

Illinois' Abandoned Newborn Infant Protection Act

No shame. No blame. No names.





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Dear Educator:

Illinois enacted the *Abandoned Newborn Infant Protection Act* (Public Act 92-0432), commonly referred to as a "Safe Haven Law," in August 2001. The Safe Haven Law allows a desperate parent to relinquish an unharmed infant legally, safely and anonymously with no questions asked.

Illinois School Code 105 ILCS 5/27-9.1(c)(9) requires that the provisions of the Abandoned Newborn Infant Protection Act be included in all school health education classes. The Save Abandoned Babies Foundation and the Illinois Department of Children and Family Services are pleased to provide this teacher's kit to assist you in meeting this requirement.

This Safe Haven Law teacher's kit is designed to help you educate your students about the Law. Your assistance in sharing this information may reduce the number of tragic stories of abandoned babies in Illinois and may also provide women dealing with unwanted pregnancies an option that protects them from the severe consequences – both legal and emotional – of abandoning their babies.

Sincerely,

Maria Lefkow Sorensen, President
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Safe Haven Law Curriculum Overview

This curriculum is designed to provide you with informative and easy-to-use classroom materials about the *Abandoned Newborn Infant Protection Act*.

Goals:

The goals of this curriculum are:

- Students will be able to identify key facts about the Safe Haven Law
- Students will understand possible reasons behind abandonment
- Students will know what resources are available and how they can help someone in danger of abandoning an infant
- Students will have the opportunity to think critically about larger issues including, laws, ethics and personal responsibility

Inside This Kit:

Teacher Resources:

- Safe Haven pamphlet and posters (available In English, Spanish, and Polish)
- Order form from the Department of Children and Family Services for additional posters and brochures
- Wallet cards (reproducible sheet intended to be copied onto heavy-weight paper stock and cut into wallet sized reference cards for students)
- Safe Haven sign sample

Lesson Plans:

- Core lessons
- Extension opportunities



Suggestions for Teaching

You may find that talking about unwanted pregnancies and abandoned babies are difficult issues for your students. Talking about the Safe Haven Law may evoke strong emotions or make some students feel uncomfortable. Here are a few tips to make your classroom discussions supportive and positive for your students:

- **Create a comfortable atmosphere.** Be open to what your students are saying and encourage them to listen to one another with respect and without interruption.
- **Encourage participation from all.** Review your classroom culture regarding differences of opinion and allowing other people to voice their ideas before you begin your discussions. Comments such as “good point,” “excellent ideas,” “great question,” or “a thoughtful response” may encourage more open dialogue.
- **Provide a variety of discussion formats.** Some students find it hard to express their views in a large group but might feel more comfortable speaking out in a smaller group.
- **Allow silence.** Don’t feel you have to jump in every time there is a pause in the discussion. Silence can be valuable in allowing time for students to process information or collect their thoughts for a response. Remember to use a five second “wait time” between the time you ask a question and solicit a response.
- **Consult outside resources.** When you don’t know the answer to a question, try to find the information and provide it later.

Additional Ways to Help Spread the Word about Safe Havens

- Use key excerpts from the Safe Haven Law resources in student bulletins, daily announcements, public service announcements on student radio and television stations and on your school’s website.



- Organize an informal “brown bag lunch” discussion for students who wish to talk further about the Safe Haven Law together.
- Involve parents by inviting students to take the Safe Haven Law student handouts home to share with their families.
- Inform fellow teachers, librarians, counselors, coaches and others who work with young people about the Safe Haven Law and this curriculum.
- Make additional Safe Haven wallet cards and pamphlets available in the student services and nurse's offices.



Core Lesson #1: Facts about the Law

Objective:

- Students will be able to identify key facts about the Safe Haven Law.

