I. Introduction

"She did not know what else to do. This is a tragedy that could have been avoided." n1 It is not clear how many newborn babies are abandoned annually in the United States. However, a 1998 informal nationwide survey of media reports, made by the U.S. Department of Health Services, found 105 newborns were abandoned in public places, n2 including 33 who were found dead. n3 It cannot be known how many more infants are abandoned and never found, but it is believed, by those involved in counseling services for expectant mothers, that many more are abandoned each year. n4 Some estimates suggest that as many as 20,800 infants are abandoned yearly, with about 6,900 of them being found dead. n5 If those estimates are accurate, 57 babies are discarded, across the country, everyday. Project Cuddle, a nationwide non-profit charity that counsels women who have unwanted pregnancies, reported that it received 68 telephone calls from mid- [*16] December, 2001 to mid-January, 2002, mainly from teenagers lamenting their
Last year, California addressed the tragedy of the abandonment of newborns by enacting a safe haven statute that became effective January 1, 2001. The law allows a parent or other person having legal custody, to leave an infant anonymously and safely in a hospital emergency room or at other locations designated by a county board of supervisors, without fearing prosecution of child abandonment, child neglect, or worse. The child must be voluntarily surrendered within 72 hours of birth. Pursuant to the law, the person surrendering the child is asked to answer a medical questionnaire, including family medical history. However, the questionnaire may not contain identifying information and the person surrendering the child may decline to answer. Upon the surrender, a coded, confidential ankle bracelet is to be placed on the child and the person surrendering the child is given a copy of the coded ankle bracelet. The coded bracelet must be used to reclaim the child, which must be requested no more than fourteen days after the surrender.

Additionally, under the safe haven law, within 48 hours after the child has been surrendered either child protective services or a county agency providing child welfare must be contacted. These agencies are then required to immediately investigate the circumstances of the case, notify the State Department of Social Services, and take temporary custody of the child. Additional detailed provisions are provided in the law regarding the obligations of the state and the potential return of the infant.

While California's safe haven law raises many issues yet to be resolved or interpreted, one recent concern involves the lack of public awareness of the law, thus making it arguably less effective. Since the law went into effect, it is unclear as to the number of infants that have been abandoned or surrendered under the law. The California Department of Social Services reports that from January 15, 2001 to January 19, 2002, four children were voluntarily surrendered (three boys and one girl) and nine were abandoned (five girls, three boys, and one infant which could not be identified). Of the abandoned children, two were found dead. In contrast, a report from a private organization that voluntarily buries abandoned children, claims that eight children were surrendered to hospitals and thirteen were abandoned, with seven being found dead during 2001. Additionally, a report from Los Angeles County acknowledges a lack of uniform and adequate data related to infant abandonment, but has reliable data that shows that fourteen babies were abandoned in the Los Angeles County in 2001, eleven of them being found dead. The report points out that this number only reflects the number of infants found, not the unknown number of abandoned infants.

California's safe haven law, as enacted, did not include a funding provision that would advise the public of this new option. This article will address the lack of public awareness of California's safe haven law and discuss efforts that have been made to inform the public. The article will trace two recent cases of infant abandonment which took place in Los Angeles, discuss how the California legislature has tried to alleviate the problem and the roadblock it faced. The article will also address how other communities have raised public awareness and recent efforts in California and Los Angeles County. Additionally, the article will briefly address whether awareness is expected to be successful in preventing infant abandonment.

II. The Cause for Concern Continues

A. Two Recent Cases

In January 2002, Baby Andrew, as he was named by nurses at Huntington Memorial Hospital, was found in a Monrovia, California trash bin allegedly placed there by a sixteen-year-old mother. A man taking out his trash heard what he thought was a kitten and found the crying, hours-old infant. The newborn was treated for skull fractures, hypothermia, and dehydration because it was reported that the infant was dropped into the bin headfirst. The teen's attorney explained that the heavyset girl hid her pregnancy, which she claimed resulted from an encounter with a 25 year-old man that amounted to a rape. Her attorney stated that the teen told detectives that when she gently placed
the baby in the dumpster, she wrapped it in towels and a plastic bag, and hoped that someone would find the baby. He confirmed that the teen did not know what else to do and did not know about California's safe haven law. The teen was booked at Juvenile Hall on suspicion of attempted murder and child endangerment. Monrovia Police Chief Joseph Santoro was quoted as saying, "This is a tragedy that could have been avoided."

