

New York State's Abandoned Infant Protection Act is intended to save the lives of unwanted newborns by allowing a person who abandons an infant to avoid criminal liability. The person must, however, act in a safe manner that will not result in physical harm to the infant.

This law first went into effect in July 2000 and was amended in August 2010. The amendments removed criminal liability for the crimes of Abandonment of a Child and Endangering Welfare of a Child when a parent, guardian, or other legally responsible person abandons an infant under the following conditions:

- 1) The abandoned infant is no more than 30 days old;
- 2) The person who abandons the infant intends that the infant will be safe from physical injury and cared for appropriately;
- 3) The person leaves the infant with an appropriate person OR leaves the baby in a suitable location and immediately notifies an appropriate person of the infant's location; and
- 4) The person must intend to wholly abandon the infant by relinquishing responsibility for and rights to the care and custody of the infant.

**1-866-505-SAFE
(1-866-505-7233)**

What does "suitable location" mean?

A "suitable location" is not defined in the law. However, hospitals, staffed police stations, and staffed fire stations have long been considered to be suitable locations.

We recommend contacting your county district attorney for further information on what other places might be suitable locations in your area.

What does "appropriate person" mean?

"Appropriate person" is not defined in the law. Generally, it refers to a member of the professional staff or other responsible person at the location where the infant is being left.

If someone leaves an infant with me, what should I do?

Do the same things you would do if this law did not exist:

- ▶ If the infant is in distress or otherwise in need of medical care, secure medical attention immediately.
- ▶ If there are no obvious medical problems, we recommend that you contact your county department of social services (in New York City, the Administration for Children's Services) and advise them that you have received an abandoned infant. They should be prepared to take custody of the infant.
- ▶ If it is outside of normal business hours and the local department of social services does not have 24-hour staff coverage, contact the New York Statewide Central Register of Child Abuse and Maltreatment (child abuse hotline) at **1-800-342-3720** and advise them that you have just received an abandoned infant. The hotline staff will notify the on-call child protective services staff, who will take custody of the infant.

Does this Law affect my responsibilities as a mandated reporter of suspected child abuse or maltreatment?

No. Any abandonment of an infant is always reportable as suspected child abuse or maltreatment. Police officers, hospital staff engaged in the admission, examination, care or treatment of patients, and all other mandated reporters are still required to fulfill their legal responsibilities as mandated reporters and report the abandonment.

Mandated reporters should call the New York Statewide Central Register of Child Abuse and Maltreatment (child abuse hotline) at **1-800-342-3720**, whether or not they have the name or identifying information for the infant or the person who abandoned the infant. The unknown parties will be listed on the report as unknown persons.

If someone leaves an infant with me, should I get a name or other identifying information?

A person who abandons an infant in a manner that complies with this law is not required to give his or her name. The Abandoned Infant Protection Act offers anonymity to encourage those people who abandon their newborn infants to do so in a safe manner.

What is meant by "referrals"?

They can call the OCFS toll-free Abandoned Infant Helpline at **1-866-505-SAFE (7233)** for referrals, information regarding "suitable locations" where a baby can be left, or contact information for their local department of social services.



Office of Children and Family Services

Help for parents in crisis

If a prospective or new parent needs crisis counseling, pregnancy counseling, or mental health services, the following numbers may be helpful:

- **National Suicide Prevention Lifeline:**
1-800-273-TALK (1-800-273-8255)
- **National Runaway Switchboard:**
1-800-RUNAWAY (1-800-786-2929)
- **2-1-1** (Referrals, available in many areas statewide)
- **3-1-1** (Referrals, New York City only)
- **LIFENET** (for mental health referrals in New York City):
1-800-LIFENET (1-800-543-3638) (English)
1-877-AYUDESE (1-877-298-3373) (Spanish)
1-877-990-8585 (Korean, Mandarin, Cantonese)
1-212-982-5284 (TTY/TDD for hearing impaired)
- **Planned Parenthood:** 1-800-230-PLAN (1-800-230-7526)
www.plannedparenthood.org
- **Parent Helpline at Prevent Child Abuse New York:** 1-800-CHILDREN (1-800-244-5373)

The Adoption Option

If someone abandons an infant in a manner that complies with the law and that person expresses interest in placing the infant for adoption, put her/him in touch with the local county department of social services (in New York City, the Administration for Children's Services) or with a private (authorized voluntary) adoption agency.

Contact information for these can be found in a telephone directory or at the OCFS website at:

<http://ocfs.ny.gov/adopt/agcymenu.asp>

"...promoting the safety, permanency and well-being of our children, families, and communities..."

Capital View Office Park
52 Washington Street
Rensselaer, NY 12144
Visit our website at:
<http://ocfs.ny.gov>

For information on safe places to leave an infant under the Abandoned Infant Protection Act, call:
1-866-505-SAFE (1-866-505-7233)

For information about child care, foster care, or adoption, call:
1-800-345-KIDS (1-800-345-5437)

To report suspected child abuse and neglect, call:
1-800-342-3720
1-800-638-5163 (TTY/TDD)

For information on services for the blind, call:
1-866-871-3000
1-866-871-6000 (TTY/TDD)

Pursuant to the Americans with Disabilities Act, the New York State Office of Children and Family Services will make this material available in an appropriate format upon request.

Pub. 4749 (Rev. 10/2016)

The Abandoned Infant Protection Act:



Guidelines for Health and Safety Professionals