

## Keeping Newborns and Children Safe

*Resolutions on safe haven laws and injury prevention around vehicles.*

In October 2005, a junior at the University of Southern California was charged with murder after allegedly leaving her newborn in a trash bin. Two months later, another California woman was being investigated for child endangerment after police found a dead newborn—also inside a trash bin.

These tragedies are happening across the country, including Florida, Illinois, and Ohio—states with “safe haven” laws, which allow parents to give up their babies anonymously and without being prosecuted.

In 2002 a New York pediatrician checked the rearview and side mirrors of his sports utility vehicle, put the car in reverse, and accidentally ran over his 2-year-old son.

In a different set of circumstances, a Tennessee couple was charged in November 2005 with criminally negligent homicide after they allegedly left their baby in a hot van for two hours.

These horrifying incidents could have been prevented. To help keep babies and children safe, state nurses’ associations passed two crucial resolutions at the ANA’s 2005 House of Delegates meeting.

### SAFE SURRENDERS

The North Carolina Nurses Association (NCNA) submitted the measure promoting public awareness of safe haven laws for parents who want to give up their infants, and delegates from the ANA’s 54-member nurses associations and

organizational affiliates passed it overwhelmingly.

Although no firm number is available, NCNA leaders learned that an estimated 85 newborns are either killed or left to die annually in that state. In 1998 there were 105 known abandonments in public places, and 33 of those newborns were found dead.

Forty-six states currently have laws (usually called safe haven, safe harbor, or safe surrender laws) that identify how parents can surrender their unwanted newborn, such as by giving the baby to a health care provider. If they follow stipulations in the law, parents can remain anonymous and are not charged with any criminal action.

States differ in terms of those stipulations, according to Sindy Barker, CAE, executive director of the NCNA. For example, some laws, as in North Carolina, allow mothers and fathers to safely surrender their newborns who are less than seven days old. In California, the unwanted baby must be brought to a hospital or fire station within 72 hours after birth.

Barker believes most parents—typically mothers—would safely surrender their unwanted newborns if they knew that these laws existed. But public education has been practically nonexistent.

“A baby was abandoned in front of a local Planned Parenthood not too long ago,” Barker says. “The mother was trying to do the right thing, but because she didn’t hand the infant to anyone, she was still guilty of a criminal act in the eyes of the law.”

In passing the resolution, delegates have asked constituent member associations (CMAs) to work with their state officials and other organizations to get the word out about safe haven laws to health care providers and the public.

“I think that a child or someone in need realizes that a nurse—whether she’s in uniform or is the neighbor down the street—is someone who will help,” Barker says. “So nurses need to educate themselves regarding the existence and requirements of their state’s safe haven laws. They also need to know what to do if they are handed a baby.”

“It’s tragic when you hear about these cases, and it’s more common than you might think,” says Marie Garwood, MSN, RN, a delegate from the Wisconsin Nurses Association who voted for the resolution. “Many mothers will go to great lengths to keep their pregnancies hidden.”

Garwood reports that since the Wisconsin law was enacted in 2001, 27 babies have been surrendered safely.

“I’m sure that’s 27 babies who were saved,” Garwood says. “But we’re still hearing about these tragic incidents, because the state needs to do a better job of communicating the law.”

A nonprofit organization, Safe Place for Newborns ([www.safeplacefornewborns.org](http://www.safeplacefornewborns.org)), has tried to get the message out, Garwood says. But the nursing community can have a pivotal role in advancing this cause.

Professional nursing organizations, schools of nursing, and hospital staff are among those

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who need to be informed about their state laws, because they're likely to receive an unwanted newborn and are in the perfect position to educate patients, families, and the community as part of their practice. For example, RNs need to know that they can't ask the name of the person surrendering the baby, but they can ask for a brief health history.

Meanwhile, Barker continues to work with two community leaders, who both served with her on a state task force examining infant abandonment, to promote public awareness of the North Carolina law called the "Infant Homicide Prevention Act." It's been slow going because state officials have not been willing to fund an awareness campaign, and only after repeated requests from Barker, supplied some printed information that the NCNA executive director could distribute.

"I have nine community organizations, including the Retail Merchants Association, that have been willing to put up posters about the safe surrender law," Barker says.

Now that she has some materials, Barker is leading an effort to get the posters and fact sheets out to those groups for mass distribution, build greater support for the campaign in her state, and provide other CMAs with information that can help them build their own educational campaigns.

## CHILDREN AND CARS

The Kansas State Nurses Association (KSNA) introduced the resolution focusing on the dangers of leaving children unattended in and around motor vehicles. The delegates also overwhelmingly approved this resolution, which was cosponsored by the Florida and Tennessee

nurses' associations.

Specifically, it asks that the ANA work with other national organizations, including Safe Kids, and Kids and Cars, to win the Ad Council's adoption of a nationwide campaign to educate the public on the inherent dangers that motor vehicles pose to children. Those risks range from death from being left in cars during the hot summer months or run over by a car in reverse, to being injured by power windows.

A 2002 report cowritten by the Centers for Disease Control and Prevention found that at least 9,000 children under the age of 14 were injured in vehicle-related incidents between July 2000 and June 2001. Additionally, Kids and Cars ([www.kidsandcars.org](http://www.kidsandcars.org)) reports that it documented some 213 child fatalities from nontraffic incidents in 2005, which is a 29% increase over the previous year.

The KSNA introduced the national measure at the urging of one of its members, public health nurse Connie Scheffer, MSN, RN, whom KSNA executive director Terri Roberts, JD, RN, describes as a visionary when it comes to effectively addressing public health issues.

Scheffer promoted this resolution because she believed that the only way to stop the car-related deaths and injuries of children was to make people aware of the dangers through a national campaign, akin to ones launched by the Ad Council on preventing forest fires or promoting designated drivers, Roberts says. The Ad Council is a nonprofit organization that conducts public service advertising to improve the lives of Americans.

The ANA plans to contact the Ad Council to gain its support for this issue. Furthermore, the ANA supports federal legislation

aimed at ensuring child safety. (One current measure before Congress is the Cameron Gulbransen Kids and Car Safety Act of 2005 (S 1948, HR 2230) that calls for improving safety features of vehicles and is supported by the KSNA.)

"We really need to have a two-pronged campaign that says, first and foremost, don't leave a child unattended near a vehicle, and second, tells people what to do," Roberts says.

She believes that there have been cases in which children have been injured or killed because their parents were grossly negligent, such as when they've left their baby in a hot car out of convenience. But she also believes that many more accidents are unintentional and can be prevented simply by creating greater awareness of vehicle-related hazards.

"Parents wouldn't hand over their car keys to a 14- or 15-year-old, yet some parents think it's okay to leave a toddler in a car alone—even for a few minutes," Roberts says.

Maureen Nalle, PhD, RN, president of the Tennessee Nurses Association, who voted in favor of the resolution, says that more government money needs to be spent on campaigns aimed at education and prevention.

She notes that there has been a dramatic decrease in the deaths of babies and children since car seats were mandated and awareness campaigns implemented.

Both Nalle and Roberts see this issue as something that nurses should rally around because it's about promoting public health.

Says Nalle, "It's all about helping people make the right choices about children's safety." ▼