Materials:

- Copy of the following for each student:
 - Illinois' Safe Haven Law: Overview (page 8)
 - Illinois' Safe Haven Law: Questions and Answers (page 9)

Activities:

- Assign reading for homework or read together as a class, depending on student maturity and learning needs.
- Allow time for a class discussion of readings. Questions could include, but are not limited to:
 - What did you learn about the law?
 - What are your general thoughts about the law?
 - What else do you want to know? (mark these answers down for further follow up)

Assessment:

- Have each student write a paragraph explaining what they learned about the Law. The following ten-point rubric can be used:

Requirements (possible points)	Points Received
Introductory sentence (2 points)	
At least four facts about the Safe Haven Law (4 points)	
Concluding sentence (2 points)	
Overall clarity (2 points)	
TOTAL (10 points)	



ILLINOIS' SAFE HAVEN LAW: OVERVIEW

The Problem

From 1991 to 1998, the incidence of newborn abandonment in public places increased 62 percent across the country. Dramatic accounts in the newspapers and television underscored the problem. In March 1998, a baby was found by two 13-year old boys who saw a body floating face down in 14 feet of water in the California Aqueduct. The red-haired, 20-inch girl was tagged Baby Jane Doe No. 21 and given the name "Grace." Sheriff's deputies initially thought she may have been strangled before being dumped, although they may never know for sure because the body was badly decomposed.

The Start of the Solution

Similar tragedies were occurring in other states. In Alabama, a pilot program attempted a new legislative focus: protecting the newborn at practically any cost. On September 1, 1999, Texas was the first state to pass a law allowing a parent to relinquish an infant anonymously. Other states began to follow with similar laws and, as of 2006, all 50 states have a "safe haven" law, although specifics vary from state to state.

In August 2001, the Illinois General Assembly passed the Abandoned Newborn Infant Protection Act (Public Act 92-0432). Similar to other states, Illinois' Safe Haven Law allows a parent to safely relinquish an unharmed infant, up to 30 days old, anonymously and without fear of prosecution.

The Law's Main Points and Conditions:

The intent of the Safe Haven Law is to assure the safety of newborns that might otherwise be unsafely abandoned. The law provides a safe alternative to parents who may be under severe emotional distress or unable to provide for the basic needs of an infant.

- Allows the distressed birth parent(s) to legally, anonymously and safely relinquish an unharmed newborn
- Provides a safe place for newborns
- Protects the parent(s) from arrest or prosecution for abandonment
- Does not require that names be given when the unharmed infant is safely relinquished



- Permits parents to safely relinquish an unharmed newborn up to 30 days old at any hospital, police or staffed fire station, or emergency care facility in Illinois
- Allows 60 days for the parent(s) to reclaim the infant, subject to counseling and an inquiry by the Illinois Department of Children and Family Services. After 60 days, parental rights are terminated.
- Provides a resource packet for the parent containing information about adoption, a voluntary medical and family history questionnaire and counseling information. The parent is not required to take this packet.
- Allows the relinquishing parent to voluntarily complete a medical and family history questionnaire for the newborn, which, could be very useful for the child and the adoptive parents.



ILLINOIS' SAFE HAVEN LAW: QUESTIONS AND ANSWERS

Why does Illinois have a Safe Haven law?

Prior to 2001, Illinois was one of only a handful of states that did not have a "safe haven" law allowing for the legal and anonymous relinquishment of a newborn child to a safe environment. From 1997 to 1999, the Illinois Department of Children and Family Services (DCFS) estimates that between 32 and 34 infants were unsafely abandoned each year, 20 of which were left within the first 24 hours of life.

The Abandoned Newborn Infant Protection Act was passed in 2001 to significantly reduce the incidence of unsafe abandonment and death by offering desperate parents, many of whom are under severe emotional distress, the option of safely relinquishing their newborn child to a hospital, emergency medical facility, fire station or police station without fear of prosecution.

QUESTIONS ABOUT THE RELINQUISHED NEWBORN

What happens once a newborn is safely in the hands of authorities?

