

 <b>ROCKFORD POLICE DEPARTMENT</b> <b>GENERAL ORDER</b> <b>- NUMBER 40.04 -</b>		DISTRIBUTION <b>ALL PERSONNEL</b>	<b>PAGE 1 OF 4</b>
ORDER TITLE <b>ABANDONED NEWBORN          INFANT PROTECTION ACT</b>	SERIES NO. <b>40</b>	SERIES TITLE / SUBJECT <b>LAW ENFORCEMENT OPERATIONS</b>	
TOPICS / REFERENCE <b>Abandoned Babies, Abandoned Juveniles, Babies,          Infants, Newborns</b>		APPENDICES <b>NONE</b>	
EFFECTIVE / ORIGINAL ISSUE DATE <b>July 30, 2004</b>	REISSUE / EFFECTIVE DATE <b>October 19, 2010</b>	EXPIRATION DATE <b>This order remains in effect          until revised or rescinded</b>	
<b>CALEA (5<sup>th</sup> Edition Standards)</b> ----			

## POLICY

It is the policy of the Rockford Police Department to ensure that the provisions of the Abandoned Newborn Infant Protection Act (**325 ILCS 2/**) pertaining to the relinquishing of a newborn infant at a police station, is understood and complied with by personnel of the Department.

## PURPOSE

The purpose of this General Order is to establish procedures to be followed in the event a newborn infant is brought to the Public Safety Building and relinquished to the care of Rockford Police Department personnel.

These guidelines are not meant to be all-inclusive, since each incident must be dealt with on an individual basis, but are intended as broad guidelines to assist the employees and supervisors involved.

This Order is comprised of the following numbered sections:

- I. DEFINITIONS**
- II. PROCEDURES**
- III. REPORTING**
- IV. EFFECTIVE DATE**
- V. REVIEWS, REVISIONS AND CANCELLATIONS**

### I. DEFINITIONS

- A. Newborn Infant:** A child, who a licensed physician reasonably believes is 72 hours old or less at the time the child is initially relinquished to a hospital, police station, fire station, or emergency medical facility and who is not an abused or a neglected child.
- B. Neglect:** When a person responsible for a child deprives or fails to provide the child with adequate food, clothing, shelter, or needed medical treatment. Neglect can also occur when an adult provides inadequate supervision of a child.

- C. Physical Abuse:** When a parent or a person responsible for a child's welfare inflicts, causes to be inflicted, or allows to be inflicted upon a child physical injury, by other than accidental means, which causes death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function. Physical abuse includes situations that create a substantial risk of physical injury, which are likely to have the physical impacts listed above, and also include various forms of sexual abuse.
- D. Police Station:** A municipal police station or a county sheriff's office.
- E. Relinquish:** To bring a newborn infant, who a licensed physician reasonably believes is 72 hours old or less, to a hospital, police station, fire station, or emergency medical facility and to leave the infant with personnel of the facility, if the person leaving the infant does not express an intent to return for the infant or states that he or she will not return for the infant.
- F. Temporary Protective Custody:** The temporary placement of a newborn infant within a hospital or other medical facility out of the custody of the infant's parent.

## II. PROCEDURES

- A.** All personnel must accept a newborn infant brought to the Public Safety Building for the purpose of relinquishing the infant in accordance with the provisions of the Abandoned Newborn Infant Protection Act.
- B.** An ambulance will immediately be called to transport the infant to a hospital emergency room for medical examination and a supervisor will be notified. It is the responsibility of the hospital to report the relinquishing to the Illinois Department of Children and Family Services.
- C.** Relinquishing a newborn infant does not, by itself, constitute a basis for a finding of abuse, neglect, or abandonment of the infant pursuant to the laws of this State nor does it, by itself, constitute a violation of the Criminal Code of 1961.
- D.** Neither a child protective investigation nor a criminal investigation may be initiated solely because a newborn infant is relinquished under the provisions of the Abandoned Newborn Infant Protection Act, **unless** there is clear evidence of abuse or neglect.
- E.** If there is clear evidence of abuse or neglect a criminal investigation may begin and the incident must be reported to the Illinois Department of Children and Family Services as with any other suspected case of abuse or neglect. In this circumstance it will be the responsibility of the reporting officer to contact the Illinois Department of Children and Family Services.
- F.** If there is **no** evidence of abuse or neglect of the relinquished newborn infant the person relinquishing the newborn infant has the right to remain anonymous and to leave the Public Safety Building at any time and not be pursued or followed.

- G.** Before the person relinquishing the newborn infant leaves the Public Safety Building, employees should attempt to inform the person that by relinquishing the child anonymously they will have to petition the court if they desire to prevent the termination of parental rights and regain custody of the child.
- H.** Offer the person relinquishing the newborn infant an information packet supplied by the Department of Public Health containing application forms for the Illinois Adoption Registry and Medical Information Exchange, including the Medical Information Exchange Questionnaire and the web site address and toll-free phone number of the Illinois Adoption Registry, explaining that acceptance of the packet is voluntary. Information packets will be supplied at the front desk and the Field Services squadroom.
- I.** If the person wishes to provide their name and fill out the application forms listed in section “**G**” above, they may do so and request that the Department forward them to the Illinois Adoption Registry and Medical Information Exchange.
- J.** If the parent of the newborn infant returns to reclaim the infant within 72 hours after relinquishing the infant to the Department, the parent must be informed of the name and location of the hospital the infant was transported to.

### **III. REPORTING**

- A.** If there is **no** evidence of abuse or neglect of the relinquished newborn infant a report of the incident will be written using UCR code **1755-Child Abandonment**.
- B.** If there is clear evidence of abuse or neglect a report of the incident will be written using the proper criminal offense UCR code for the appropriate criminal incident.
- C.** The reporting officer will be listed on either report as the complainant. The newborn infant will be listed as “Doe, Baby John” or “Doe, Baby Jane”, and shown on the report as a victim. If the person relinquishing the newborn infant provides a name for the infant, it will be listed as an “AKA”.
- D.** Reports will also include whether or not the person relinquishing the newborn infant accepted the information packet required to be offered them in section “**II, H**” of this order.
- E.** Any personnel acting in good faith in accordance with the Abandoned Newborn Infant Protection Act are immune from criminal or civil liability.

### **IV. EFFECTIVE DATE**

- A.** The Department’s policy regarding the Abandoned Newborn Infant Protection Act became effective on July 30, 2004.

### **V. REVIEWS, REVISIONS AND CANCELLATIONS**

- A.** This General Order will be reviewed each **October** by the **Deputy Chief of the Field Services Bureau** and, when necessary, revised or cancelled in accordance

with the procedures for reviewing written directives established in General Order *10.01 – Written Directives*.

- B.** This is a revision of and supercedes General Order *40.04 – Abandoned Newborn Infant Protection Act* issued July 30, 2004.
- C.** Any employee with suggestions for revisions and/or improvements to this order are encouraged to submit their ideas to the Deputy Chief of the Field Services Bureau.

BY ORDER OF

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Chet Epperson  
Chief of Police