

Testimony To House Judicial Committee

Rebecca Dragon Pownal, VT 05261

My name is Rebecca Dragon, and I am a registered voter in the State of Vermont. I am also an adoptee. I want to thank you for allowing this adoptee, and the other adoptees here to show up on your doorstep today. I encourage you to appreciate the amount of emotional labor that goes into adopted persons speaking before a legislative body asking simply to be treated with equity under the law. My personal goal is to help you reframe your perspective and your questions so that any further work you do on this bill, or any subsequent bill, will fully center the civil rights of the primary marginalized party in adoption: the adoptee.

Although my highest qualification to come before you as an expert today is that I am an adopted person, I will give you a background of my relative experience. I work for the Town of Pownal VT as a communications liaison to the local Selectboard. I am the Vice President of the not-for-profit PEAR (People for Ethical Adoption Reform) and serve as their director of Education and Domestic Adoption Matters. I am a founding board member of Adoptees For Choice, an organization that advocates for reproductive freedom, and speaks into any legal or social issue that would deprive adoptees of transparency and autonomy. I have an educational resource for adoptive parents, called Living Adoption. Also, in the course of my advocacy writing, specifically focused on dispelling common societal mythology around adoption, I have interviewed hundreds of other adult adoptees from a wide diversity of backgrounds about their lived experiences and have been in conversation with thousands of others. I also had the opportunity to admin a large online support group for adoptees in reunion which had a membership of over 4 thousand adoptees and am deeply familiar with the process and outcomes of adoption reunion.

H629 as it exists now aims to allow Vermont-born adoptees some access to their original birth certificates. Vermont is one of the very last States in New England holding out on antiquated laws that bar adoptees from access to their own vital records. This effort to give adoptees transparency and access to their own original documentation is laudable.

However, in this proposed legislation, you have included dehumanizing and infantilizing caveats that would further marginalize adoptees and deprive them of equity in the eyes of the law. What other adult citizen of Vermont is subjected to the restriction of access to their own identity and documentation either by the State or at the hands of someone else because they share DNA?

In the course of your discussions, I have heard the argument that “the privacy of the birthmother and birth family” must be protected, most notably from the presumed horror of having rogue adoptees “showing up at doors” demanding connection and causing disruption. This false conflation of privacy and secrecy is a relic of desperately outdated thinking about adoption, from an era when doctors promoted smoking cigarettes for good health.

First, I would ask to see evidence that quantifies the claim that complete unfettered access to original birth certificates has caused a harmful increase in adoptees showing up on the doorsteps of their biological families unwanted. The majority of New England states and New York have given complete access without restriction, so this outcome could easily be studied. Is it appropriate to create legislation to prevent something that has not been studied and quantified, or even identified if it exists?

This bill allows for suppression of the record in cases where the birthparent or birth sibling if the birthparent is dead so wishes it. No one has a right to secrecy, especially when the secret is so deep that it would make another living person, the adoptee, a secret even to themselves. However, in domestic adoption, secrecy is impossible. All a domestic adoptee needs is a DNA test, a fifth cousin match, and a

skilled search angel, and they can find their biological relatives so they can show up at their door. That is how I showed up at the door of my own biological family, well, in truth.... I showed up in the ancestry.com inbox of my biological uncle and DNA match and respectfully introduced myself.

Think about that as it relates to secrecy. My first point of contact was my uncle, not my biological mother or father. Although I believe the question of whether adoptees should have equal access to their own original birth records should be completely separated from the question of reunion, I have heard it spoken about enough in your discussions that I would like to address it. In an era of wide-spread DNA testing, if you really wanted to protect “privacy”, it should be imperative to release original birth records without restrictions directly to the adoptee without adding multiple intervening parties. I have watched thousands of adoptees use DNA matching to find their first parents, contacting 3rd and fourth cousins, eventually narrowing the search down, getting closer to their goal. Often, by the time they finally identify their biological parent, contact with dozens of relatives has been made, and the birthparent is the last to know that their “secret” is out and looking for them. Would you add a clause in this legislation to prevent adoptees from taking DNA tests to protect the dubious privacy of biological families? Or perhaps would you consider legislation that prevents all unwanted solicitation at doors, for instance from religious proselytizers and political canvassers? The answer to an unwanted person at your door, or in your inbox or voicemail, is to ask them to never contact you again. If they contact despite your wishes, you can issue them a cease and desist or no-contact order.