DCFS is notified of the relinquishment and, if not already at a medical facility, the infant is taken to the nearest hospital to receive medical care. DCFS then appoints a licensed adoption agency to arrange for placement of the infant with an adoptive family.

What about the baby's medical history?

The relinquishing parent may anonymously and voluntarily provide medical information at any time. At the time of relinquishment, the parent will be given a [brochure](#) that includes an optional section asking for basic background information about the child, including medical history. If the parent chooses to complete this form, it may be given to the authorities at the time of relinquishment or it may be anonymously mailed to DCFS at a later date.

What happens if the newborn is over 30 days old?

The law defines a newborn infant is "a child who a licensed physician reasonably believes is 30 days old or less" at the time of relinquishment (325 ILCS 2/10). All existing laws and procedures related to child abandonment remain in effect for children over 30 days old.



What happens if there is evidence of abuse or neglect?

If child abuse or neglect is suspected, the Act's protections do not apply. All existing laws and procedures related to cases of child abuse and neglect remain in effect.

Who pays for the medical cost of the newborn?

Relinquished newborns are entitled to Medicaid, and hospitals will be reimbursed for any care provided to the child by the Illinois Department of Healthcare and Family Services.

QUESTIONS ABOUT RELINQUISHING PARENTS

Can parents change their minds after relinquishing their newborn?

Yes, parents have 60 days from the date of relinquishment to reclaim the infant by filing a petition in the circuit court. If a petition to return custody is filed, the court will order maternity/paternity testing and DCFS will conduct a child protective investigation and home study. If a petition is not filed within 60 days, DCFS or the adoption agency will initiate proceedings to terminate parental rights and to obtain an adoption order. Once the adoption order is entered, all rights of the relinquishing parent are terminated.

What about father's rights?

The Act makes no changes to existing Illinois laws governing fathers' rights. DCFS or the adoption agency must search Illinois' Putative Father Registry prior to filing a petition to terminate parental rights. At least one search must be conducted no later than 30 days after the relinquished newborn's estimated date of birth. Nothing in the Act prohibits DCFS or the adoption agency from conducting earlier searches. If a potential putative father is identified, he will be provided with notice of the relinquishment.

How do you know if the person relinquishing the newborn is actually the parent?

DCFS will notify the police of the relinquishment within 24 hours. The police will then search the National Crime Information Center to ensure that the newborn is not a missing or kidnapped child before placement with an adoption agency.

QUESTIONS ABOUT THE LEGISLATION

Does such legislation encourage abandonment and irresponsible behavior?

No. The law is designed not to encourage but to prevent abandonment, and possible death, by providing parents with a safe alternative. The Act recognizes that establishing an adoption plan is preferable to relinquishment, and requires relinquishing parents be given information on adoption options, as well as grief and pregnancy counseling.



How does the legislation prevent the inappropriate creation of a “baby mill?”

DCFS is required to maintain a list of licensed adoption agencies that have agreed to take legal custody of a relinquished newborn and place the child in an adoptive home. DCFS is required to contact these agencies on a rotating basis to ensure that no one agency places a disproportionate share of relinquished infants.

Why do state and public departments need to be involved since there are many private groups working in this area?

Under Illinois law, DCFS is responsible for issues involving child welfare and possible criminal conduct. DCFS may contract with private groups, but these organizations are subject to and must act in accordance with all state laws and regulations.

Do other states have similar legislation?

Yes, all 50 states have enacted safe haven laws to protect newborn infants; however, the specific provisions of the laws vary by state.

Who tracks the number of abandoned infants left at Safe Havens?

DCFS must submit an annual report to the Illinois General Assembly on the prevention of injury or death of newborn infants and placement of relinquished infants under the Act. The Save Abandoned Babies Foundation also works with DCFS to maintain this information.



