**THIRTHY-FIFTH LEGISLATURE OF THE VIRGIN ISLANDS**

**COMMITTEE ON HEALTH, HOSPITALS AND HUMAN SERVICES**

**Chairperson Ray Fonseca**

**Wednesday, December 6, 2023**

Good afternoon Honorable Ray Fonseca, Chairperson of the Committee on Health, Hospitals and Human Services, Committee Members, members of the 35th Legislature, legislative staff, and to the listening and viewing audience. I am Ray A. Martinez, Police Commissioner. I appear to offer testimony on Bill Number 35-0173, “an Act amending Title 5 Virgin Islands Code, Chapter 201, by adding subchapter V enacting the Safe Haven Newborn Protection Act to provide a mechanism for a newborn infant to be relinquished toa safe environment, for the parents of the newborn infant to remain anonymous if they choose and avoid civil or criminal liability for the act of relinquishing the newborn infant.

The Safe Haven Newborn Protection Act, Bill No. 35-0173 represents a significant step towards providing a compassionate and legal solution to a challenging issue that affects the most vulnerable members of our society – newborn infants. The legislation aims to create a safe and anonymous pathway for parents to legally relinquish their newborn infants. It is not only a reflection of our commitment to the welfare of children but also a testament to our resolve to address and mitigate the risks associated with the abandonment of newborns.

The issue of newborn abandonment is a tragic reality that confronts many communities, including ours in the Virgin Islands. Instances where newborns are abandoned in unsafe conditions pose not only immediate risks to the child’s safety but also raise broader concerns about the well-being of our society. In recognizing the gravity of this issue, it is important to note that all fifty states, Guam, and Puerto Rico have adopted similar Safe Haven laws. These laws have proven effective in providing safe alternatives to abandonment, thereby protecting both the child and the parents. The widespread adoption of such legislation across the nation underscores its necessity and effectiveness, and it is with this understanding that we approach the discussion of Bill No. 35-0173.

As the Commissioner overseeing the welfare and safety of our community, I wholeheartedly support the Safe Haven Newborn Protection Act. This support is rooted in a recognition of the critical need for such legislation, as evidenced by its successful implementation in all other states and territories. The establishment of a legal, safe, and anonymous process for the relinquishment of newborns not only addresses a sensitive issue but also aligns with our broader commitment to child welfare and public safety. It is an initiative-taking step towards protecting both newborns and their parents from potential harm and legal repercussions.

The primary objective of the Safe Haven Newborn Protection Act is to provide a safe, legal avenue for parents to relinquish newborn infants without fear of civil or criminal liability. This bill aims to address and reduce the incidents of newborn abandonment in unsafe conditions, a concern that has long troubled our community. By creating designated safe haven locations where infants can be safely surrendered, we offer an alternative that upholds the dignity and safety of both the child and the parents. This initiative is about creating options for those in desperate situations, ensuring that the wellbeing of newborns is prioritized.

I urge the members of this legislative body to support and pass the Safe Haven Newborn Protection Act. This Act is not just a legal provision; it is a moral imperative, a reflection of our commitment to the most vulnerable among us. I am available for your questions.