

Safe Surrender of Newborns

What everyone needs to know about North Carolina's Law



Safe Surrender:
It's in your hands.

In an emergency:
911

What is the new Safe Surrender Law? An infant up to 7 days old may be left with a responsible adult, legally and anonymously. This is North Carolina state law, properly called the “Infant Homicide Prevention Act.”

Why is there such a law? The risk of homicide on the first day of life is 10 times greater than the rate during any other time of life. Every year, several babies are either killed or left to die in North Carolina by a parent in crisis, who may feel they have no other choice. The law hopes to provide such parents a way to surrender their unwanted newborn safely and anonymously.

Who can receive an infant through safe surrender? The law states that a baby may be surrendered to “any responsible adult.” Some people are especially cited: on-duty health care provider, law enforcement officer, social services worker or emergency medical services worker. However, “any responsible adult” could mean just about anyone.

What happens to these babies? An adult who receives the baby is required to keep it safe and warm, and to call 911 or the local department of social services right away. They should know that the surrendering parent is not required to give any identifying information. The goal is to have the baby adopted into a safe and loving home as quickly as possible.

How big a problem is infanticide and child homicide? In our state, an average of two infants are killed or left unprotected to die every year. Every two weeks, a North Carolina child is killed by a parent or caregiver in some form of child abuse.

Has the law worked? No official numbers exist, but since the law was enacted in 2001, at least two newborns have been highlighted in the media as having been safely surrendered. However, at the same time, a number of newborns have also been abandoned unsafely or killed (six have died). Public awareness is crucial to help parents know this option exists, and also to alert the public that receiving a surrendered newborn is legal. Help us spread the word by copying and distributing this fact sheet.

What about fathers? Don't they have rights too? There is a natural concern that a woman may have a baby and surrender it without the father knowing it exists. Any man who hears of a surrendered infant and believes it may be his should come forward.

Is Safe Surrender the same as Safe Haven? Many states have what are called Safe Haven laws. These designate places where a baby may be surrendered. North Carolina's law is unique in that it designates people, not places.