Then, about two weeks later, in February 2002, a Robinson's-May paper shopping bag was first spotted by a nurse at about 1:30 p.m. in the employee parking lot of the West Hills Hospital and Medical Center in Canoga Park, California. Several hours later when she returned to the hospital, she heard a baby whimpering and looked inside the bag to find a seven-pound baby boy wrapped in a blanket. A sales receipt in the bag led police to a 26-year-old West Hills woman who they believed abandoned her newborn in the shopping bag. According to a police detective, the mother, who also has a six-year-old daughter, admitted giving birth to the child, but said she was unprepared to raise him. The child was in good condition even though he was left for nine or more hours in the parking lot. Although the infant had been abandoned within 48 hours of his birth, the woman was expected to be charged with child endangerment because her actions did not fall within California's safe haven law since he was abandoned outside the hospital. It was not clear whether the mother was aware of the law.

B. Los Angeles Wakes Up

A sense of urgency took place in Los Angeles County after these two incidents occurred. There was a recognition that the public needed to be better educated about the state's then year-old safe haven law. The Los Angeles County Board of Supervisors requested recommendations from health care and child welfare experts on how to better implement the law. County Supervisor Don Knabe said, "We must better educate the public and make resources available. We've got to get these babies through the doors of hospitals and into safe hands." Supporting this recommendation, an opinion which appeared in the Los Angeles Times insisted that California should do all it can to reduce infant abandonment. Abandonment was labeled as an unacceptable phenomenon and the opinion argued that California had yet to invest in getting "out the word" regarding the law. The opinion demanded that public and private agencies improve awareness.

III. Lack of Awareness Recognized Early

A. Proponents Raise the Issue Before the Enactment of Safe Haven

Sadly, a cry for public awareness was raised, in the legislature, by proponents of the safe haven law before it was enacted. Planned Parenthood Affiliates of California found that the proposed legislation was a first step toward addressing the problem of women with unwanted pregnancies that choose to abandon their babies after birth. However, the organization noted that several policy issues needed to be addressed, among them the issue of education. Planned Parenthood emphasized that in order for the program to be truly successful, women who are in crisis need education and the public must be made aware of the safe haven option. Planned Parenthood also warned that there was no language in Senate Bill 1368 that mentioned any type of education or awareness campaign. Although the cry was heard, the bill was approved without an amendment to fund an awareness program.

B. Urgency Legislation Proposed Immediately After Safe Haven Became Effective

Recognizing the need for public awareness, eighteen days after California's safe haven law became effective, Senator James Brulte, the author of the newly enacted law, proposed additional legislation to implement the law in Senate Bill 101. Initially, the bill would have appropriated $ 3,000,000 to the State Department of Social Services to develop and implement a "social marketing campaign." The funds would also be used to determine the population that was likely to abandon their newborn infants and determine their options, including the use of the new law. Also, under the bill, the Department would be required to submit a report to the Legislature describing how the funds were allocated and assess the impact of the social marketing activities. This act was proposed as an urgency statute "necessary for the immediate preservation of the public peace, health or safety" and would have gone into effect immediately once
enacted. Several amendments were thereafter made to the bill.

First, the bill was amended to provide that the Department of Social Services would be required to consult with the State Department of Health Services, the State Department of Education, and the office of the Attorney General in using the funds. Secondly, the marketing campaign would be conducted in a manner that reflects and incorporates the ethnic, cultural, and linguistic diversity of California. Later, the bill was amended to appropriate only $1,000,000.

