



**Understanding the  
Tennessee Safe Haven Law  
&  
How to Comply as a  
Safe Haven Facility**



*A Secret Safe Place*  
for Newborns of Tennessee

## What is a Safe Haven?

It's a place where a new mom desperate to hide an unwanted baby can bring her newborn instead of abandoning the infant in an unsafe place, where the baby may die.



# TN Safe Haven Law

The Tennessee Safe Haven Law (TCA 68-11-255), enacted on July 1, 2001, allows mothers of newborns to surrender unharmed babies within 72 hours of birth, anonymously and without fear of prosecution.

Newborns may be surrendered to staff at:

- Hospitals
- Birthing Centers
- Community Health Clinics (Health Departments)
- Outpatient, Walk-in Clinics
- EMS Facilities (part of 2009 amendment)
- 24 Hour Fire Stations (2009 amendment)
- 24 Hour Law Enforcement Facilities (2009 amendment)





## Behind the Law

In October 2000, a newborn baby girl was found abandoned in a shed in Townsend, Tennessee. The 14 year old mother had concealed her pregnancy and given birth to the infant alone in her home. The mother hid the baby in a neighbor's shed. The baby died of severe dehydration; the mother was charged with first degree murder and sentenced to state custody. Two local women made it their mission that history would not be repeated and gained the support of legislators to draft the "Safe Haven Law."



# Key Points of the Law

- Newborn must be 72 hours old or less
- Child may be surrendered at any hospital, birthing center, community health clinic (health department), outpatient, walk-in clinic, EMS facility, fire department (24-hour only), or police department (24-hour only)
- Child must be unharmed
- Baby must be given to a staff member of the facility
- Mother must be present
- Anonymously relinquished
- Mother receives immunity from prosecution
- Parental rights are terminated in no less than 90 days





## How to Handle a Surrender

- If a baby is brought to your facility, staff should ask the mother to accompany them to a private area.
  - If the mother refuses, the staff member should take the newborn from the mother and ask if she intends to leave the baby there.
- Do not judge the mother or attempt to change her mind. It is your facility's obligation to provide for the health and safety of the infant.
- Under no circumstances should staff tell anyone that they saw the mother at the facility, even if they know her or know her family. This is a violation of the Safe Haven Law. It is her right to surrender her baby anonymously and confidentially under this law.



# How to Handle a Surrender, Continued

- Let the mother know she is **not** required to provide any information or answer any questions, but ask if she would like to give her name, the father's name or their medical history.
- If the mother or the newborn is experiencing a medical emergency, medical attention should be given immediately.
- Provide her with a Mother's Packet and inform her verbally that she only has 30 days to reclaim her baby. She may do so within that timeframe by contacting her local Department of Children's Service (DCS) office. This must be documented (after the mother leaves). Staff should place an identification bracelet on both the mother and baby if possible.
- Once the mother leaves, the staff should contact DCS and notify that agency of the surrender.
- DCS may be contacted at 1-877-237-0004.



# Important Notes

- When calling to report the surrender to DCS, if you have the name of the mother, DO NOT give the information during the initial phone call. Inform DCS it is a SAFE HAVEN SURRENDER and that information is not known. That information should only be given to the actual caseworker who reports to the hospital for the infant.
- If the mother returns, staff is instructed not to release the baby to her. Contact DCS at 1-877-237-0004 and ask for immediate assistance. If necessary, contact law enforcement to assist.
- If it is suspected that the child is older than 72 hours, DCS has advised that the facility accept the child, collect any information possible on the mother, and call the designated DCS contact for that county. DCS is the cognizant agency for all children. If the child is older than 72 hours, the mother may not have legal immunity but all facilities should accept the child and call DCS.



