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The Life Center To Install Baby Boxes To Make Safe Haven Law Available To Mothers

(South Bend – June 29, 2016) - Two Indiana non-profit corporations, Safe Haven Baby Boxes, Inc., and The Life Center (a.k.a. TLC), are partnering to lead the charge to save abandoned babies in South Bend and beyond, and they are taking Indiana regulators—sometimes kicking and screaming – along with them. In addition to partnering with Safe Haven Baby Boxes to promote the Safe Haven Law, The Life Center in South Bend, which announced in April that it was conducting due diligence on the placement of a baby box at The Life Center (see also 5/10/16 article in LifeSiteNews.com), announced today that The Life Center would be one of several sites for a Safe Haven Baby Box in St. Joseph County notwithstanding the grumblings by the Indiana State Department of Health (ISDH) and the Department of Child Services (DCS) that the boxes may not be safe. The baby box to be installed at The Life Center is in production and is all but complete.

Safe Haven Baby Boxes were founded by Monica Kelsey who was abandoned when she was an infant. She, and The Life Center, have learned from crisis pregnancy mothers that anonymity is what the mother needs to provide a safe method of abandonment. Mrs. Kelsey's Safe Haven Baby Boxes allow a mother to place her infant in a baby box located at a church, charity, or emergency service provider. The boxes are equipped with a heating and cooling feature and are equipped with ADT trips so emergency service providers are notified instantaneously that an infant has been placed in the box, and, once retrieved, the child is placed with DCS. "With baby boxes," states Mrs. Kelsey, "no mother ever has to abandon her child again, and so we hope to proliferate Indiana as well as the rest of the country with them." "The need for these boxes is compelling, says Mrs. Kelsey. "The hotline for Safe Haven Baby Boxes has handled 700 calls in the past 10 months, the fruit of which is over 100 referrals to crisis pregnancy centers, four adoption referrals and a four women were assisted in surrendering their newborns under the Safe Haven Law.

But all is not so simple in Indiana when it comes to the welfare of women and children. The ISDH and the DCS refuse to endorse the Safe Haven Baby Boxes, and it is unclear how they will respond to the announcement of the third baby box being installed. Nonetheless, Mrs. Kelsey and The Life Center are undeterred because The Life Center is such an obvious location for a baby box. According to attorney Shawn Sullivan, “the baby box is one more tool to equip the TLC Advocates in assisting mothers in distress.” The Life Center describes itself as the “emergency room for crisis pregnancies” with ministries providing financial, legal, and medical assistance, a domestic violence shelter, and an adoption agency. The Life Center is also located next to the Women’s Pavilion abortion clinic, which is temporarily closed, but, according to The Life Center, the abortionist still comes in and distressed women still drive by the back of the cul-de-sac where The Life Center and the abortion clinic are located.

Neither attorney Sullivan nor Mrs. Kelsey were impressed with the ISDH’s and DCS’s veiled threats implying they could prosecute women for abandonment if they utilize the baby boxes. “Not only is the threat of prosecution a reckless overstep by these agencies, but even if DCS or ISDH had the mandate to make such pronouncements, such a pronouncement would be legally deficient and completely out-of-touch with the crisis pregnancy arena. It wasn’t far from The Life Center where a despairing Purvi Patel abandoned her child in a dumpster. That well-known case demonstrates the disastrous outcomes for the child and the mother alike. An available baby box in that situation would have been a win-win. To instead have ISDH and DCS resorting to intimidation to deter solutions from those with first-hand experience with the issue – those working in the streets with the crisis pregnancy mothers – is an unfortunate development. Here is a chance for Indiana to improve its reputation for helping mothers and children, and right now Indiana is failing again.”

To off-set the threats of ISDH and DCS – what Monica Kelsey refers to as “bullying mothers” – Safe Haven Baby Box formed a defense fund to fight for any mother who utilizes the baby boxes. “Our attorneys have looked this over a number of times since ISDH came in December [2015] with its decision not to endorse the baby boxes,” stated Kelsey, and the attorneys have found that the baby boxes are an extension of the parent leaving their child with an emergency service provider. By leaving the child in a baby box, the call instantaneously goes out to emergency service providers so the parent is handing the child off to emergency providers while retaining their anonymity.” Attorney Sullivan added: “The intent

of every parent who places an infant in a baby box is to avail his-or herself of the Safe Haven Law and anonymously place the infant with emergency service responders. Because the parent's intent, and because every baby box is linked to emergency service providers, leaving an infant in a baby box satisfies Indiana Code 31-34-2.5-1(c) that protects a "person who in good faith voluntarily leaves a child with an emergency medical services provider." In sum, no parent utilizing a Safe Haven Baby Box has the *mens rea* to be culpable for any criminal act."

The situation with ISDH and DCS is especially ironic to attorney Sullivan given The Life Center's previous confrontations with ISDH on issues of women and children's health. According to Sullivan, ISDH, refused to process over 40 complaints regarding the Women's Pavilion conducting abortions without providing mothers with informed consent. Sullivan represented the TLC Advocates who offered assistance and protection to mothers being forced to have abortions, only to find that the abortions had already occurred. Under Indiana law, an abortionist must wait 18 hours after the initial consultation with a pregnant mother before performing the abortion so the pregnant mother can consider her choices. According to Sullivan, mothers were victimized by being denied their informed consent. "It is a matter of public record, and the basis for the Women's Pavilion's temporary revocation of its clinic license, that the abortionist at the Women's Pavilion admitted that he was performing abortions without adherence to informed consent laws, particularly the 18 hour time period. The ISDH found 10 out of 10 violations when reviewing the abortionist's files, and a violation of the informed consent law is a criminal violation. Sullivan is disturbed by this irony – that "on one hand the ISDH is wading in unknown legal territory and threatening mothers with criminal prosecution for utilizing baby boxes, while on the other hand the ISDH refused to process complaints where there were blatant violations of the informed consent laws and mothers were victimized as a result."

Mrs. Kelsey, when asked whether or not she would continue to work with state regulators on the issue, she stated that "Safe Haven Baby Boxes has to move forward and save lives. Desperate mothers need our help and there are people on the ground that want to help them. We don't have time to pontificate any longer with regulators. We are hopeful, however, that the legislature will clear the path of any encumbering regulators so that baby boxes can expand throughout Indiana and beyond." When asked whether she would improve the baby boxes to appease the regulators, said she would definitely consider any reasonable improvements but that "as of right now, no improvements have been suggested. And let's face it,

whether or not they are perfect, they beat the alternative hands down.” South Benders would likely agree given the recent Purvi Patel case.