C. Proponents Explain the Necessity of Funding

California's safe haven law was later referred, at times, as the "Safe Arms for Newborns Law," or Safe Arms law. Senate Bill 101, an appropriation measure, was introduced to encourage public awareness of the safe haven law, take into consideration the ethnic, cultural and linguistic diversity of the population in California, determine those who would likely abandon their infants, and report findings to the legislature. To persuade legislators that funding was necessary, the authors explained the 1998 report indicating that 105 babies had been abandoned nationwide, including 33 who were found dead. The author also reported that although three babies had been surrendered to hospitals since California's Safe Arms law went into effect, other abandonments had probably taken place. In Senator Brutle's opinion, babies continued to be abandoned in unsafe ways, likely, as a result of women remaining unaware of safer options being available. The California State Association of Counties, a proponent of Senate Bill 101, agreed that there was a need to inform the public. The Association concurred that it was appropriate for the state to undertake a public awareness campaign in order to reach those who needed to be informed, particularly young women within the wide socioeconomic spectrum. The Association asserted that such a campaign would ensure that people know about the safe haven option and would potentially aid in saving the lives of newborns. The bill was supported by a diverse group, including the American Federation of State, County and Municipal Employees as well as The California Right to Life Committee, Inc. The only opposition came from the California Department of Finance for fiscal reasons.

D. How the Awareness Campaign Was to Function

Comments from the State Senate Rules Committee Report provide some insight on how the proposed awareness campaign was going to operate. According to the report, the Department of Social Services had begun preliminary planning to develop a public awareness campaign that was to encourage adoption and to educate women about the option of surrendering their babies at hospitals or other designated safe locations under the law. The campaign was to have included field testing of messages, themes and designs, a mass media campaign, community outreach, media advocacy, and the development of partnerships with media, employers, the Departments of Education and Health Services, the Office of the Attorney General, and possibly others.

IV. Awareness Campaign Denied

A. Near Unanimous Approval by the Legislature - Then Vetoed by the Governor

Senate Bill 101, an appropriations bill to further implement California's Safe Arms law was introduced in the Senate on January 18, 2001. It received a unanimous vote from the Senate Health and Human Services Committee and the Senate Appropriations Committee, a vote of 33-1 from the Senate, and a unanimous vote from the Assembly on September 10, 2001. Less than a month later, on October 2, 2001, Governor Gray Davis vetoed the bill.

The Governor stated that he was highly supportive of the intent of the bill, but he vetoed it since it would result in the expenditure of General Funds dollars that were not included in the Budget Act of 2001. He commented that the
Department of Social Services (CDSS) had been working with local agencies, as well as with State agency partners, to increase public awareness about the provisions of the law. However, as noted earlier, at least in Los Angeles County, those efforts could be viewed as lacking or ineffective.

In his veto message, the Governor directed the CDSS to pursue further collaborative efforts with the Department of Health Services, the Department of Education, and the Office of the Attorney General to develop an outreach plan that would address this issue in a cost-effective manner. Of course, had the Governor approved the bill, those collaborative measures would have perhaps been developed by December, early enough for the two women, mentioned in this article, to know of a better option. If these women had known the law, perhaps they would have avoided injury to their infants and the criminal charges that were brought against them.

The Governor's remark regarding cost leaves one to wonder especially considering the size of California's budget. Surely, in many circumstances involving infant abandonment, the state would bear the cost of the hospital or long-term care for injured infants, the cost of the prosecution of the parents, the cost of probation, or their incarceration. Incarceration in California, alone, amounts to $23,000 per inmate year. One wonders the reasoning behind the Governor's veto, especially since he was highly supportive of the bill.

B. A Demand for Funding Has Not Stopped

On the day the Assembly unanimously voted to pass Senate Bill 101, Senator Brulte posted a press release on his web page with the caption, "Abandoned Baby Funding Needs Governor's Signature, $1 Million Awareness Campaign to Inform At-Risk Mothers." His message continued, "Our goal is to target the appropriate audience and let them know there is a safe and legal option to leaving their babies where they will likely die." The press release stated that the campaign would identify and educate mothers-at-risk of abandoning their babies. Even after the Governor vetoed Senate Bill 101, Senator Brulte continues to run the same streaming message on his home web page, "Abandoned Baby Funding Needs Governor's Signature." It appears that he is not willing to give up the fight.

On January 24, 2002, within a few days of Baby Andrew being left in the trashcan, Senate Bill 101 was stricken from the Senate file as a result of the Governor's veto being sustained.

V. Public Awareness Problems and Solutions in Other Communities

A. New Jersey’s Experience

The New Jersey state legislature declared that the nation had been experiencing sorrow with the knowledge that newborn infants were sometimes abandoned in life-threatening situations and that some of them had died. The legislature had good reason to grieve because in 1997, a New Jersey teenager, Melissa Drexler, a.k.a. the Prom Mom delivered her baby over a toilet, strangled the infant, disposed of it in a trash bin, and returned to the dance floor. The New Jersey legislature acknowledged that parents of these newborn infants might be under severe emotional stress and need a safe haven for themselves and their children. In August 2000, New Jersey's safe haven law went into effect. The legislature declared that the law was worthwhile if it saved even one infant's life.

