

August 10, 2023

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

**Re: Safe Haven Baby Box Research**

Following is information uncovered while doing preliminary research on the implementation, maintenance, regulations, and pros and cons of baby boxes. We reached out to the Safe Haven Baby Boxes organization which is the provider of the boxes.

**Current Ohio Safe Haven Laws**

Currently, the State of Ohio has safe haven laws in effect which state:

In Ohio, a peace officer employed by a law enforcement agency; a hospital employee; or an emergency medical service worker while acting in an official capacity may take possession of child not older than 30 days if the child is voluntarily surrendered by its parent with intent not to return for the child.[i] "Emergency medical service worker" means a first responder, emergency medical technician-basic, emergency medical technician-intermediate, or paramedic.[ii] Parents have the right to remain anonymous after delivering the child.[iii] However, the right is not available if the child is in a harmed condition while delivering it; or if the entity accepting the child suspects that the child is a victim of child abuse or neglect. In such cases the parent surrendering the child may be subject to arrest.[iv]

Read more from the [law here](#).

**What is a Baby Box?**

A Baby Box is a safety device provided for under state's Safe Haven Law and legally permits a mother in crisis to safely, securely, and anonymously surrender if they are unable to care for their newborn. A Baby Box is installed in an exterior wall of a designated fire station or hospital. It has an exterior door that automatically locks upon placement of a newborn inside the Baby Box, and an interior door which allows a medical staff member to secure the surrendered newborn from inside the designated building. Baby Boxes are set up at fire departments and hospitals and allow parents to anonymously and safely leave an infant they can no longer care for. The climate-controlled boxes are equipped

*Defiance, OH Baby Box*



with 24-hour camera monitoring inside the box as well as an alarm system that alerts 911 when the box is opened.

The Safe Haven Baby Box organization staffs a 24-hour hotline (1-866-99BABY1) to give women the opportunity to talk to a trained professional as they consider safely surrendering their baby.

## **Current Locations of Safe Haven Baby Boxes in Ohio**

There are currently 7 locations in Ohio, four located at hospitals, and three at fire departments. Until a few months ago, there were two additional fire department locations (Union Township, OH and Sunbury, OH) which removed their boxes due to the Ohio law that requires staffing 24/7, which means one firefighter would have to remain on station during a fire call.

1. Hicksville Community Hospital, Hicksville, OH
2. Van Wert Health Center, Van Wert, OH
- 3. Defiance Fire Department, Defiance, OH**
- 4. Delhi Twp Fire Department, Cincinnati, OH**
- 5. Troy Fire Department, Troy, OH**
6. St. Rita's Medical Center, Lima, OH
7. Paulding County Hospital, Paulding, OH

The City of Cleveland recently announced that it is planning to install baby boxes at its fire department locations. [See news article.](#)

## **City Campaigns to Alert Residents of the Ohio Safe Haven Laws**

Rather than install Safe Haven Baby Boxes, some communities have begun educational campaigns to tell residents about the Safe Haven Laws where any mother can drop off a newborn infant within 30 days of birth at a local hospital or fire station or directly to a first responder, emergency medical technician-basic, emergency medical technician-intermediate, or paramedic.

The City of Independence, OH has distributed press releases to the media and provides information on their website about Ohio's Safe Haven Laws. They do not have a baby box. [See news article.](#) See information on their [City website.](#) Other cities across the country use similar educational campaigns about the safe haven laws, without the use of a box. These include [Naperville, IL](#) and [San Francisco, CA.](#)

## **Safe Haven Baby Boxes Costs & Installation**

[Safe Haven Baby Boxes](#) (SHBB) is a nonprofit organization dedicated to ending infant abandonment and providing for anonymous surrender. It was the only company that provides baby boxes that was found online.

### **Cost**

Fees for **Safe Haven Baby Boxes range from \$11,000 - \$16,000** depending on the installation and location.

There is an **annual fee of \$300** which includes recertification of the box by a licensed contractor, maintenance of box from expected use and unlimited repairs and parts replacement as a result of a malfunction and not as a result of negligence or vandalism.

