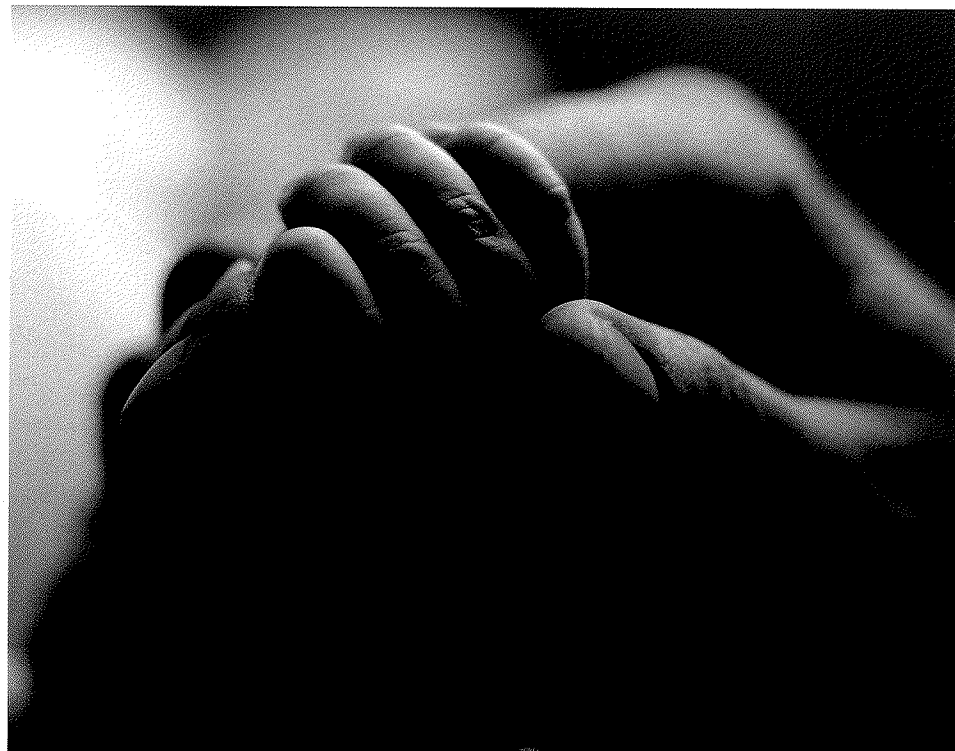


Amendments to

PENNSYLVANIA'S SAFE HAVEN LAW

(Act 2014-91)

Effective August 31, 2014, Pennsylvania's Safe Haven Law has been amended by Act 91 to allow police stations to serve as safe havens. The legislation was enacted to allow parents to seek assistance from law enforcement when they are unable to care for their newborn children without fear of prosecution. Under Act 91, a parent of a newborn (a child less than 28 days of age) may leave the newborn in the care of a police officer (any full-time or part-time employee assigned to criminal or traffic law enforcement duties of a police department) at a police station provided that the parent expresses, either orally or through conduct, their intention to have the police officer accept the newborn. Once a newborn has been taken into protective custody by a police station, the police officer accepting the newborn must ensure that the newborn is transported to a hospital and placed into the care of a health care provider. Under the Act, a health care provider is defined as any administrative, managerial, or security staff employed by a hospital. If possible, the police officer accepting the newborn should attempt to obtain information about the newborn's medical history and any identifying information from the parent. The police officer is then permitted to relay any information collected to the health care provider accepting the newborn. No police department, police officer, or administrative or managerial personnel



of a police department shall be subject to civil or criminal liability solely by reason of complying with the provisions of the Act.

There are three practical implications of Act 91 for police officers and stations. First, it is important that all police officers and police station personnel are advised that, as of August 31, 2014, police officers can, and should, accept any newborn that a parent wishes to leave at the police station. Furthermore, it should be made clear that only police officers, as defined by the Act, are authorized to accept newborns at police stations. Second, many hospitals in Pennsylvania have signs directing parents to safe

locations where newborns can be left. It may be helpful for police stations to post signs directing parents to such a location within each station. Finally, it may be beneficial for supervisors to train subordinate personnel on how to interact with a parent wishing to leave their newborn. Specifically, subordinate personnel should be trained on how to obtain any information possible about the newborn's medical history and identifying information, all while assuring the parent that the information is not being gathered for the purpose of criminal prosecution but rather to ensure the health and safety of the newborn.