However, unlike California, the New Jersey statute provided that the Commissioner of Human Services, in consultation with the Commissioner of Health and Senior Services, would establish an educational and public information program to promote safe placement alternatives for newborn infants and provide information regarding adoption procedures. The legislation specifically provided a campaign that included a toll-free hotline that would provide information about the new option 24-hours a day. Perhaps more importantly, the legislation appropriated $500,000 to establish the public information program and the hotline.

In December 2001, when Melissa Drexler left a New Jersey prison, after serving a four-year sentence, there was an
opportunity to analyze whether the safe haven law had been effective. Experience showed that simply enacting a safe haven law without aggressive publicity probably would not accomplish the goals that the law intended. Before actually spending $500,000 on publicity, New Jersey received only 15 to 20 calls a month to its hotline. After ads were plastered on buses and billboards were hung along busy thoroughfares in early 2001, the hotline began receiving 70 to 80 calls a month. By that time, seven infants had been surrendered to hospitals or police stations and several of the mothers specifically mentioned hearing or reading about the law. Lives were being saved and mothers were not being prosecuted.

New Jersey's campaign to inform the public expanded to include announcements on cable television, radio, newspapers, and in movie theaters. Unfortunately, the advertising campaign did not prevent five infants from being abandoned in unsafe places, including one who was abandoned in a park next to a billboard advertising the safe haven law. This example, as well as the recent Los Angeles abandonment in a hospital parking lot, perhaps addresses the confusion, panic, immaturity, or lack of understanding of those who abandon infants, yet hope their children will be placed in good hands.

B. Plans for Other States

In the summer of 2000, the state of New York enacted the Abandoned Infant Protection Act, but according to state legislators, just as in California, not enough people knew about the law. Therefore, in March 2001, the state decided to invest $1 million dollars to create a campaign to inform New Yorkers and to support a 24-hour, toll free information and referral hotline. The state's Office of Children and Family Services announced that it "will commit significant resources ... to better reach scared, desperate young mothers." In November 2001, sixteen months after Indiana passed a safe haven statute, a newborn girl was found wrapped in a plastic garbage bag, left in the woods, and the record showed that no woman in the state had used the law to safely surrender her infant. As a result, there was recognition that more publicity and education was necessary to prevent these personal and legal tragedies. A lack of money appeared to be an obstacle, but one state senator, a leading supporter of the safe haven law, organized a task force to raise funds, and buy radio and television public service announcements.

When Minneapolis, Minnesota, enacted a statute similar to California's law, administrators planned to use a "hot line," public service announcements, and brochures in schools and churches to reach young women who may be hiding their pregnancies. In the summer of 2001, when Tennessee enacted a safe haven law, the governor promised an aggressive campaign. The state decided to promote the law by posting 300,000 fliers in convenience stores and bathrooms, as well as using billboards and television spots.

VI. Recent Efforts in California

A. State Level

California's Department of Social Services, in collaboration with other state agencies, has formed a task force to determine the most effective way to inform the public about the safe arms law. The task force is considering adopting the model being used in New Jersey, since it seems to be the most effective program. If the state follows New Jersey's program, it would adopt the slogan, "No shame, no blame, no names," which would be identified with a toll-free hotline. California's public awareness campaign may include announcements, in English and Spanish, on billboards, posters, and in movie theatres. Posters may be placed in government offices, which are frequently visited by families, and at mass transit sites.

B. Los Angeles County

On February 5, 2001, after reports that two infants had been abandoned in Los Angeles, the County Board of...
Supervisors requested that the Los Angeles County Children's Planning Council consult with several government agencies, religious leaders, and various organizations to create a Safe Haven Task Force. The task force was asked to develop recommendations on how to implement the Newborn Abandonment Law (SB 1368). In particular, the Board asked the task force to focus on prevention strategies and to work toward a goal so that no baby would be discarded in Los Angeles again. Los Angeles is the only county in the state that is taking a proactive approach to find ways to effectively implement the Safe Arms law.

