reported as missing. Notify the child welfare agency of investigation conclusions.

Whenever possible, inform the child’s parent that:
- By allowing the provider to take possession of the child, the parent is presumed to have abandoned the child.
- By failing or refusing to provide an address of contact, the parent waives any notice of the hearing to be conducted pursuant to NRS 432B.470. Unless the parent contacts the local child welfare agency, action will be taken to terminate the parental rights regarding the child.

Remember: Safe Haven Law protects the parent and they can remain anonymous. Do not follow the parent or try to stop them from leaving.

Note: Any information provided by the parent is voluntary and not required.

Safe Haven
FROM YOUR ARMS TO OURS.

For more information call the Crisis Call Center of Nevada 1-800-992-5757
For additional information about the law and answers to frequently asked questions for both parents in crisis and safe haven providers go to our website at www.safehavennv.org.
Contact Prevent Child Abuse Nevada 702-895-1040 to order materials.

Safe Haven
FROM YOUR ARMS TO OURS.

Nevada Safe Haven Law provides parents a safe and anonymous option for surrendering their baby. Babies must be:
- unharmed,
- no more than 30 days old, and
- be left with staff at hospital, urgent care facility, occupied Police or Fire Station, or by dialing 911.

For more information call the Crisis Call Center of Nevada at 1-800-992-5757 or visit safehavennv.org

What should you do?
1. If possible, obtain medical information for the baby. —Remember, the parent is not required to provide any information. Do not follow them.
2. Notify your supervisor and review agency policy.
3. Ensure emergency medical services are provided.
4. Notify child welfare and law enforcement within 24 hours.
5. For law enforcement only: determine if the child has been reported as missing.
SAFE HAVEN LOCATIONS

WHO is a provider of emergency services (ESP) or a SAFE HAVEN location?

• law enforcement agencies
• public fire-fighting agencies (including volunteer fire departments)
• hospitals
• obstetric centers
• independent licensed centers for emergency medical care
• ambulance services
What is the criteria for a provider of emergency services to accept a Safe Haven baby?

Provider SHALL take immediate possession when:

- The child is or appears to be not more than 30 days old
- The parent does not express intent to return for the child.
WHAT IS THE RESPONSIBILITY OF THE SAFE HAVEN LOCATION?

The provider of emergency services must:

1. Whenever possible, inform the parent that:
   - By allowing the provider to take possession the parent is presumed to have abandoned the child
   - By failing or refusing to provide an address where the parent can be located the parent waives any notice of the NRS 432B.470 hearing (protective custody/72 hour hearing)
   - Unless the parent contacts the local child welfare agency action will be taken to terminate parental rights

2. Perform any act necessary to maintain and protect the physical health and safety of the child. Firefighters, law enforcement and ambulance services must immediately deliver the child to the hospital, obstetric center or other center for emergency care

3. As soon as possible/within 24 hours, report the possession to the child welfare agency and the law enforcement agency
What happens to the parent if they leave a baby at a Safe Haven location?

• The parent is deemed to have given consent to the performance of all necessary emergency services and care of the child

• The parent must NOT be required to provide any background or medical information regarding the child but may voluntarily do so

• Unless there is a reasonable cause to believe the child has been abused or neglected, the parent:
  • Must NOT be required to disclose any identifying information, but may voluntarily do so
  • Must be allowed to leave at any time
  • Must NOT be pursued or followed

* A child is NOT abused or neglected just because the parent delivers the child to a provider of emergency services therefore cannot be prosecuted for abuse or neglect just because they leave the child
SAFE HAVEN TOOLS:

The provider of emergency services should use available Safe Haven tools to assist them:

- Health Questionnaire
- Policy
Law Enforcement Agency – missing child?

- Is a Safe Haven location.

- If child delivered to another location law enforcement to be notified.

- *The law enforcement agency shall inform the clearinghouse and investigate to ensure that the child is not a missing child.

- The law enforcement agency shall inform the child welfare agency of its determination.

- The child welfare agency shall maintain that information for statistical and research purposes.
Child Welfare Agency

The local child welfare agency will take protective custody of the child, place the child in a foster home, and initiate court action by filing a 432B petition and a termination of parental rights petition.

**Child welfare agency should immediately hold an emergency adoption review team meeting to determine a legal risk adoptive placement**

*Priority is to ensure safety and wellbeing of child

Medical exam (if not already done)

Assessments

All other action would take with any other child
432B Case:

- A child who has been delivered to a provider of emergency services is a child in need of protection. However, the child is NOT abused or neglected, nor is the health or welfare of the child harmed or threatened, for the sole reason that the child was delivered to a provider of emergency services.

- Protective Custody hearing: If the location of the parent is unknown the parent shall be deemed to have waived notice of the protective custody hearing.

- Adjudicatory hearing: If the location of the parent is unknown a summons will be served on the parent by publication at least once a week for 3 consecutive weeks in a newspaper published in the county. The failure of the parent to appear in response to the summons shall be deemed to constitute a waiver by the parent of any further notice of the proceedings that would otherwise be required.

- If the parent fails to appear court reports do not need to be sent to the parent.

- The child welfare agency is not required to make reasonable efforts to preserve and reunify the family.

- It is unlikely the child will be IVE eligible

- Court not required to order child support
Termination of Parental Rights

- If a child is delivered to a provider of emergency services the parent is presumed to have abandoned the child. NRS 128.097
- No other statutes related to safe haven in NRS 128
- No waiver of NOTICE – need either personal service or publication
- Need a birth certificate before you can begin termination proceedings
HOSPITALS - identity likely known but still safe haven - Publish name? Personal service? Safe Haven law does not require or promise anonymity

Solutions:

• DCFS - Relinquishment (72 hours, willing)
• Expand legislation
• Hospital policy

** PURPOSE - SAVE BABIES
What can we do?

How do we inform the public? Distribution of information for your area: Casinos, movie theatres, service providers, mall, grocery stores, homeless shelters, not-for-profit organizations, doctors’ offices, counselors’ offices, clinics, welfare offices, paycheck inserts.

How do we ensure everyone understands what Safe Haven is? All Safe Havens locations should establish protocol for any personnel who might come into contact with a Safe Haven baby or a parent who wishes to use Safe Haven laws.

All Providers of Emergency Services should be trained on this law and the established protocol. They should understand their responsibilities under the law and procedures on how to interact with a mother who potentially has just delivered a baby on her own.

What else??
Resources for parents and Safe Haven locations:

- Sample Policy
- Medical History Questionnaire in English and Spanish
- Frequently asked questions
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