Core Lesson #2: Reasons for Abandonment and What You Can Do

Objective:

- Students will understand possible reasons behind abandonment
- Students will know what resources are available and what they can do to help someone who might be considering abandoning a newborn

Materials:

- Copy of the following for each student:
 - Reasons for Abandonment (page 11)
 - Resources (page 12)
 - What Would *You* Do? (page 13)

Activities:

- Read through "Reasons for Abandonment" and "Resources" as a class.
- Pass out "What Would *You* Do?" and read through the description of the activity.
 - Break students up into pairs and give them time to complete the task of role-playing.
- Bring the group back together and discuss the following questions:
 - ***Encouraging Friend Role:***
 - What were the key facts you used to try to convince the parent to safely relinquish the newborn?
 - How did you overcome any fears or objections voiced by the parent?
 - Was your argument to the parent mainly emotional or rational? Why?
 - ***Distressed Parent Role:***
 - Why is the parent afraid?
 - What assurances does the parent need?
 - What are the parent's long-term and short-term needs?
 - Why can't you solve the parent's problem?
 - Give students an opportunity to role play one more time after the group discussion. If time allows, discuss how the role play differed after the discussion.



Assessment:

Determine students' ability during role-playing and class discussion to appropriately identify reasons why parents may choose unsafe abandonment and resources for how to help.



REASONS FOR ABANDONMENT

Why do parents abandon their children?

Babies have been abandoned for many reasons. A few of those reasons are listed below:

- Mother denies pregnancy or does not know she is pregnant
- Mother's husband is not the father
- Mother fears she doesn't have enough money to care for the infant
- Mother has other children and can't afford to take care of another
- Mother is afraid or ashamed to tell her parents or others who could help
- Mother is afraid of being abused if the pregnancy/newborn is discovered
- Mother is afraid of the humiliation of having a baby out of wedlock
- Pregnancy discovered too late
- Infant is the result of rape or incest
- Mother fears social services will take away her other children
- Mother fears an ex-spouse will take her other children

A woman who has experienced any of these circumstances may have been under severe emotional distress. She may be afraid and feel as though she has nowhere to turn for help. In some of these cases, women have unsafely abandoned their newborns. The Safe Haven Law offers a safe, legal alternative for women who are unable to care for their newborns.

Is the Safe Haven Law the only answer?

No. The parent may wish to consider adoption. If a parent wants to keep the newborn, but thinks they cannot afford to care for the infant, public assistance and food stamps may help. If a woman is afraid of abuse, the National Domestic Violence Hotline can help her. If a young girl is afraid of her parents, she can contact the Family Services Agency in her county or community for help and counseling. The health of the mother and the baby will both be protected if the mother receives medical care before the baby is born. The following sheet lists several resources that can help.



RESOURCES

You may know of someone who is pregnant and worried. If your friend is unwilling to talk directly to her parents, encourage her to talk to someone who is knowledgeable about the services and resources available in your community and someone who will be helpful and supportive. School counselors, social workers, nurses, and teachers can help.

Here are some other resources that can help.

National Domestic Violence Hotline

1-800-799-SAFE

Child Help USA (Abuse Hotline)

1-800-422-4453

Illinois Department of Children and Family Services Hotline (Newborn Lifeline Network)

1-866-694-BABY

Save Abandoned Babies Foundation

312-440-0229

www.SaveAbandonedBabies.org

Public Assistance and Food Stamps

For more information, contact your local county welfare department



WHAT WOULD YOU DO?

Using Your Powers of Persuasion

In this activity, your goal is to convince a fearful teenager to safely relinquish an unwanted newborn using the Safe Haven Law rather than unsafely abandoning the infant. Review the Safe Haven Law Q&A Handout to learn the facts you need to make a compelling argument.

Role-play with a partner

One partner takes the role of the distressed parent. The other partner is a friend who wants the parent to consider safely relinquishing the newborn at a hospital emergency room, police or staffed fire station, or emergency care facility. Spend three minutes playing these roles, then reverse roles and repeat the exercise. When you've completed this exercise, discuss the key points raised by the fearful mother and the friend's response. Discuss the different outcomes and who the mother could turn to for additional help.