The Task Force has identified several areas that need to be addressed, including a public information campaign that would clarify what information needs to be disseminated, what groups and target populations it should reach, and to identify the most effective methods to reach those groups. The group also plans to assess the potential for expanding and enhancing the design of Safe Haven sites, identify public, private, and community services which are available for mothers at-risk, assess complications that might interfere with implementation of the law, and make suggestions for changes in the law.

The Task Force found that there is a lack of uniform and adequate data related to infant abandonment in Los Angeles, therefore making an assessment of the problem particularly challenging. It also found that the data indicates that there is a wide range in the demographics of women who abandon their infants. Infant abandonment has been reported of women of all reproductive ages, among all racial/ethnic groups, and among both students and working women of various occupations and professions. The Task Force also found that although there is no set of demographics than can predict whether a mother is at-risk for abandoning her infant, there are some characteristics that need to be considered. Those characteristics are: denial and/or desire to conceal the pregnancy, lack of familial or social support system, fear of negative consequences if the pregnancy is discovered, and failure to seek pre-natal services and/or seeking care only at the point of delivery.

Understanding these factors create quite a challenge. Nonetheless, the task force is committed to finding solutions.

VII. Will an Awareness Campaign Change the Minds of Mothers in Crisis?

A. The State of Mind of One Who Abandons an Infant

Initially, California's Safe Arms legislation was primarily intended to provide an alternative to panicked teenagers who often conceal their pregnancies from friends and family, and are frightened by the ramifications of having a baby. However, when the law was proposed there was recognition that there are other circumstances in which women are equally panicked about their inability to properly care for their infants and toddlers. For example, a mother who is the victim of domestic violence may believe, rightly or wrongly, that the only way to prevent her baby from being beaten to death by her abuser is to abandon the baby or a drug-addicted mother who is lucid enough to know that she should abandon her child to save its life.

The founder of the "Garden of Angels," a non profit foundation that buries abandoned infants was quoted as saying, these mothers "are scared to death, scared the family will kick them out, afraid of the shame that it can bring to themselves and their families, or they are afraid of losing relationship because the boyfriend may have said get rid of the baby. Nevertheless, in some instances, these girls are just very selfish, just thinking of themselves." Can we know the state of mind of a woman who has given birth and within hours abandons her child? In a depublished opinion involving a second-degree murder conviction, the defendant hid her pregnancy, delivered the child without assistance, and put her baby in a box in her trunk, resulting in the death of the infant. In reversing the conviction, the court held that "no one sitting on an appellate court panel can speculate exactly what a women should or can do immediately... after giving birth, alone and in a weakened state ..." There may be a different answer for each woman.

A. Those Who Question the Effectiveness of the Law
Questioning the effectiveness of the safe haven law when it was proposed, opponents argued that it was unclear whether individuals acting in a state of panic and unwilling to alert anyone to the fact that they just gave birth will in fact carry a baby across town to a hospital. n112 Although Senator Brulte provided the legislature with cases involving teenagers who hid a baby in a trash can behind a house, or in the bathroom at a school prom, it seemed unlikely to the opponents that such a teenager would be willing to step outside the house or school bathroom and risk being discovered, regardless of the criminal nature of the abandonment. n113

Project Cuddle, a non-profit organization which seeks to prevent the abandonment of infants, raised similar concerns: "If they've hidden their pregnancy from friends and family, it is a big fallacy to believe that they'll waltz into a police station (or a hospital) and voluntarily give the baby up." n114 Another opinion raised a similar issue. A child expert commented that "[A] child is still a child. The thinking process is not like a mature woman's thinking about her options. They don't think of the consequences of a baby in a garbage can. If they could do that, they could have gone to a hospital. [When] reality sets in ... the crisis hits them." n115

[*30] As noted above, in New Jersey seven infants were surrendered safely, but five infants were abandoned. n116 A spokesperson for the New Jersey Department of Social Services was quoted as saying, "We can spend all the money we want, but if a mother is very stressed out and thinking irrationally, we can't really control that." n117 In South Carolina, two months after its safe haven law became effective, a twenty-one year old mother buried her infant alive. n118 The tragedies will always make the headlines, especially those that are shocking. The safe surrender of infants will probably not make the news. The question of effectiveness in saving infant's lives will likely continue to be debated.