# Important Notes, Continued

- If it is suspected that the child has been harmed, DCS will make the call to the local law enforcement agency.
- This program follows the requirements of the Safe Haven Law, Public Chapter 388 of the Acts of 2001, which requires that all information regarding a surrender be kept confidential.
- These are recommended procedures only. We are not rendering legal advice and advise that facilities seek their own legal counsel for writing procedures.
- Your facility should develop a policy to comply with the Safe Haven Law and train all employees about the law and the policy.



## What happens to the surrendered newborn?

The newborn will be examined by a doctor and admitted to the hospital nursery. The baby will be released as soon as medical clearance is given and an appropriate home is found through the Department of Children's Services, usually within 72 hours of admittance. DCS will place the baby with a permanent adoptive family.





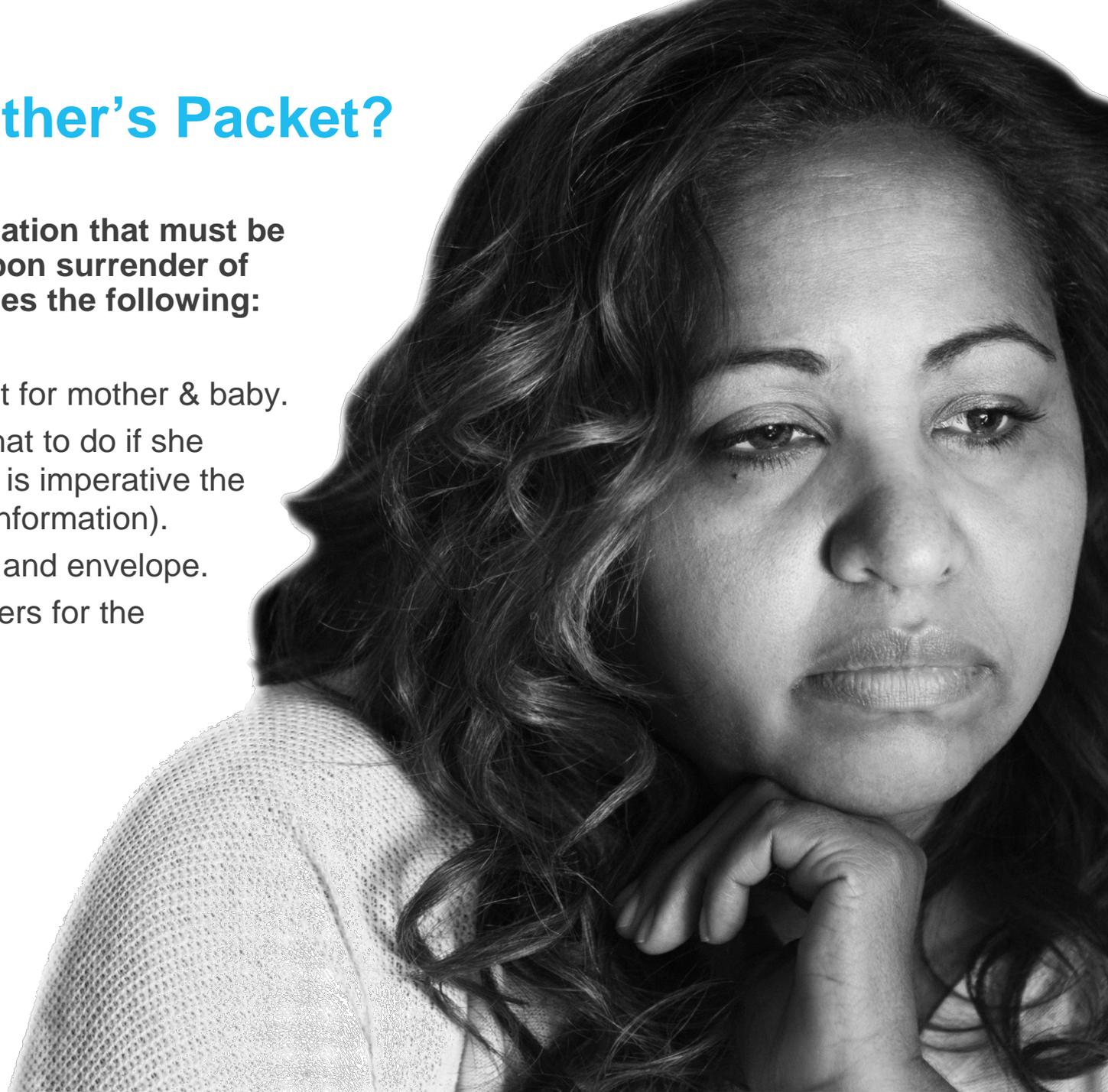
## Can someone other than the mother surrender the newborn?

