



CITY OF MADISON POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE



Custody of Newborn

Eff. Date 01/27/2016

Procedure

Wisconsin Statute 48.195 allows a parent to relinquish custody of a child 72 hours old or younger to a law enforcement officer, EMS worker or hospital staff worker, while remaining anonymous.

When an officer is contacted by a parent wishing to relinquish custody of their child who is believed to be 72 hours old or younger, the officer shall take custody of the child and:

1. The officer shall not attempt to identify the parents (or anyone assisting the parents) unless they offer to have their identities known.
2. The officer shall not attempt to detain the parents (or anyone assisting the parents) unless the officer has reason to believe that the child has been the victim of abuse or neglect, or that the person assisting the parent has coerced the parent into relinquishing custody of the child.
3. The officer shall attempt to obtain information about the child's date of birth, medical history or health concerns. The officer shall advise the parent of which local hospital the child will be taken to in case the parent wants to provide health information to hospital personnel. Any information obtained from the parents shall be confidential and released only to medical staff or DCHS.
4. The officer shall arrange to have the child transported to a local hospital. This may be done either by Fire Rescue or the officer using an appropriate child safety seat.
5. The officer shall notify DCHS within 24 hours.

Original SOP: 02/25/2015
(Revised: 01/27/2016)
(Reviewed Only: 11/01/2016, 12/26/2017, 01/31/2020, 01/31/2023)