

Representative Maxine Grad
Chair
House Committee on Judiciary
115 State St.
Montpelier, VT 05633

**Testimony for House Committee on Judiciary related to H.629, an act relating to access to adoption records
Feb. 9, 2022**

Chair Grad, Vice Chair Burditt, and Distinguished Committee Members:

My name is Rebekah Henson. I am a resident of White River Junction and I am adopted. I was born in 1986, my adoption was completed in 1987, and I was denied the legal right to access my own birth certificate until 2017, when the State of New Jersey, where I was born, enacted the Adoptee Birthright Act to restore this civil right which the state had revoked from adopted individuals in 1940.

I had already been connected with my former family for 12 years when New Jersey restored my full rights to my vital records, but I still tremendously value that the state where I was born and adopted views my dignity, autonomy, and civil rights as equal with all other adult citizens.

I'd like to thank Representative Webb for her dedication in pursuing this legal equality issue for Vermont-born adoptees by introducing H.629, an act relating to access to adoption records, and embracing the valuable opportunity for Vermont's statutes to reflect the increasing cultural acceptance and support for the fundamental right of adopted individuals to obtain their birth information without obstacles or restrictions like all other Vermonters can.

Culture and public opinion around adoption have shifted dramatically since Vermont first revoked adoptees' rights to their own identities in 1946. To give things a little more context, 1946 was the second year of Harry S. Truman's presidency, Joan Crawford won the Academy Award for Best Actress, and Dean Martin and Jerry Lewis performed together for the very first time.

1946 also marked the early years of the Baby Scoop Era in the United States. In the decades following World War II, nearly 2.7 million infants were given up for adoption. Most of them were born to unmarried women seen as unfit to be mothers by both their families and society. A deep sense of shame hung over their pregnancies and their families sent them away to maternity homes where they gave birth in secret, their newborns whisked away from them immediately

after and given to more “respectable” families for adoption, saving both mother and child from a lifetime of social stigma.

This is the context in which states began denying adoptees access to their pre-adoption birth certificates, locking them under a court seal and replacing them with new, amended ones listing their adoptive parents names as if they had given birth to their adopted child, instead. Consider this point for a moment: In 1946, both single-parent families and families created by adoption were so heavily stigmatized that state courts and legislatures sanctioned replacing the true record of a child’s birth with fictitious identity documents, not unlike individuals who are protected under witness security programs.

Modern culture has increasingly shifted away from such heavily stigmatized ideas about single-parent and adoptive families in the 76 years since then. Adult adoptees just like me who candidly share what it feels like to grow up under cultural attitudes that attached so much shame to our births that it attempted to erase the very records of them have inspired a global movement for openness, transparency, and acceptance of the universal human need for connection to our origins.

I vividly remember the moment I saw the documentation of my own birth for the very first time. I was about 14 years old and my parents had found the hospital certificate my original mother had given them at the bottom of an old trunk they were cleaning out to throw away. The legal process of adoption had cut off my mother’s connection to me, but she wanted me to know as much about her, her family, and how my life began as she could possibly share with me at the time.

I sat on the edge of my parents’ bed and something inside of me felt more real, more present, more verifiably *human* than it had moments before. There was the name of the mother who gave birth to me—proof that I really had been born and not just imagined into existence. Her birthplace: England. My former father’s name. And a third name, one I hold deep in my heart like a lost twin; the name she gave me at birth because adoption wasn’t her original plan.

I learned these very first biographical details about myself at age 14—details my peers had known about themselves for 14 years longer than me, like the exact hour and minute I entered the world, the hospital I was born in, the name of the doctor who’d attended my birth. This simple documentation of the basic facts of my birth was something that wouldn’t be legal for me to obtain without a court order and justifiable cause for another 17 years.

My original parents had 6 other children in addition to me, and my brother and sisters found me in 2005 without the aid of any state-created registry, legally appointed intermediary, birth records, or even a DNA kit. Instead, they used a little scrap of paper they’d found in our birth

mother's kitchen drawer with my parents' names and phone number on it. She'd kept it with her for 19 years.

When New Jersey's Adoptee Birthright Act took effect in January 2017, the birth records of about 300,000 New Jersey-born adoptees were inaccessible under seal. Within the first year of its enactment, [about 4,100 adoptees requested copies of their birth certificates](#) from the state. And out of all 300,000+ adoptions the state has records of, only 558 women expressed their wishes to remain unknown to the children they had relinquished—just 0.18%.

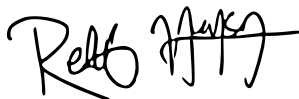
This is consistent with similar trends [reported by the American Adoption Congress in 2016](#) for other states that have overturned old laws restricting adoptees' rights to their birth information, including New Hampshire, Maine, and Rhode Island.

But the right for adoptees to access our birth certificates is not primarily about looking for, finding, or establishing relationships with our former parents. It's primarily about restoring a civil right we once had, a right that made us equal with all other Americans—the right to free and unencumbered access to the documented proof of our birth.

I ask that you end Vermont's 76-year-long era of restricting adopted people's rights to their birth information by revising H.629 to restore adoptees' rights and freedom to obtain their records without interference from any individual, government body, or private entity, because every person deserves to be treated equally under the law.

Thank you for your time and consideration on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Rebekah Henson". The signature is written in a cursive, flowing style.

Rebekah Henson
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