

THE FOLLOWING ARE CONSIDERED A

Safe Haven:



Hospital



EMS



Worship
Center



Fire
Station



Law
Enforcement



DOs & DON'Ts FOR SAFE HAVENS:



As a Safe Haven for abandoned babies in SC, you must comply with Daniel's Law. In order to protect innocent lives, the SC Bar Children's Law Committee is providing you with this handout. We ask that you help us by incorporating this information into your employee and volunteer training. We also ask that you post this information in an appropriate, easy to find location. When a baby arrives and is placed in your care, you do not want anyone to wonder what to do! Thank you for your assistance; together we can make SC safer for all children.

SC § 63-7-40: SAFE HAVEN FOR ABANDONED BABIES

A person who abandons an infant is protected from criminal prosecution if:

- The person is a parent of the infant or is acting at the direction of the parent;
- He or she leaves the infant in the custody of an employee or staff member at a hospital or other emergency medical care facility, law enforcement agency, fire station, or a house of worship during the hours it is staffed;
- The infant is unharmed; AND
- The infant is 60 days old or younger

DO:

- **Accept temporary physical custody of an abandoned infant when:**
 - o You are a safe haven as defined by SC law;
 - o The person leaving the infant does not express an intent to return for the infant and you have no reasonable belief they intend to return;
 - o The infant appears to be under 60 days old; AND
 - o The infant is unharmed.
- **Immediately, but no more than 6 hours after receiving the infant, take the infant to a hospital, or call 911.**
- **Request that the person leaving the infant provide the following information:**
 - o The names of the infant's parents;
 - o Medical history regarding the infant's father;
 - o Any important health information regarding the infant's mother, such as controlled substance or alcohol use during pregnancy or whether she received any prenatal care; AND
 - o Information on the infant's background and medical history.
- **If the person leaving the infant will provide any of the above information, complete the appropriate SC Department of Social Services (SCDSS) form and provide the original completed form to the SCDSS, provide a copy of the completed form to the person leaving the infant, and maintain a copy of the form at the safe haven.**
- **The person leaving the infant must be offered the following information:**
 - o Information about the legal effect of leaving the infant;
 - o An uncompleted SCDSS medical information form; AND
 - o A self-addressed stamped envelope to return the form to SCDSS.
- **Have the forms and information readily available at all times to provide if and when an infant is abandoned. Brochures and forms can be found on the SCDSS website at:**
https://dss.sc.gov/resource-library/forms_brochures/files/3082.pdf

DON'T:

- Disclose any identifying information about the person leaving the infant to anyone other than SCDSS;
- Force or coerce the person leaving the infant to provide information about the infant or the infant's parents;
- Keep the infant for longer than 6 hours;
- Take the infant anywhere other than a hospital;
- Attempt to investigate the infant's parentage or medical history if the person leaving the child would not provide the same willingly;
- Reject an infant;
- Harass or persecute the person leaving the infant;
- Fail to provide the completed form to SCDSS;
- Fail to provide the legal information to the party leaving the infant;
- Fail to provide a stamped, addressed envelope and uncompleted form to the person leaving the infant.

BE PREPARED
Know what to do.



Hospital



EMS



Worship
Center



Fire
Station



Law
Enforcement

A QUICK GUIDE FOR
SOUTH CAROLINA
SAFE HAVENS