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Governor

Karyn Polito
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Legislative Report on Safe Haven Act

As Required by M.G.L. c.119, §39½

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LEGISLATIVE REPORT ON SAFE HAVEN ACT

This document serves as the 2014 and 2016 report regarding the Safe Haven Act as required by M.G.L. c.119, §39½:

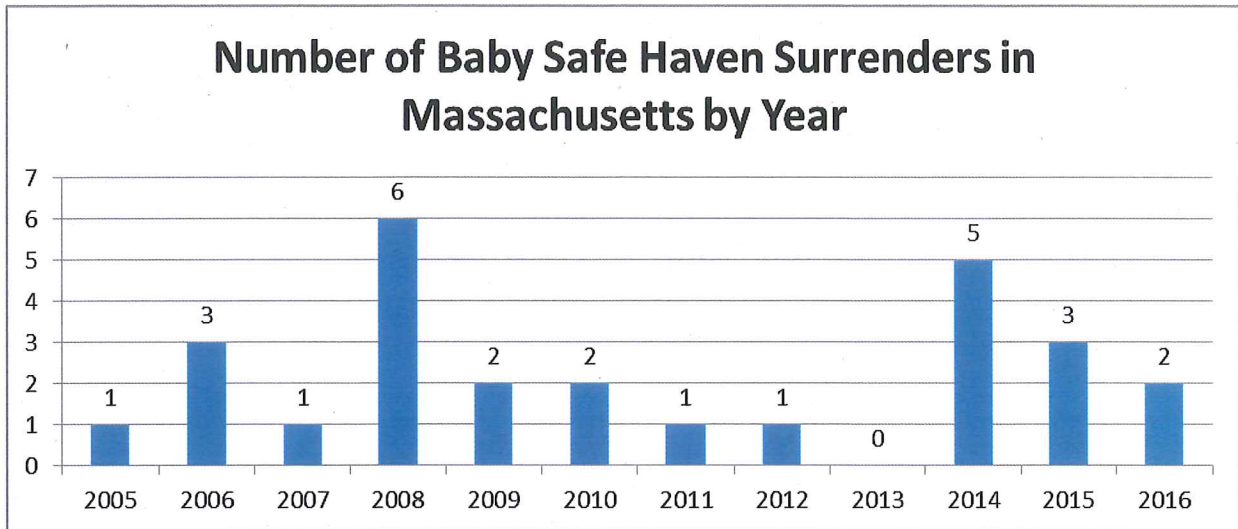
“... The report shall include, but not be limited to, the following: (1) an analysis of this section’s effectiveness in decreasing the number of newborns that are abandoned in an unsafe manner in the commonwealth; (2) the department’s success or failure in permanently placing in the adoption process any newborn placed with a designated facility pursuant to this section; (3) the average length of time that newborns remain in foster care after being so placed; (4) any issues arising from the termination of parental rights following the placement of a newborn pursuant to this section; (5) the success or failure of any public information campaign implemented by the department pursuant to this section; (6) any increased administrative burdens that may be placed upon any department or agency of the commonwealth as a result of this section; (7) issues with regard to the eligibility of any newborn infant placed pursuant to this section for federal entitlements such as foster care or adoption subsidies under Title IV-E of the United States Social Security Act or any other applicable federal law; and (8) the frequency or infrequency with which a parent placing a newborn at a designated facility supplies the facility with the information sought by the facility pursuant to the fourth paragraph of this section and any negative effects the lack of medical or background information on the child or parents may have had on facilitating the temporary or permanent placement of the child through the foster care or adoption process.”

The General Law specifically asks the Department to consider eight different areas regarding the Safe Haven Act and its implementation in the Commonwealth.

(1) an analysis of this section’s effectiveness in decreasing the number of newborns that are abandoned in an unsafe manner in the commonwealth;

From its implementation in 2005 – 2016 there have been 27 Safe Haven intakes at sites across Massachusetts. Comparing across the years, no trend is observable in the number of newborns surrendered at locations designated by the Baby Safe Haven law. The Department does not have data readily available regarding the number of babies born and abandoned in public places.

The chart below shows the number of Safe Haven Surrenders in Massachusetts. The most number of surrenders occurred in 2008 (6 infants) with the lowest in 2013 (0 infants).



(2) the department's success or failure in permanently placing in the adoption process any newborn placed with a designated facility pursuant to this section;

The Department prioritizes safety and permanency for each child. Of the 27 infants surrendered in Massachusetts during the 12 years of the Safe Haven Law, three have been returned to their mothers, 1 is in guardianship with a relative, 22 infants have been adopted and one is in a pre-adoptive foster home. Of those 22 that have been adopted, 81% of the total that have been surrendered, 12 were adopted in less than one year.