Other fees not included in estimated fee include **a delivery fee of \$500.00** if the box is not picked up at their Fort Wayne, IN manufacturing facility to waive the delivery charge, labor and **materials cost of \$2,000-\$3,500** (location may be able to get this donated), hook up to internal alarm system (internal alarm must go to 911 dispatch for use with the baby box) and **that cost is \$1,200** and the **annual fee for monitoring is \$300** annually paid by location to alarm company.

The company suggests that cities use local community organizations for fundraising, as well as private donors, to cover the cost. SHBB provides fundraising policies and strategies.

For more cost information, see "[Ohio Informational 2022.](#)"

### **Training**

Training is provided by SHBB for personnel.

### **Installation & Contract**

It takes approximately four weeks to receive the Baby Box. During this time, the City would need to hire a licensed contractor to install the box and an alarm company to install the alarm.

The contract for Safe Haven Baby Boxes is reviewed by attorneys and fundraising can begin. The Contract (Lease and Service Agreement) is then signed and the initial fee is sent to SHBB.

## **Ohio Department of Health and Other Regulations on Box Placement**

According to ODH, "For background on this topic, for the last 5+ years, ODH rules stated that there needed to be 24/7 staffing available to immediately respond to the newborn safety incubator (NSI) if a less than 30-day old newborn was placed in the NSI. ODH consulted with the medical community who felt that there is no set or standard amount of time for a baby to safely be in a locked box unattended because we don't know the condition of the newborn. The rule was in place so that the individuals could immediately assess the condition of the newborn, etc. The law for NSIs was changed in the budget bill, HB 33. As a result, ODH will be changing the NSI rules to comply with the new law.

As an FYI, there are also other Safe Haven-related laws administered by ODJFS. This involves surrendering of children at other locations (hospitals, etc.) other than NSIs.

If a city would like to install a newborn safety incubator, here is the ODH website where the council members can find out more about the registration process with ODH. There is a phone number there for program to be a resource to the city and their law director as they review the law changes and upcoming rule changes."

For reference, the language in HB 33 related to baby boxes starts near the top of page 758: [https://search-prod.lis.state.oh.us/solarapi/v1/general\\_assembly\\_135/bills/hb33/EN/06/hb33\\_06\\_EN?format=pdf](https://search-prod.lis.state.oh.us/solarapi/v1/general_assembly_135/bills/hb33/EN/06/hb33_06_EN?format=pdf)

According to Fire/EMS Chief Varnes, "if/when a 3-minute response law goes into effect for Ohio, that will dramatically improve the ability for Hudson EMS to respond as needed for a baby in the Safe Haven baby box.

I do not have specific percent of times that we would not be able to meet that standard, but it would be something like less than 5-10% of the time.

The majority of our Duty Officers at HFD are medically trained at the EMT or First Responder level and if that is an acceptable legal option...then Hudson Fire Duty Officer could be paged out on the rare circumstances that EMS is unavailable.

A Mutual Aid ambulance from a neighboring town could be simultaneously dispatched and we would then have an EMS/paramedic staffed crew here in <5 or 6 minutes to assist the Duty Officer. Not sure if that is or would all be an acceptable alternative for ODH?"

## **House Bill 33**

The legislation amending Newborn Safety Incubators (NSIs) is House Bill 33. Language addressing NSIs may be found beginning in Section 2151.3515 (see link above). The effective date of the language is October 3rd. We would need to confirm this date, as it is not yet noted on the Secretary of State webpage.

The current rules for NSIs are in OAC 3701-86. The ODH is in the process of updating Chapter 3701-86 to align with the provisions that will take effect on October 3rd. There is no definitive date for rule updates. However, the ODH will follow the provisions set forth in the law.

According to ODH, in response to the scenario set forth by the Fire/EMS Chief, the Department's expectation would be locations that register an NSI and attest to compliance with the law and regulations have a good understanding of the law and regulations and are compliant. NSI applicants are municipalities or hospitals with legal departments available to review and advise on NSI requirements. Attesting to compliance is just that, communicating to the Department that your site meets the requirements set forth in the law and regulations.

