



ABANDONED NEWBORN INFANT PROTECTION ACT



ISSUE DATE:	23 February 2012	EFFECTIVE DATE:	23 February 2012
RESCINDS:	Version dated 12 September 2011		
INDEX CATEGORY:	Human Rights and Community Partnerships		

I. PURPOSE

This directive continues procedures to comply with the Abandoned Newborn Infant Protection Act.

II. GENERAL INFORMATION

A. The Abandoned Newborn Infant Protection Act ([325 ILCS 2/5](#)) is intended to provide relief to parents under severe emotional distress by providing a mechanism to safely and anonymously relinquish their unharmed newborn infant.

B. The Act designates certain facilities such as police stations, hospitals, fire stations, and emergency medical facilities to function as safe havens where parents may surrender their newborn infant to facility personnel as long as the infant is thirty days old or less and not abused or neglected.

NOTE: Pursuant to [325 ILCS 2/10](#) a "police station" means a municipal police station, a county sheriff's office, a campus police department located on any college or university owned or controlled by the State or any private college or private university that is not owned or controlled by the State when employees of the campus police department are present, or any of the district headquarters of the Illinois State Police.

- C. The law requires that:
1. Department members receiving a newborn infant must arrange for the transportation of the infant to the nearest hospital as soon as possible.
 2. upon receiving a newborn infant, law-enforcement personnel will visually assess the condition of the infant and only if any apparent signs of abuse or neglect are noted, the relinquishing person will be held until an investigation can be completed.
 3. a criminal investigation shall not be initiated solely because a newborn infant is relinquished pursuant to this Act, unless there is evidence of abuse or neglect.
 4. if a parent returns within 72 hours after relinquishing an infant, they must be provided with the name and location of the hospital to which the infant was transported.
 5. Department members are prohibited from publicly disclosing any information concerning the relinquishment of the infant and the individuals involved.

III. PROCEDURES FOR RECEIVING A RELINQUISHED INFANT

A. Unit commanding officers, unit executive officers, and district station supervisors will ensure that the members assigned to their command accept and provide all necessary emergency services and care to any infant relinquished at a Department facility.

B. Department members receiving a relinquished infant at a Department facility will conduct an immediate and cursory visual assessment to ensure that the infant appears to be newborn (thirty days old or less) and not abused or neglected.

C. The relinquishing party has the right to leave:

1. absent obvious signs of abuse or neglect.
2. absent a clear indication that the infant is more than thirty days old.

NOTE: The examining physician has the final responsibility and authority to determine the infant's age and condition.

D. If any signs of abuse or neglect are observed:

1. the assigned member will immediately request medical attention for the infant, and
2. the relinquishing parent will be detained pending further investigation consistent with the Department directives entitled "**Abused and Neglected Child Offenses**" and "**Dependent, Neglected, or Abandoned Children Coming Under Department Control**."

E. At the time of relinquishment in a police facility, the station supervisor will:

1. ensure that:
 - a. a cursory assessment of the infant is conducted;
 - b. an ambulance has been called to transport the infant to the nearest approved hospital; and
 - c. a Department member is assigned to accompany the infant to the hospital.

NOTE: The assigned Department member will remain with the infant until a physician examines the infant and area Special Victims Unit (SVU) personnel arrive for a follow-up investigation. If it is determined by the physician that any signs of abuse or neglect exist, SVU personnel will immediately notify the Youth Investigations Division, Missing Persons Team.

2. attempt to provide the relinquishing parent with a copy of the "Illinois Adoption Registry and Medical Information Exchange" packet, which is available via the IDPH Abandoned Infant Information Packet ([CPD-15.517](#)).
3. attempt to inform the relinquishing parent that they will have to petition the court to prevent termination of parental rights if they wish to regain custody of the infant.

NOTE: If the relinquishing parent exercises their right to leave immediately and there is no reasonable opportunity to provide the information, ensure this is documented in the narrative of the case report.

F. The station supervisor will ensure immediate notifications are made to:

1. the district commander or executive officer,
2. Missing Persons Team, Youth Investigations Division,
3. appropriate area Special Victims Unit, Bureau of Detectives, and
4. Crime Prevention and Information Center (CPIC).

G. Provided no criminal incident is involved, the assigned member will prepare a Missing / Found Persons Case Report (CPD-11.407) as follows:

1. IUCR Code: **6055**
2. Classification: **Found**

3. In the narrative portion, document:
 - a. the newborn infant's gender, race, condition, hospital transported to, and
 - b. compliance with statutory requirements such as providing the relinquishing party with the information packet and conducting a visual appraisal of the physical condition of the infant.
4. Boxes 1-29 will be used to describe the relinquished infant.
5. Box 46 will be used for information voluntarily provided by the relinquishing party.

NOTE: This information will only be added if it is freely (without prompting) given by the relinquishing parent. Department members will make no attempt to ask for this information nor will any physical descriptions be given of the relinquishing parent.

6. Box 51, entitled "Cause of Injury," will be completed with the word "NONE" if no injuries are observed after a visual appraisal of the physical condition of the infant.
7. Box 52, entitled "Reason," will be completed with the phrase "relinquished infant."

NOTE: Boxes 49-56 are required fields.

- H. If it is determined by a licensed physician that the relinquished infant is more than thirty days old, the Department member will proceed as if the child is an unlawfully abandoned child and follow procedures outlined in the Department directives entitled "**Abused and Neglected Child Offenses**" and "**Dependent, Neglected, or Abandoned Children Coming Under Department Control.**"
- I. Bureau of Patrol station supervisors will record the incident on the Watch Incident Log ([CPD-21.916](#)).
- J. Sworn members in the field will immediately notify their supervising sergeant if someone attempts to relinquish an infant when not at a lawfully designated facility. The member will immediately conduct a visual appraisal of the physical condition of the infant.
 1. If any signs of abuse or neglect are observed, the assigned member will immediately request medical attention for the infant and the relinquishing parent will be detained pending further investigation consistent with the Department directives entitled "**Abused and Neglected Child Offenses**" and "**Dependent, Neglected, or Abandoned Children Coming Under Department Control.**"
 2. If the newborn infant shows no sign of abuse or neglect, ensure that the parent and infant are transported to the nearest approved hospital by Chicago Fire Department ambulance.

IV. PROCEDURES FOR RELEASING INFORMATION TO THE PARENT OF A RELINQUISHED INFANT

- A. If a person appears at any police facility claiming to be a parent of a relinquished infant and requests information concerning the infant, desk personnel will:
 1. consult and with the Missing Persons Team to ascertain if an infant has been relinquished within the previous 72 hours, and:
 - a. if confirmed, provide the requestor with the name and location of the hospital.
 - b. if not confirmed or more than 72 hours have passed since the relinquishment, decline to provide the requested information.

NOTE: At all times, the requestor's right to remain anonymous will be respected.

2. complete a Supplementary Report (CPD-11.411-A) to the original case report and document in the narrative portion:
 - a. the date, time, and location the parent requested the information;
 - b. the name and star number of the Missing Persons Team member contacted;
 - c. whether or not the requested information was provided along with the:
 - (1) information provided; or
 - (2) reason the information was not provided.

NOTE: When completing the Supplementary Report, members will not complete any boxes that identify or describe the requesting parent or document anything that interferes with the requesting parent's right to remain anonymous.

B. Bureau of Patrol station supervisors will record the incident on the Watch Incident Log.

(Items indicated by italics/double underline were revised or added.)

Authenticated by: RMJ

Garry F. McCarthy
Superintendent of Police

11-139 TRH / 12-003 JAB