(3) the average length of time that newborns remain in foster care after being so placed;

Newborns placed with the Department under this section spent an average of 462 days before adoption, with a range from 148 to 1,429 days. The median stay in foster care was 360 days.

(4) any issues arising from the termination of parental rights following the placement of a newborn pursuant to this section;

No such issues have been noted.

(5) the success or failure of any public information campaign implemented by the department pursuant to this section;

An initial evaluation by the University of Massachusetts Medical School, Center for Adoption Research (CAR) completed in June 2005 indicated that efforts by the Department and its partners in educating the general public about the Safe Haven Law were generally successful.

This evaluation involved a statewide survey of 710 adults in Massachusetts. The majority of respondents (64%) were familiar with the Safe Haven law. Of those familiar with the law, most heard about it from the television campaign (75%), and nearly all (93%) could identify its general purpose. Since many respondents indicated that they lacked specific knowledge about the website or the toll free hotline, on-going education efforts would target these areas.

Public information campaigns have included the creation of a *Baby Safe Haven* logo, site signage, educational and promotional materials. Signage was distributed throughout the state and can be found at locations referenced in the law. Site identification decals have been developed and have been systematically distributed to State Police barracks, local police and fire departments with reliable 24 hour staffing, and hospitals across the state that have around the clock acute care capacity. DCF continues to strive to maximize the use of the internet both to communicate with our partners, families in crisis, and the general public seeking information.

This group also instituted a prominent multimedia campaign that was developed to inform state residents about basic aspects of the Safe Haven law. Through 2006, Radio, TV, billboards and transit posters were used with an emphasis on media that reached a target demographic of young women primarily between the ages of 16 and 29. These public relations campaigns ended in 2007 in tandem with the depletion of the original allocation of federal funds.

(6) any increased administrative burdens that may be placed upon any department or agency of the commonwealth as a result of this section;

The Department expended over \$400,000 directly on the Safe Haven initiative between the law's enactment in 2004 and 2007. DCF strategically purchased media time and internet domain names at that time with some awareness that other resources would not likely be forthcoming. In the end, DCF received \$3 of in-kind donated media services for each dollar that was actually expended.

Since 2007, \$12,000 per year is expended on the Safe Haven Hotline operated by AMT Children of Hope Foundation from the DCF line item 4800-0038. The toll-free telephone tie line is charged to the internal IT/Telecommunications operating budgets. This hotline responds to inquiries from the public, as well as for parents experiencing a crisis related to a pregnancy or impending birth. The Safe Haven telephone hotline went live on October 1, 2004. The Department also maintains a page on the DCF website devoted to Baby Safe Haven information <http://www.mass.gov/eohhs/gov/departments/dcf/babysafehaven/>

(7) issues with regard to the eligibility of any newborn infant placed pursuant to this section for federal entitlements such as foster care or adoption subsidies under Title IV-E of the United States Social Security Act or any other applicable federal law;

Of the 27 infants who were surrendered under the Safe Haven Act as of December 2016, Title IV-E Foster Care eligibility determinations were made for 25 children. Of these, 22 were denied, primarily due to lack of financial information and 3 were eligible to receive foster care subsidies under title IV-E. One infant was found eligible for SSI.

(8) the frequency or infrequency with which a parent placing a newborn at a designated facility supplies the facility with the information sought by the facility pursuant to the fourth paragraph of this section and any negative effects the lack of medical or background information on the child or parents may have had on facilitating the temporary or permanent placement of the child through the foster care or adoption process.

The Department seeks to work with the facility and the parent/person surrendering the baby under the Baby Safe Haven Law to gather information that could accompany the infant throughout his/her life.

In regards to medical information, no health history was provided for 8 infants, limited health history was provided for 10 infants and information about the pregnancy and family health history was provided for 3 infants.

In regards to other background information on the child or parents, no information which could be used to help place the child was provided for 21 infants and some information was provided for 5 infants.

The lack of this background information accompanying an infant into foster/adoptive care is concerning as it leaves many questions unanswered for the individual surrendered under the Baby Safe Haven Law and his/her caretaker. DCF does not track the specific impact of the lack of medical/background information during the infant's lifespan.

Hotline

Since October 2004, DCF has contracted with The AMT Children of Hope Foundation to operate a hotline for Massachusetts residents to respond to inquiries from the public, as well as for parents experiencing a crisis related to a pregnancy or impending birth. The Safe Haven telephone hotline went live on October 1, 2004. The call volume for the most recent calendar year is included below.

Children of Hope Hotline Calls from MA in CY2016	
Already delivered baby	16
Relinquished into Safe Haven	1
Housing	5
Test kit sent out	10
Total number of calls received	222