Core Lesson #3: Critical Thinking about the Law

Objective:

- Students will think critically about larger issues including laws, ethics and personal responsibility

Materials:

- Copy of the following for each student:
 - Critical Thinking about the Law (page 15)

Activities:

- Give students 10-15 minutes to read the questions on the form and write down their answers.
- Allow time for a class discussion of the questions. Submit suggestions for making the law better to the Save Abandoned Babies Foundation at info@SaveAbandonedBabies.org.

Assessment:

- Assess, in discussion and in students' written responses, if they are able to critically think about this law.



CRITICAL THINKING ABOUT THE LAW

The Safe Haven Law allows a desperate parent to safely relinquish an unharmed infant without fear of arrest or prosecution for abandonment. The Law does not require that names be given when the newborn is safely relinquished. Parents are permitted to bring an unharmed newborn up to 30 days old to any hospital, police or staffed fire station, or emergency care facility in Illinois. The infant will be placed in a pre-adoptive home. Take a few minutes to think about why this law is a good idea for Illinois.

- How does the Safe Haven Law help an unwanted newborn?
- How does it help the newborn's parents?
- Does this law also help other people? If so, who are they and how do they benefit?
- Can you think of any negative things about this law? If so, what are they?
- Are there ways to make the law better? How?

Make brief notes about your answers to these questions and prepare to share your ideas during a discussion with other students in your class.



EXTENSION OPPORTUNITIES

INTERDISCIPLINARY TEACHING OPTIONS

While the topics in this kit correlate naturally with health education, the Safe Haven Law can be related to several subject areas. Try the following ideas to make these curriculum connections:

Fine Arts & Language Arts: Your students may be inspired to create posters, artwork, poems and music that depict themes and emotions related to the goals and successes of the Safe Haven Law. See related activities on the Additional Projects Sheet.

Social Studies, Citizenship and Law: Use the Safe Haven Law to introduce a discussion of the purpose and practice of state law generally. See related activities on the Additional Projects Sheet.

Life Skills: Encourage students to think about how the Safe Haven Law may affect a teen who gives up an infant under this law. See related activity on the Student Critical Thinking Sheet.

Mathematics: Practice statistics skills using national estimates found while researching abandoned babies. See related activity on the Additional Projects Sheet.



ADDITIONAL PROJECTS

UNDERSTANDING WHAT IT TOOK TO CREATE THE LAW

Citizens and lawmakers in Illinois wanted to assure the safety of newborns from being unsafely abandoned. This is the idea that led to the Safe Haven Law in Illinois enacted August of 2001.

What did it take to turn a good idea into a law in our state?

These ideas may help answer this question:

- How are laws introduced and passed in Illinois?
- Contact the office of your local state representative(s) for information or materials.
- Present your findings by writing a step-by-step list of the law-making process that clearly illustrates this process.
- Be sure to include any interesting facts you find about how the Safe Haven Law was enacted and amended in the years since the Law's passage.

EXPRESSING YOUR FEELINGS

You may experience many emotions as you learn about the challenges and successes of the Safe Haven Law. An unwanted pregnancy and giving up a newborn are likely to cause anxiety, loneliness and sadness. On the other hand, a newborn safely placed with a loving new family is an occasion for celebration, hope and happy anticipation.

- Use your talents to express an emotion you feel (happy or sad) about the Safe Haven Law.
- Ideas: draw a picture, compose a song, write a poem to an infant safely relinquished under the Safe Haven Law, or simply write your thoughts in your personal journal. If you wish, share what you create with your classmates.



FIGURING IT OUT

Conduct a survey of students in other grades to determine their awareness of the Safe Haven Law. Determine the percentage of students who know the Law exists and ask follow up questions to assess the accuracy of the information students have about the law. Use your survey results to prepare a report on student knowledge of the Safe Haven Law.

GETTING THE WORD OUT

Working with a group of classmates, design an awareness campaign that will publicize the existence of Illinois' Safe Haven Law.

