

STATE OF COLORADO



Colorado Department of Human Services

people who help people

1575 Sherman Street
Denver, Colorado 80203-1714
Phone 303-866-5700
www.cdhs.state.co.us



John W. Hickenlooper
Governor

Reggie Bicha
Executive Director

July 21, 2011

The Honorable Brandon C. Shaffer, President of the Senate
200 East Colfax, Room 257
Denver, Colorado 80203

The Honorable Frank McNulty, Speaker of the House
200 East Colfax, Room 257
Denver, Colorado 80203

Re: Abandoned Infant Report Pursuant to SB00-171 enacted at C.R.S. § 19-3-304.5 (6)

Dear Senator Shaffer and Representative McNulty:

Pursuant to C.R.S. § 19-3-304.5 Emergency possession of certain abandoned children.

(6) The state department of human services shall submit an annual report to the general assembly, beginning January 1, 2001, that compiles the monthly reports, required pursuant to subsection (5) of this section, of the number of children abandoned pursuant to this section.

Provision of Act:

1. Child is 72 hours old or younger
2. Parent(s) did not express an intent to return for the child
3. Child is abandoned at a fire station or a hospital

For calendar year 2010, there were three (3) known abandoned infant cases in Colorado that met the provisions of the Act:

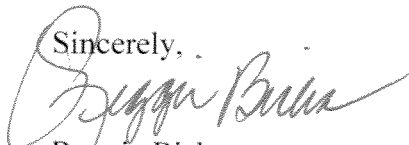
- El Paso County – One (1) in January 2010, abandoned at hospital
- El Paso County – One (1) in October 2010, abandoned at hospital
- La Plata County – One (1) in September 2010, abandoned at hospital.

The compiled statistics for calendar year 2010 are attached.

The Honorable Brandon C. Shaffer
The Honorable Frank McNulty
July 21, 2011
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If you have questions regarding this report, please contact Ruby Richards, LCSW, Child Protection Manager, at 303-866-3258, or by email at Ruby.Richards@state.co.us.

Sincerely,



Reggie Bicha
Executive Director

Enclosures

cc: Molly Otto, Joint Legislative Library
Amy Zimmer, State Librarian
Julia Martinez, CDHS Legislative Liaison
Liz McDonough, CDHS Communications