When you start with the assumption that there can be “harm” in adoptees contacting their biological relatives and that biological families need “protection” from the potential of “disruption”, you are inferring something unfair about adoptees: that they pose a potential risk, that they are a danger,

and that the only way to “protect” others from them is through the preservation or creation of pre-emptive codified laws that restrict their rights and treat them differently than other citizens.

The matter of sealed vital records and the adult adoptee is not a matter to be decided between the adoptee and their biological or adoptive relatives. It is a matter between the adoptee and the State. Statutes are not promises. They can, and should, change when they actively marginalize any group of people based on the circumstances of their existence. There is ample legislation from past years that we would be railing against if still valid: laws that would determine what races and genders are allowed to marry, laws that set tax rates that we no longer adhere to, and laws that would prohibit opening your business on a Sunday.

I implore this committee to reconsider how this proposed legislation, with power given to biological relatives to deny adoptees access to their own vital records, is a great indignity to the adoptee. Adoptees deserve legal autonomy and full and complete access to their own records, just like all other Vermont citizens. Please consider a “clean bill”, that would give VT adoptees access to their original birth certificates in the same way that any other citizen of the State is able to access theirs, through the Department of Health for a nominal fee.

A further note for consideration is striking the use of the term “former parent”. Our biological parents are not “former”. They may not be our legal parents, and they may not have had the privilege of being the ones to actually parent us. However, they are from the beginning and always, factually, our biological parents. There is no legislation that can sever that. Please consider the language “biological parent” or “genetic parent” instead of “former parent”. I also would oppose the term “birthparent” as this insinuates that it is only the act of “birth” that has meaning in the relationship between the adoptee and their biological parent, whether they are ever to meet in person or not.

I would like to end with something I did not write, a quote from a letter written in 2019 by Cindy Wolfe Boynton the President of the CT Chapter of the National Organization for Women in support of legislation granting CT adoptees full and complete access to their vital records, and it addresses the question of birthmother/birthparent anonymity:

“Women's rights leaders have repeatedly cautioned us to be suspicious of women-protective legislation that has been written by men. Such laws deemed that women were too "fragile" to be lawyers, forbade them from serving on juries since they were "the center of home and family life," and barred them from working late at night as high-paid bartenders (but not as late-working, lesser paid cocktail waitresses.)....

We believe that the current law denying a class of adoptees an equal right to their original birth certificate is one such misguided, supposedly "woman-protective" law. Rather than protecting women, it was put in place as part of an oppressive system that denied women choice over their right to parent, and to control their sexuality and their bodies. These laws are based on the premise that any woman who had broken society's patriarchal norms by becoming pregnant "out of wedlock" should be shunned and shamed. Like many other types of women-protective legislation, the claims of “privacy” created by this law are thinly veiled efforts to silence and marginalize women.

The current law treats adult women as if they require special legal protections given only to children and the legally incompetent. Keeping these laws in place perpetuates the demeaning stereotype that women who relinquished their children are weak, less than competent adults who need state protection to handle their most basic affairs. It is disrespectful of their autonomy and capacity as adults. We believe adult women are capable of managing their personal business and should be treated as full, equal adults under the law.” (end quote)

There are not “two sides” in this matter. This is only one: the side of the adoptee deserving to be treated with equity in the eyes of the law, have their civil rights restored, and given autonomy to manage their own identities, life circumstances, and relationships...without the burden of unfair assumptions born from outdated ignorance.

I thank you for your time and consideration in this matter, and I would love to answer any questions you might have, especially questions that would help you more deeply understand the themes of current advocacy supported by thousands of adoptees and biological families nationwide, and common mythology around the lived experiences of adoptees.