- *Consider the following questions:*
 - Who is the primary audience for the message? What types of media would you use to reach your audience?
 - What are the essential elements of the message you are trying to convey? What would be the annual advertising budget for the Safe Haven awareness campaign?

- *Consider the following options:*
 - Design a bulletin board for your classroom or hallway to inform other students about the "No Shame, No Blame, No Names" Safe Haven Law to safely relinquish an unharmed newborn.
 - Use this topic as a school service project. Contact your local police, fire station and hospital to make sure they are aware of the law. Discuss ways to bring awareness to your community.
 - Posters, bumper stickers, billboards, radio ads, TV spots, etc.
 - Create a slogan, choose music and write a strong with a clear message.
 - Consider creating a PowerPoint presentation.

- When your work is complete, work with your group to present your campaign effectively to the rest of the class, or your entire school.



COMPARISON OF STORIES OF SAFE RELINQUISHMENT/ABANDONMENT

Read the following four scenarios and compare them. Think about:

- How the infant was left
- What the ultimate result was

SCENARIO #1

In early March 2006, a healthy newborn baby was brought to a regional medical center under the provisions of the Illinois Safe Haven Law. A few hours earlier, a young woman had called the hospital and said, "I want to relinquish my baby under the Safe Haven Law." This parent and newborn are protected under Illinois' Safe Haven Law. As the Law states, the baby's mother did not have to identify herself. When the baby was brought to the emergency room, he was examined by a pediatrician and was healthy and doing fine. He was placed in a pre-adoptive home while the adoption process was started. The mother was offered a packet of information and a medical/family history form she could voluntarily complete and send back anonymously. She left the hospital.

SCENARIO #2

Police were trying to find the parent of a newborn infant found by a garbage can. The fully clothed baby, estimated to be two to three hours old, was found wrapped in a blanket. A neighbor heard the baby crying and found her wedged between the handle of the garbage can and a wall.

The baby was taken to an area hospital. A nursing supervisor at the hospital said the baby was in good condition. Police talked to neighbors and followed up on any tips that came in.

The Abandoned Newborn Infant Protection Act, also known as the Safe Haven Law, grants parents immunity from criminal prosecution if they safely relinquish their unharmed infant up to 30 days old with personnel at a designated Safe Haven. In Illinois, Safe Havens include police stations, staffed fire stations, hospitals and emergency care facilities.



SCENARIO #3

Dressed in a tiny tee shirt that read "My First Halloween," a newborn baby was brought to a suburban fire station where he was safely relinquished by his mother under the provision of Illinois' Abandoned Newborn Infant Protection Act, also known as the Safe Haven Law. The mother brought her healthy baby boy, along with formula and extra diapers, to a staffed fire station. He was transported to a local hospital for a check-up and was placed in a pre-adoptive home. The mother was offered a packet of information, including a medical history for the baby she could complete and return anonymously. She left the fire station with no questions asked and no fear of prosecution.

SCENARIO #4

The custodian of a church was making certain everything was in order for the many services and activities planned for Christmas week when he found something quite unexpected. As he opened the door of a seldom used reception hall, he thought he heard kittens meowing. As he investigated the soft noises, he was surprised to find newborn twins, wrapped in blankets and tucked into a large box next to the radiator in the hall. The custodian, still amazed by his discovery, said the babies must have recently been placed there as they were warm, their diapers dry, and they seemed to have been fed. The police were called, and the babies transported to an area hospital. Local authorities attempted to locate the parents of the babies and asked area residents for assistance.

These babies have much to be thankful for. The hall in which they were left is not ordinarily heated or used. It could have been many days before the babies were found. Churches are not considered Safe Havens under the law as they are not open 24/7 and staff is not readily available to accept a newborn. These twins were not safely relinquished as defined by the Safe Haven Law, but fortunately, found alive. The parent was sought out for unsafe abandonment and the babies placed in the foster care system.