**ABANDONED INFANTS
REPORTING PERIOD JANUARY 1, 2010 TO DECEMBER 31, 2010**

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	CONTACT
ADAMS	0	0	0	0	0	0	0	0	0	0	0	0	Kris Cowperthwaite (02/02/11)
ALAMOSA	0	0	0	0	0	0	0	0	0	0	0	0	Laurie Rivera (02/01/11)
ARAPAHOE	0	0	0	0	0	0	0	0	0	0	0	0	Diane Ward (04/06/10)
ARCHULETA	0	0	0	0	0	0	0	0	0	0	0	0	Erlinda Gonzalez (02/31/11)
BACA	0	0	0	0	0	0	0	0	0	0	0	0	Dorothea Thurner (05/10/11); Ruth Wallace
BENT	0	0	0	0	0	0	0	0	0	0	0	0	William Schultz, Director (02/01/11)
BOULDER	0	0	0	0	0	0	0	0	0	0	0	0	Terrie Ryan-Thomas (02/01/11)
BROOMFIELD	0	0	0	0	0	0	0	0	0	0	0	0	Connie Linn (02/01/11)
CHAFFEE	0	0	0	0	0	0	0	0	0	0	0	0	Phillip Maes (05/10/11)
CHEYENNE	0	0	0	0	0	0	0	0	0	0	0	0	Lanie Meyers, (05/17/11)
CLEAR CREEK	0	0	0	0	0	0	0	0	0	0	0	0	Cindy Dicken, Director (02/02/11)
CONELIOS	0	0	0	0	0	0	0	0	0	0	0	0	Robin Martinez (06/01/11)
COSTILLA	0	0	0	0	0	0	0	0	0	0	0	0	Tommy Vigil (05/18/11)
CROWLEY	0	0	0	0	0	0	0	0	0	0	0	0	Tonia Burnett (02/04/11)
CUSTER	0	0	0	0	0	0	0	0	0	0	0	0	Laura Lockhart, Caseworker (02/03/11)
DELTA	0	0	0	0	0	0	0	0	0	0	0	0	Chuck Lemoine (05/09/11)
DENVER	0	0	0	0	0	0	0	0	0	0	0	0	Amy Beery, Intake Administrator (01/31/11)
DOLORES	0	0	0	0	0	0	0	0	0	0	0	0	Dennis Story (02/01/11)
DOUGLAS	0	0	0	0	0	0	0	0	0	0	0	0	Patrick Sweezy, (phone call 05/13/11)
EAGLE	0	0	0	0	0	0	0	0	0	0	0	0	Sherril Almond 02/22/11)
EL PASO	1	0	0	0	0	0	0	0	1	0	0	0	Nikki Edmiston 02/09/2011 - Jan = Firestation; Oct = Hospital
ELBERT	0	0	0	0	0	0	0	0	0	0	0	0	Catherine Robinson, Director (02/01/11)
FREMONT	0	0	0	0	0	0	0	0	0	0	0	0	Matt Graff (05/11/10) Questions/Research
GARFIELD	0	0	0	0	0	0	0	0	0	0	0	0	Catherine Craig (01/31/11)
GILPIN	0	0	0	0	0	0	0	0	0	0	0	0	Betty Donovan, Director (01/31/11)
GRAND	0	0	0	0	0	0	0	0	0	0	0	0	Glen Chambers (02/01/10)
GUNNISON	0	0	0	0	0	0	0	0	0	0	0	0	Renee Brown (05/10/11)
HINSDALE	0	0	0	0	0	0	0	0	0	0	0	0	Renee Brown (05/10/11)
HUERFANO	0	0	0	0	0	0	0	0	0	0	0	0	Josephine Harriman, 02/02/11
JACKSON	0	0	0	0	0	0	0	0	0	0	0	0	Glen Chambers (02/01/11)
JEFFERSON	0	0	0	0	0	0	0	0	0	0	0	0	Sue McDonald, Program Manager (01/31/11)
KIOWA	0	0	0	0	0	0	0	0	0	0	0	0	Dennis Pearson (02/01/11)
KIT CARSON	0	0	0	0	0	0	0	0	0	0	0	0	Lanie Meyers@state.co.us (05/17/11)
LA PLATA	0	0	0	0	0	0	0	1	0	0	0	0	Matt Dodson (02/16/11) - Hospital
LAKE	0	0	0	0	0	0	0	0	0	0	0	0	Corinna Tafoya, Caseworker Supervisor (02/16/11)
LARIMER	0	0	0	0	0	0	0	0	0	0	0	0	Ginny Riley, Director (01/31/11)
LAS ANIMAS	0	0	0	0	0	0	0	0	0	0	0	0	Robert Bertolino (02/17/11)
LINCOLN	0	0	0	0	0	0	0	0	0	0	0	0	MIMI Lyons, Child Welfare Supervisor (02/01/11)

Updated 06/15/11

**ABANDONED INFANTS
REPORTING PERIOD JANUARY 1, 2010 TO DECEMBER 31, 2010**

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	CONTACT
LOGAN	0	0	0	0	0	0	0	0	0	0	0	0	Betty Zimmerman, Social Services Manager II, (02/08/11)
MESA	0	0	0	0	0	0	0	0	0	0	0	0	Jill Calvert (06/03/11)
MINERAL	0	0	0	0	0	0	0	0	0	0	0	0	Greg Parra, Social Services Manager (02/01/11)
MOFFAT	0	0	0	0	0	0	0	0	0	0	0	0	Marie Peer, Director (02/01/11)
MONTEZUMA	0	0	0	0	0	0	0	0	0	0	0	0	Dennis Story (02/01/11)
MONTROSE	0	0	0	0	0	0	0	0	0	0	0	0	Carol Friedrich, Human Services Division Director (02/09/11)
MORGAN	0	0	0	0	0	0	0	0	0	0	0	0	Lenonna Hofer, Sr. Level Screener/Caseaide (01/31/11)
OTERO	0	0	0	0	0	0	0	0	0	0	0	0	Sara Chambers (01/31/11)
OURAY	0	0	0	0	0	0	0	0	0	0	0	0	Allan Gerstle, Director (02/01/11)
PARK	0	0	0	0	0	0	0	0	0	0	0	0	Joseph Homlar, Director (05/16/11)
PHILLIPS	0	0	0	0	0	0	0	0	0	0	0	0	Tonya Watson, Caseworker Supervisor (02/01/11)
PITKIN	0	0	0	0	0	0	0	0	0	0	0	0	Kim Dubois, Adult & Family Services Manager (05/10/11)
PROWERS	0	0	0	0	0	0	0	0	0	0	0	0	Jonna Parker (02/02/11)
PUEBLO	0	0	0	0	0	0	0	0	0	0	0	0	Annette Zimmer (01/31/11)
RIO BLANCO	0	0	0	0	0	0	0	0	0	0	0	0	Kathy Maybury, Caseworker Supervisor (05/13/11)
RIO GRANDE	0	0	0	0	0	0	0	0	0	0	0	0	Greg Parra, Social Services Manager (02/01/11)
ROUITT	0	0	0	0	0	0	0	0	0	0	0	0	Michael Sidinger (06/09/11)
SAGUACHE	0	0	0	0	0	0	0	0	0	0	0	0	Susie Jordan, Child & Adult Protection Supervisor (05/10/11)
SAN JUAN	0	0	0	0	0	0	0	0	0	0	0	0	Martha Johnson, (02/17/11)
SAN MIGUEL	0	0	0	0	0	0	0	0	0	0	0	0	Allan Gerstle, Director (02/01/11)
SEDGWICK	0	0	0	0	0	0	0	0	0	0	0	0	Kathy Reano, BA, CW & AP Supervisor (01/31/11)
SUMMIT	0	0	0	0	0	0	0	0	0	0	0	0	Judy Dianne Pocius (05/17/11)
TELLER	0	0	0	0	0	0	0	0	0	0	0	0	Kim A. Mauthe, MSW, LCSW Director (02/01/11)
WASHINGTON	0	0	0	0	0	0	0	0	0	0	0	0	Rick Agan, Director (02/17/11)
WELD	0	0	0	0	0	0	0	0	0	0	0	0	Heather Walker (01/31/11)
YUMA	0	0	0	0	0	0	0	0	0	0	0	0	Hollie Hillman, CW Supervisor (01/31/11)