## **Options to Consider**

Several Ohio cities have removed their baby boxes due to the state's interpretation of safe haven laws, requiring someone to staff the box 24 hours a day, seven days a week. We heard from the Safe Haven Baby Boxes organization that a new Ohio law might take effect in October where a box could be installed at an unstaffed location if emergency medical services could be there within 3 minutes.

### **Fire/EMS as a Location**

While Hudson Fire/EMS Chief Varnes fully supports the idea of a baby box, locating one at the HFD/EMS Safety Center could be a viable option with the implementation of House Bill 33.

- Hudson Fire is not staffed in the evenings and Hudson EMS does not have the capability of keeping a staff member on site 24 hours a day, 7 days a week.
- If all ambulances are out on call, there would be no one on station. There are times both weekends and evenings when this happens.
- With House Bill 33 allowing for a 3-minute arrival time, we could have the ability to meet the requirements of the new law.

### **HPD as a Location**

Preliminary research found no police stations used for baby box locations. They are primarily located at fire departments and hospitals. While HPD is a possible location, there are many legal questions and issues that would need to be answered before pursuing this option. Again with the passage of House Bill 33, this could also be a viable option.

- While HPD has officers on duty 24/7, there are no sworn officers at the station in the evenings as they are out on patrol.
- Dispatchers are on duty, but since they are not sworn officers, would they meet the law's requirements of a first responder? The law's definition is as follows:
  - "Emergency medical service worker" means a first responder, emergency medical technician-basic, emergency medical technician-intermediate, or paramedic.<sup>[ii]</sup>
- If dispatchers do meet the law's definition of a first responder, often only one dispatcher is on duty in the evening. That would require the dispatcher to leave the 911 lines unattended should a baby be surrendered in the baby box.

### **Public Education Campaign**

In lieu of installing a baby box, the City could launch a public education campaign on social media and the City website to promote the Safe Haven Laws in Ohio, explaining that a mother can drop off her infant at our fire department, police department, or at local hospitals.

### **Groups Against Baby Boxes**

A few groups have formed that are against the use of Baby Boxes, calling them "dumpster babies." One group called [Stop Baby Boxes Now](#) describes itself as an "adoptee-centered non-partisan website that serves as an educational source and tool to de-propagandize and deconstruct the Safe Haven Baby Box myth and movement."

Some online comments against the boxes include:

- Inability to determine if the real mother has dropped off the baby.
- Fathers lose rights to the infant.
- No medical information on the infant provided.

### **For More Information**

Safe Haven Baby Boxes Informational Links

- [Safe Haven Baby Boxes Website.](#)
- [FAQs.](#)
- [Inquiry Guide.](#)
- [Ohio Informational 2022.](#)
- [SHBB Programs Brief.](#)

State Regulations

- [List of state regulations on Safe Haven Baby Boxes \(Old data from 2021\).](#)

Closure of Ohio Safe Haven Boxes:

- [As baby boxes close, Ohioans with unwanted pregnancies lose another option.](#)
- [Sunbury, OH Central Ohio's only safe haven "baby box" closed.](#)
- [Union Township Fire Department Closes "baby box."](#)

General Articles:

- [Troy, OH investigated by Ohio Department of Health for its baby box.](#)
- [Cleveland Fire Department to add Safe Haven Baby Boxes.](#)
- [Florida newborn surrendered in state's only baby box.](#)
- [Safe Haven Baby Boxes on the Rise.](#)
- [Ohio's Newest Safe Haven Baby Box Opens in Lima, OH \(2022\).](#)
- [Bowling Green Kentucky Two Babies Surrendered in 6 months. \(July 28, 2023\).](#)
- [General Story on Baby Boxes.](#)
- [Opinion Against Baby Boxes.](#)

Public Information Campaigns, No Boxes:

- [Baby Safe Haven Now Offered by Independence Fire.](#)
- [Naperville, IL promotes Safe Haven on its website without boxes.](#)
- [San Francisco promotes Safe Haven without boxes.](#)