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**Safe-Haven Laws Fail to End Discarding of Babies**

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From Opposing Viewpoints In Context.

Their lives ended almost as soon as they began. And every time their tiny bodies were found, in Dumpsters, garbage cans or, in the case of a newborn girl in Queens last fall, on the conveyor belt of a recycling plant, dismay and bewilderment followed.

Six dead newborns were found abandoned in the New York City area in 2006, twice as many as in the preceding year, according to Timothy Jaccard, president of the A.M.T. Children of Hope Foundation on Long Island, which offers outreach to expectant mothers and buries discarded babies.

The figure does not include the baby born to Lucila Rojas, 25, last month. The police said that Ms. Rojas, who lives in the Bronx, confessed to smothering the 2-week-old boy on Dec. 31. According to the Queens district attorney's office, she told the authorities that the infant was the result of a rape in her native Mexico, and that she threw his body into a garbage can. His body has not been found.

The killing and abandonment of newborns by their mothers seems incomprehensible to most people. New York is one of 47 states that allow parents to anonymously leave unwanted [infants](http://go.galegroup.com/ps/retrieve.do?tabID=News&resultListType=RESULT_LIST&searchResultsType=SingleTab&searchType=BasicSearchForm&currentPosition=4&docId=GALE%7CA157411888&docType=Article&sort=Relevance&contentSegment=&prodId=OVIC&contentSet=GALE%7CA157411888&searchId=R4&userGroupName=pioneer&inPS=true" \o "Related articles for'Infants')at sites like hospitals or firehouses without fear of prosecution under so-called safe-haven laws. Mr. Jaccard attributes the rise in abandonments to a lack of publicity about the law, which he helped draft in New York and promoted in other states.

But critics say that safe-haven laws, while well-intentioned, fail to tackle the root causes of [infanticide](http://go.galegroup.com/ps/retrieve.do?tabID=News&resultListType=RESULT_LIST&searchResultsType=SingleTab&searchType=BasicSearchForm&currentPosition=4&docId=GALE%7CA157411888&docType=Article&sort=Relevance&contentSegment=&prodId=OVIC&contentSet=GALE%7CA157411888&searchId=R4&userGroupName=pioneer&inPS=true) because they do not reach the [women](http://go.galegroup.com/ps/retrieve.do?tabID=News&resultListType=RESULT_LIST&searchResultsType=SingleTab&searchType=BasicSearchForm&currentPosition=4&docId=GALE%7CA157411888&docType=Article&sort=Relevance&contentSegment=&prodId=OVIC&contentSet=GALE%7CA157411888&searchId=R4&userGroupName=pioneer&inPS=true) who need them most. And even though most states have adopted similar laws, few have implemented tracking mechanisms to see how well they work, or if they work at all.

Ms. Rojas's case is different from many cases in which mothers kill or abandon their newborns. Most discarded babies are the victims of neonaticide, meaning they are killed within 24 hours of their birth. But those pregnancies and Ms. Rojas's have a common bond: all were unwanted. When asked why she killed her baby, Ms. Rojas said he reminded her of the rape, according to court records. ''Something bad,'' she said. ''Something I wanted to forget.''

In New York and elsewhere, every time a newborn is found dead officials ask how it could have happened, given the existence of safe-haven laws. Yet the effectiveness of these laws has proved exceedingly tough to gauge.

Few states track the number of babies abandoned, dead or alive. Some nonprofit organizations in several states compile numbers, usually by patching together media accounts, which may be incomplete, or through medical examiners' reports. But no national clearinghouse tracks the figures.

New York's version of the law, the Abandoned Infant Protection Act, was passed in 2000, decriminalizing the act of abandoning an infant, as long as the baby was left at a specified safe place and someone was informed. But lawmakers never mandated a measure for how many abandonments took place.

''The intention of the law was not to track the number of children who were abandoned,'' said Assemblywoman Joan Christensen, a Democrat from Syracuse who was a lead sponsor of the law. ''It was to get the baby into a safe haven, and keep the mother from being criminally prosecuted.''

Mr. Jaccard said the law's effectiveness was also diminished by insufficient financing for public awareness campaigns. After the law was passed, the state's Office of Children and Family Services developed public service announcements, but they stopped being broadcast after about a year. Outreach is essentially limited to the distribution of pamphlets and brochures to hospitals, high schools and at public events like state fairs.

''The bottom line is we need to get the message out there,'' said Mr. Jaccard, whose nonprofit group has helped 82 safe abandonments and 101 adoptions since 1998.

Experts on neonaticide say mothers who kill their newborns are usually young, unmarried, emotionally isolated and often still living with their parents. (This is not a comprehensive portrait: homeless and drug-addicted mothers as well as women fearing castigation from their communities commit neonaticide, too.) Most are in deep denial about their pregnancies, and remain so even after their babies are born. They give birth alone and secretly, usually over a toilet, and kill their babies moments after birth, said Neil S. Kaye, a forensic psychiatrist and assistant professor at Jefferson Medical College in Philadelphia.

''They don't really think about it as a baby,'' Professor Kaye said. ''They see it as a foreign object; they want it out and done with and gone.''

Panicked, alone and often in great pain, few mothers have the wherewithal in the crucial moments after birth to consider safely abandoning their babies, according to Michelle Oberman, a professor at Santa Clara University's School of Law.

''Girls committing neonaticide are generally petrified about the idea of anybody finding out they were pregnant,'' Professor Oberman said. ''They're pretty bad at planning. ''Even if you're a great planner, if you've just delivered a baby by yourself in the bathroom, with pain, blood loss and lots of terror, you're not in the best shape to hop on a bus to drop the baby off.''

Another problem is determining whether babies who end up being safely abandoned were ever at risk in the first place, experts suggest.

''It isn't clear whether every baby that has been turned in would've been killed,'' said Carol Sanger, a family law professor at Columbia University's law school. Instead, women who leave their babies at hospitals or firehouses might just as well have given them up for adoption or placed them with family members, she said.

Adam Pertman, author of ''Adoption Nation'' and executive director of the Evan B. Donaldson Adoption Institute, a nonprofit organization, agrees, saying that promoting safe abandonment creates more harm than good, partly because abandoned babies are put up for adoption with no biological and medical information available.

But proponents say that if even one baby is saved, the laws have served their purpose. Dawn Geras, president of the Save Abandoned Babies Foundation of Illinois, said the number of babies illegally abandoned and found dead has been decreasing in tandem with increased awareness of safe-haven laws.

''I think it does work when people know about it,'' Ms. Geras said. She said 889 babies had been safely relinquished nationwide, according to her records, since the first safe-haven law was enacted in Texas in 1999.

Supporters and disparagers of the laws agree that the best way to reduce neonaticides and baby abandonments is by tackling the problem long before vulnerable women give birth, or even become pregnant.

Support, they say, is paramount. According to Professor Kaye, family members, teachers and even friends too often take part in what he refers to as a ''conspiracy of denial,'' namely failing to recognize concealed pregnancies and willfully turning a blind eye.

In Illinois, the safe-abandonment law is being taught as part of teenagers' health education curriculum, according to Ms. Geras. Mr. Jaccard said he was trying to push for more awareness of pregnancy concealment, and options before and after birth, in high schools in troubled pockets of New York.

''We don't want any woman to use the safe-haven law,'' Mr. Jaccard said. ''It's there as a last resort.''