COUNTY MONTHLY REPORTING OF ABANDONED INFANTS

NAME OF COUNTY: El Paso
Number of Abandoned Infants for each month:
1 in January 2010
<i>If the number is other than zero, please enter the following information:</i>
Name given to Abandoned Infant Samuel Stilen
Date of Birth or approximate 01/21/10
Date of Abandonment 01/22/10
Place Where Abandoned:
Hospital St. Francis Medical Center
Fire Station
Other (explain)
Date of Death (if applicable)
Age of Parent (if known) 36-years-old
Date of Custody to County (if applicable) 01/22/10
<i>If child is placed in custody of Dept., we will seek follow-up:</i>
Date of Termination of Parental Rights 01/12/11
Date of Placement For Adoption TBD

COUNTY MONTHLY REPORTING OF ABANDONED INFANTS

NAME OF COUNTY: EL PASO
Number of Abandoned Infants for each month:
1 in October 2010
If the number is other than zero, please enter the following information:
Name given to Abandoned Infant Baby Girl Doe
Date of Birth or approximate 10/26/10
Date of Abandonment 10/27/10
Place Where Abandoned:
Hospital Memorial Central
Fire Station
Other (explain)
Date of Death (if applicable)
Age of Parent (if known) Unknown
Date of Custody to County (if applicable) 10/28/2010
If child is placed in custody of Dept., we will seek follow-up:
Date of Termination of Parental Rights TBD
Date of Placement For Adoption TBD

COUNTY MONTHLY REPORTING OF ABANDONED INFANTS

NAME OF COUNTY: La Plata
Number of Abandoned Infants for each month:
1 child-September 2010
<i>If the number is other than zero, please enter the following information:</i>
Name given to Abandoned Infant: Fischer, Chase
Date of Birth or approximate: 9/26/2010
Date of Abandonment: 9/26/2010
Place Where Abandoned:
Hospital: Mercy Medical Center, Durango CO
Fire Station
Other (explain):
Date of Death (if applicable)
Age of Parent (if known)
Date of Custody to County (if applicable): 9/27/2010
<i>If child is placed in custody of Dept, we will seek follow-up:</i>
Date of Termination of Parental Rights
Date of Placement For Adoption

An Act

SENATE BILL 00-171

BY SENATORS Tanner, Rupert, Dennis, Hernandez, Lacy, Martinez, Musgrave, Nichol, Reeves, Thiebaut, and Congrove;
also REPRESENTATIVES Berry, Clarke, Coleman, Gottlieb, Mace, Plant, Saliman, Smith, Tate, and Tochtrop.

CONCERNING CERTAIN ABANDONED CHILDREN.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 18-6-401, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

18-6-401. Child abuse. (9) IF A PARENT IS CHARGED WITH PERMITTING A CHILD TO BE UNREASONABLY PLACED IN A SITUATION THAT POSES A THREAT OF INJURY TO THE CHILD'S LIFE OR HEALTH, PURSUANT TO PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION, AND THE CHILD WAS SEVENTY-TWO HOURS OLD OR YOUNGER AT THE TIME OF THE ALLEGED OFFENSE, IT SHALL BE AN AFFIRMATIVE DEFENSE TO SUCH CHARGE THAT THE PARENT SAFELY, REASONABLY, AND KNOWINGLY HANDED THE CHILD OVER TO A FIREFIGHTER, AS DEFINED IN SECTION 18-3-201 (1), OR TO A HOSPITAL STAFF MEMBER WHO ENGAGES IN THE ADMISSION, CARE, OR TREATMENT OF PATIENTS, WHEN SUCH FIREFIGHTER IS AT A FIRE STATION OR SUCH HOSPITAL STAFF MEMBER IS AT A HOSPITAL.

