

September 28, 2023

To: Thom Sheridan, City Manager
From: Jody Roberts, Communications Manager
Cc: Jerry Varnes, Fire/EMS Chief
John Kolesar, City Solicitor

Re: Safe Haven Baby Box Research

Following is additional information requested by City Council regarding Safe Haven Baby Boxes.

Status of Cleveland, Ohio Safe Haven Baby Boxes

According to Lt. Norman with the Cleveland Fire Department, the project has slowed down and does not appear to be moving forward anytime soon. The reasons include a new Fire Chief, new Station 26 construction, budget/cost issues, potential outside foundation involvement.

There are no plans for a baby box at any Cleveland Fire station at this time. The City did push out a story about the current Safe Haven Law that is already in effect in Ohio.

Number of Baby Boxes Nationwide and in Ohio

- There are **7 baby boxes in Ohio**, four located at hospitals, and three at fire departments. None in Northeast Ohio.
- About **145 boxes have been installed nationwide** since the first in 2016, according to Safe Haven Baby Boxes says. Apr 11, 2023 <https://apnews.com/article/baby-boxes-florida-7a6dd3598f9c8a37be5c913572abdd62#:~:text=The%20boxes%20were%20already%20allowed,Safe%20Haven%20Baby%20Boxes%20says>.
- An additional baby surrendered just happened in New Mexico. <https://apnews.com/article/new-mexico-safe-haven-baby-box-newborn-5838583dbb328c0c941e6ba9d4afb470>

Babies Surrender through Save Haven Laws (not Baby Boxes)

- Only 73 babies have been surrendered under Ohio's Safe Haven Law in the 19 years it's been on the books. <https://www.stateneews.org/news/2023-04-12/as-baby-boxes-close-ohioans-with-unwanted-pregnancies-lose-another-option>
- From 1999 to 2021, at least 4,505 infants were surrendered through safe haven laws nationwide, according to the most recent report from the National Safe Haven Alliance. <https://www.npr.org/2023/01/06/1147160688/baby-box-newborn-surrendered-florida#:~:text=From%201999%20to%202021%2C%20at,the%20National%20Safe%20Haven%20Alliance>.

Babies Surrendered in Baby Boxes

- 25 newborns nationwide surrendered through baby boxes as of April, 2023, according to Safe Haven Baby Boxes. <https://apnews.com/article/baby-boxes-florida->

[7a6dd3598f9c8a37be5c913572abdd62#:~:text=The%20boxes%20were%20already%20allowed,Safe%20Haven%20Baby%20Boxes%20says.](#)

Partnership with Hospitals and Other Entities

To date, we have contacted the following:

- **Twinsburg Cleveland Clinic:** Marcy Harvey – Community Relations. She said are very interested and is waiting to hear from Facilities regarding the best location for the baby box. She said she will call back when she has more information to share.
- **Akron General North.** Mark Feakes – Public Relations. He checked with management and left a message stating they were not interested in the project due to liability concerns over having to monitor the box and the existing Safe Haven rules.
- **Akron Childrens Hospital.** Bernett Williams, who is Akron Children's Vice President of Community Initiatives, is very enthusiastic about exploring the idea of a Baby Box at ACH -- but before moving forward she wants to run it by the hospital's Executive Leadership team and get support from them. That meeting should happen in the first week in October.
- **Summit County Public Health Department.** Councilwoman Kowalski reached out to see if the Council would be interested in using County money for this. No response yet.

Liability for Providers

- **IMMUNITY FROM LIABILITY FOR PROVIDERS:** In 45 States, the District of Columbia, and Guam, safe haven laws protect providers who accept custody of relinquished infants with immunity from civil liability for anything that might happen to the infant while in their care unless there is evidence of major negligence on the part of the provider. In 35 States, the District of Columbia, and Guam, safe haven laws also protect providers with immunity from criminal liability. Source: Children's Bureau/ACYF/ACF/HHS | 800.394.3366 | Email: info@childwelfare.gov | <https://www.childwelfare.gov>
 - Full article for above reference: <https://www.childwelfare.gov/pubpdfs/safehaven.pdf>.
- City Solicitor is continuing to research potential liability for this project.

Security and Monitoring

Koorsen Fire & Security: Ned Oliver – Service Manager. He confirmed how many times in the last 12 months that we had short term (less than 30 minutes) communication failure of the Safety Center alarm system. There were 94 times with a 1-minute to 30-minute loss of communication between our alarm panel and Koorsen Fire & Security ([See call report](#)). They are putting together an estimate for adding the Baby Box alarm to the existing system here at the Safety Center and for running the direct line to automatically call 911 when the box is opened – No estimate received yet.

Groups Against Baby Boxes

As stated in the previous report, there are several very active groups that are against the use of baby boxes. Michael Morrissey, from Baby Safe Haven-New England, already has contacted our City Solicitor in his fight against baby boxes. While this group appears to be for safe haven laws, the group has a history of formal complaints against providers of baby boxes. Some items found on Google include:

- Jean Morrissey and Mike Morrissey on behalf of Massachusetts-based Baby Safe Haven New England filed the complaint on Wednesday. In a letter to Allen County Building Commissioner John Caywood, the Morrisseys allege that a permit was never issued for the installation of the baby box at the Woodburn Fire Station.

- Safe Haven Baby Boxes successfully sued Morrisey for slander, defamation, interference with contracts and harassment in Allen County court and was awarded an injunction in the case. A decision on the amount of damages that will be awarded is pending.

The articles referenced above.

- https://www.journalgazette.net/local/victim-wins-suit-claiming-torment/article_bda81bec-4c4e-5693-b678-b8ca984ba995.html
- <https://www.wane.com/news/local-news/complaint-waged-against-woodburn-baby-box/>
- <https://www.eldoradonews.com/news/2021/apr/24/city-install-baby-drop-boxes-help-local-organizati/>

Educational Campaign

Per City Council's direction, we are putting together an educational campaign about the existing safe haven law which includes a webpage and press release information, as well as an ongoing social media campaign. Some cities that do this education also have signs posted at their safety facilities and on their vehicles. I've included a link to an article with an example of these signs. We are revising this information and will launch the campaign when the information is finalized.

- Safe Haven or Newborns City of Hudson webpage: <https://www.hudson.oh.us/1324/Safe-Haven-for-Newborns>.
- Polk County Sign Article: <https://www.wtsp.com/article/news/local/polkcounty/polk-county-fire-rescue-haven-for-newborns-stickers/67-25db1d66-dd3e-4784-9fe6-d0228e3a5a03>.
- Signs in Independence Ohio: <https://www.cleveland19.com/2023/07/05/independence-fire-department-implements-safe-haven-newborns/>.