No. The mother must leave the baby voluntarily. It must be known that this was her decision and she was not pressured or forced to give up her baby. No one has to know that she brought her newborn to the facility, but she must be the person to bring her newborn to the facility.

# What is a Mother's Packet?

**It is a packet of information that must be given to the mother upon surrender of the newborn. It includes the following:**

- Identification bracelet for mother & baby.
- Information about what to do if she changes her mind (it is imperative the mother receive this information).
- Medical history form and envelope.
- Questions and answers for the mother.
- Letter to the mother.
- Other information should be added by your facility.





## The State Helpline

The mother can call the Helpline at **866-699-SAFE** and have her options and requirements explained to her during her pregnancy, or after the birth of her child. All calls are confidential and anonymous. There are no caller i.d. systems and calls are not recorded. It is answered by Emergency Medical Technicians.



# Checklist



- ✓ Upon surrender, you may ask the mother for her name, the father's name, & medical history. You must tell her she does NOT have to answer any questions or give any information.
- Give the mother a mother's packet and tell her she has 30 days to change her mind. If she wants to reclaim the baby, she must contact DCS within 30 days. Document that you gave the mother this information!
- After the mother leaves, contact DCS at 1-877-237-0004.
- If the mother returns for the baby, DO NOT give her the infant. Contact DCS at 1-877-237-0004 and ask for immediate assistance.
- If you have any questions, please call A Secret Safe Place for Newborns of Tennessee Helpline at 1-866-699-SAFE (7233.) You may also call the National Helpline at 1-888-510-BABY.
- Please contact our Business Office at 865-254-2208 and report the surrender. Only report the date and county of surrender. Do not give any other information. This data is only for our statistics.



# Safe Haven Signage & Website Listings

- It is extremely important that your facility posts a sign indicating that it is a Safe Haven for Newborns.
- These signs are provided to your facility free of charge.
- Your facility/facilities should also be listed on our website ([secretsafeplacetn.org](https://secretsafeplacetn.org)).
- Please ensure that we have the correct address and phone number for each facility on the website.





A Secret Safe Place for Newborns of Tennessee is a non-profit organization and our mission is to protect unwanted newborns from abandonment by raising awareness of the Safe Haven Law. We are a statewide agency founded in Maryville, TN.

We educate young women about the law with printed resources, a website and social media, advertising, school programs, and a toll-free Helpline. We also provide training, resources, and materials for Safe Haven facilities.

# Statistics

- 103 newborns have been saved by the Safe Haven Law in Tennessee.
- More than 3,600 have been surrendered nationwide since 1999.
- All 50 states, Washington D.C., and Puerto Rico have a Safe Haven Law.



# How You Can Help

Visit our website – [www.secretsafeplaceln.org](http://www.secretsafeplaceln.org)

- Look at your county to see if the facilities are accurate.
- Contact us to add or remove facilities.

Take posters and brochures to raise awareness in your county.

If you work for a Safe Haven facility, make sure that facility has mothers packets, signs, and is prepared for a surrender!

**Tell others about the law!**



**THANK YOU!**



# Contact Information

A Secret Safe Place for Newborns of Tennessee

1133 E. Lamar Alexander Parkway

Maryville, TN 37804

Business Phone: 865-254-2208

**HELPLINE: 866-699-SAFE**

[secretsafepacetn.org](http://secretsafepacetn.org)

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