SECTION 2. Part 3 of article 3 of title 19, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

19-3-304.5. Emergency possession of certain abandoned children.

(1) IF A PARENT VOLUNTARILY DELIVERS A CHILD TO A FIREFIGHTER, AS DEFINED IN SECTION 18-3-201 (1), C.R.S., OR A HOSPITAL STAFF MEMBER WHO ENGAGES IN THE ADMISSION, CARE, OR TREATMENT OF PATIENTS, WHEN SUCH FIREFIGHTER IS AT A FIRE STATION OR SUCH HOSPITAL STAFF MEMBER IS AT A HOSPITAL, THE FIREFIGHTER OR HOSPITAL STAFF MEMBER SHALL, WITHOUT A COURT ORDER, TAKE TEMPORARY PHYSICAL CUSTODY OF THE CHILD IF:

(a) THE CHILD IS SEVENTY-TWO HOURS OLD OR YOUNGER; AND

(b) THE PARENT DID NOT EXPRESS AN INTENT TO RETURN FOR THE CHILD.

(2) IF A FIREFIGHTER OR HOSPITAL STAFF MEMBER TAKES TEMPORARY PHYSICAL CUSTODY OF A CHILD PURSUANT TO SUBSECTION (1) OF THIS SECTION, THE FIREFIGHTER OR HOSPITAL STAFF MEMBER SHALL:

(a) PERFORM ANY ACT NECESSARY, IN ACCORDANCE WITH GENERALLY ACCEPTED STANDARDS OF PROFESSIONAL PRACTICE, TO PROTECT, PRESERVE, OR AID THE PHYSICAL HEALTH OR SAFETY OF THE CHILD DURING THE TEMPORARY PHYSICAL CUSTODY; AND

(b) NOTIFY A LAW ENFORCEMENT OFFICER OF THE ABANDONMENT WITHIN TWENTY-FOUR HOURS AFTER THE ABANDONMENT.

(3) A FIREFIGHTER OR HOSPITAL STAFF MEMBER SHALL INCUR NO CIVIL OR CRIMINAL LIABILITY FOR ANY GOOD FAITH ACTS OR OMISSIONS PERFORMED PURSUANT TO THIS SECTION.

(4) UPON RECEIPT OF NOTICE PURSUANT TO SUBSECTION (2) OF THIS SECTION, A LAW ENFORCEMENT OFFICER SHALL TAKE THE ABANDONED CHILD INTO TEMPORARY CUSTODY PURSUANT TO SECTION 19-3-401.

(5) EACH COUNTY DEPARTMENT OF HUMAN SERVICES SHALL MAINTAIN AND UPDATE ON A MONTHLY BASIS A REPORT OF THE NUMBER OF CHILDREN WHO HAVE BEEN ABANDONED PURSUANT TO THIS SECTION. EACH COUNTY DEPARTMENT OF HUMAN SERVICES SHALL SUBMIT SUCH

INFORMATION TO THE STATE DEPARTMENT OF HUMAN SERVICES.

(6) THE STATE DEPARTMENT OF HUMAN SERVICES SHALL SUBMIT AN ANNUAL REPORT TO THE GENERAL ASSEMBLY, BEGINNING JANUARY 1, 2001, THAT COMPILES THE MONTHLY REPORTS, REQUIRED PURSUANT TO SUBSECTION (5) OF THIS SECTION, OF THE NUMBER OF CHILDREN ABANDONED PURSUANT TO THIS SECTION.

(7) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT A COUNTY DEPARTMENT OF SOCIAL SERVICES SHALL PLACE AN ABANDONED CHILD WITH A POTENTIAL ADOPTIVE PARENT AS SOON AS POSSIBLE. THE GENERAL ASSEMBLY FURTHER DECLARES THAT, AS SOON AS LAWFULLY POSSIBLE, A COUNTY DEPARTMENT OF SOCIAL SERVICES SHALL PROCEED WITH A MOTION TO TERMINATE THE PARENTAL RIGHTS OF A PARENT WHO ABANDONS A CHILD.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Ray Powers
PRESIDENT OF
THE SENATE

Russell George
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Patricia K. Dicks
SECRETARY OF
THE SENATE

Judith M. Rodrigue
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

Bill Owens
GOVERNOR OF THE STATE OF COLORADO