VIII. Conclusion

So many questions: How many infants are really abandoned in the United States, in California, or in Los Angeles? What type of woman would abandon her infant? What are her reasons for abandoning her child? What was she thinking when she abandoned her child? Can a person who is panicked be helped? What is the best way to inform the panicked woman about the safe haven law? Is it better to use radio or television? Is it better to use a telephone hotline and posters? Are these efforts really worth the time and expense? Will it take $500,000, $1 million dollars, or more to advise the public? Will the efforts make a difference? And, on and on it goes. We may never know the answers to some of these questions or understand the answers.

Consider the alternative if we do not advise the public: more abandoned infants and mothers doing time. Let's keep talking, brainstorming, and taking steps to find solutions for infants, their mothers, their families, and our society. I agree with the statements, as reported, of William L. Pierce, president of the U.S. committee of the International Association of Voluntary Adoption Agencies and NGO's, a humanitarian group that aids orphans worldwide. n119 "Many of these [safe haven] laws are like the Model T and are a long way from today's Ford Thunderbird. They will be tweaked and fine-tuned. But, in the meantime, babies have been saved and adopted and women [31] have avoided being jailed." n120 I also agree with the statements, as reported, of Pamela Sawyer, a state legislator in Connecticut, who co-sponsored the state's safe haven law. She said that the program need not save every baby to make it a good law. n121 "What law helps every person in every case? What we're trying to do is take a very imperfect situation and offer the best options available." n122

Legal Topics:

For related research and practice materials, see the following legal topics:
Computer & Internet Law Privacy & Security State Regulation Family Law Child Custody General Overview Governments Legislation Effect & Operation Amendments

FOOTNOTES:

n2. Senate Judiciary Committee, Bill Analysis of AB 1764, at 2 (June 21, 2000); Senate Rules Committee, Bill Analysis of AB 1764, at 5 (August 27, 2000).


n4. See Senate Judiciary Committee, supra note 2 (citing The American Medical Technicians (AMT) Children of Hope Infant Burial Foundation in New York State, Nassau County report and quoting the Los Angeles County Coroner’s lead investigator that the county handles 15 to 20 abandoned children every year, and that more are never found).

n5. Id.


n8. Id.

n10. Id.

n11. Id.

n12. Id.


n14. Id.

n15. See California Department of Social Services, Pubic Affairs, Tracking Record, received from Andrew Roth, April 8, 2002 (copy on file with author) (report indicates the date the infant was found, gender, county where the infant was found, whether the child was safely surrendered, abandoned, and whether the child was found dead or alive).

n16. Id.

n17. State Senator James Brulte's Rancho Cucamonga office, received from Martin Paine, on April 4, 2002, report entitled "2001California Children (21)" as reported by Debi Frais, "Garden of Angels," (copy on file with author); For more information about the "Garden of Angels" see http://www.gardenofangels.org (last visited April 13, 2002).

n18. Los Angeles County Children's Planning Council, Safe Haven for Abandoned Babies Task Force: 60 Day Interim Report, at 3, (received April 4, 2002) (copy on file with author); Telephone interview with Cynthia Harding, M.P.H., Director, Maternal, Child and Adolescent Health Programs, (April 12, 2002).
n19. Id.

n20. Rivera, supra note 1.

n21. Id.

n22. Id.

n23. Id.

n24. Id.

n25. Id.


n28. Id.
n29. Id.

n30. Id.

n31. See Rivera, supra note 1 (explaining a very active approach to the law by creating a drop-off, enclosed crib-like structure, outside the hospital near the emergency room entrance at Pomona Valley Medical Center, however no one has used it yet); see interview with Harding, supra note 18 (the cost of the Pomona outside crib was $27,000, it is questionable whether every emergency hospital would have the funds to provide the same); Luna, supra note 27.

n32. Rivera, supra note 1.

n33. Id.

n34. Id.


n36. Id.

n37. Assembly Committee on Public Safety, Bill Analysis AB 1764, at 4-5 (March 27, 2000).
n38. Id. at 5.

n39. Id.

n40. Legislative Counsel's Digest, Senate Bill 101, at 1 (Jan. 18, 2001).

n41. Id.

n42. Id.

n43. Id.

n44. Legislative Counsel's Digest, Senate Bill 101, amended, at 1 (March 28, 2001).

n45. Id.

n46. Legislative Counsel's Digest, Senate Bill 101 amended, at 1 (June 4, 2001).

n47. Senate Rules Committee, Senate Bill 101, at 2 (Jan. 8, 2002).
n48. Id.

n49. Id.

n50. Id. at 3.

n51. Id at 3-4.

n52. Id. at 4.


n54. Id.

n55. Id.

n56. Id.

n57. Id.
n58. Id. at 1.


n60. Id.

n61. Id.

n62. Rivera, supra, note 1.

n63. Veto message, supra note 59.


n65. see http://www.sen.ca.gov/web/31/pressrelease1537 , Senator James Brulte news release (9/10/01) (last visited April 13, 2002).

n66. Id.

n67. Id.


n70. see N. J. C.30:4C-15.6,2,a (2001) (under the New Jersey statute an infant may be surrendered within 30 days of birth as opposed to California's 72 hour limit).


n72. N. J. C.30:4C-15.6, 2, b and e.01

n73. Id.

n74. Id.

n75. Id. at C.30:4C-15.9.

n76. Id.

n77. Id.
n78. Eisner, supra note 71.

n79. Id.

n80. Id.

n81. Id.

n82. Id.

n83. Id.

n84. Rivera, supra note 1.


n86. Id.

n87. Id.

n89. Id.

n90. Id.

n91. Assembly Committee on Public Safety, Bill Analysis AB 1764, as amended, at 3 (March 27, 2000).


n93. Id.; see Maurice Timothy Reidy, Little Use Made of 'Safe Haven'; Supporters Worry that Program Isn't Reaching Desperate Mothers,” Hartford Courant (Hartford, Conn.), SPORT FINAL Edition, Dec. 9, 2001, at A1 ($34,000 spent on television and radio commercials in English and Spanish, running roughly 1,500 times to promote the safe haven law; 65,000 pamphlets distributed to schools, health clinics, homeless shelters an drug treatment centers).

n94. Telephone interview with Andrew Roth, California Department of Social Services, Public Awareness and Outreach Programs, Sacramento Ca. (April 5, 2002); also see Governor Davis Announces New Campaign to Reduce Cases of Abandoned Babies, Press Release, 2/18/2002 at http://www.governor.ca.gov. (last visited April 20, 2002) which explains that the Department of Social Services has identified $500,000 in existing funds that will be used to undertake a statewide distribution of printed materials.


n96. Id.
n97. Id.

n98. Id.

n99. Board Report, supra note 18, at 1; Rivera, note 1.

n100. Board Report, supra note 18, at 1.

n101. Id. at 3.

n102. Id. at 2.

n103. Id.

n104. Id. at 3.

n105. Id.

n106. Board Report, supra note 18, at 3.
n107. Id.

n108. Assembly Committee on Judiciary, Bill Analysis AB 1764, at 7 (April 24, 2000).

n109. Id.

n110. Rivera, supra note 1.


n112. Assembly Committee on Public Safety, Bill Analysis AB 1764, as amended, at 7 (March 23, 2000).

n113. Id. at 7-8.

n114. Id. at 8 (citing Elizabeth Aguilera and Hanh Kim Quach, A Place for Mothers to Turn, Orange County Register, March 26, 2000).

n115. Id. at 8 (citing Marsha Gingsburg, Little Lost Souls, San Francisco Examiner, January 16, 2000; quoting an expert with the National Association of Social Workers); see Reidy, supra note 93 (quoting director of family planning at University of Connecticut Health Center, Jane Palley, questioning whether education will solve the problem, "I imagine her instinct at the time - and I'm just guessing - was not to be discovered. I'm not sure what would have been changed by more education." Also, quoting director of Pathways/Senderos, a New Britain teen pregnancy prevention program, "If a girl is going to throw a baby in a trashcan, obviously she's dealing with some very serious issues. She's not going to be affected by an article in the newspaper..." Also, quoting Department of Children and Families, "These are highly distraught people who don't watch the nightly news... ").
n116. Rivera, supra note 1.

n117. Eisner, supra note 71.


n119. Rivera, supra note 1.

n120. Id.

n121. Reidy, supra note 93

n122. Id.