

Dear Senators & Representatives,

I am writing this testimony today in hopes that this legislature will understand the importance of providing equal access to an accurate & original record of birth to all adoptees in the state of Vermont.

I am a birthmother. I relinquished my child in December of 2000, shortly after birth, just as the concept of open adoptions really gained popularity. Too often I see that our names (birth parents) are used to invoke legislation that denies a subset of citizens, adoptees, equal rights compared to their non-adopted counterparts.

I realize that those tasked with creating these laws rely on these testimonies to best understand the community of people they are affecting. In the case of adoption, it is imperative to understand that an adoption itself exists outside of the relinquishment of parental rights—in every single case of adoption, regardless of state, within the United States. What does this mean and why is it important?

When I relinquished my parental rights, my child's birth certificate did not change. If, for some reason, the planned adoption had fallen through and she had remained in foster care and was never adopted, her birth certificate would remain as it always had: accurate, certified, and with myself listed as her mother, and my husband listed as her father. It is only after she was adopted that this was changed and I was removed as the person who gave birth to her, even though this did not match the facts.

Birth parents cannot facilitate an adoption. There is no act we can execute that will guarantee our children are adopted or that their birth certificate will be changed or sealed. Our only role in the process is to relinquish all rights to our children so that they may be made available for adoption. In fact, in many states, not even the people facilitating an adoption can guarantee a birth certificate will be changed or sealed. This process is often left to adoptive parents to decide and initiate. This is even true in the state of Vermont under statute § 5-108(c) which states, "Within 30 days after a decree of adoption becomes final, the clerk of the court shall prepare a report of the adoption for the supervisor of vital records, and, *if the petitioners have requested it*, the report shall instruct the supervisor to issue a new birth certificate to the adoptee, as provided in Article 3, Part 8 of this title. (Added 1995, No. 161 (Adj. Sess.), § 1.)"

The culture of adoption that is portrayed in the media is not a true representation of the complexities that actually exist. While you will hear from some who hold steadfast that adoption is always a good thing, it is rampant with unethical practices and mental health issues stemming from the act of being relinquished, with or without having been adopted, and the act of voluntarily relinquishing your child to adoption because you felt there was no other way.

How is this relevant to the issue at hand? It is often this cultural background that those who make these types of monumental decisions pull from when coming to a conclusion about open access bills for adoptees, like the one you're tasked with making in Vermont. While we are not always consciously aware, our implicit biases are shaped by our experiences and understanding of the world around us. This is why it is so important to set aside everything you ever thought you knew about adoption, and listen to those who have lived it, without any choice in the matter—adoptees.

Social workers & adoption agencies who rely on facilitating adoptions to earn a living, while they may be acting with the sincerest of intentions, have an outside motivation for the status quo to remain as is. Most often they act on behalf of the interest of their paying clients, adoptive parents. Services provided to prospective birth parents by adoption agencies, adoption attorneys, and facilitators are always free to

the prospective birth parents, as these services are included in the fee that adoptive parents pay when seeking to adopt. It is in the best interests of the social worker to ultimately cater to the adoptive parents' needs & wants, as these paying clients ensure the doors of the organization stay open, and their role within that organization is secure so as to continue earning a living. I ask you to please consider these underlying motivators when considered equal rights legislation for a specific population.

Adoptive parents who wish to deny adult people who are adopted access to their original birth certificate are most times acting in fear of losing their child, now that they are no longer children and have autonomy, as they may choose to use this new information to seek out new relationships, or as an affirmation that their life didn't begin when they were adopted. However, in this day and age, an original birth certificate is not needed to find one's origins, and adoptees are already well aware that their life didn't begin when they were adopted, or else we wouldn't be here discussing this. So, with this, I say, an adoptive parent's opinion on these issues is a moot point and should not be strongly considered, if at all, as unfettered access to one's original birth certificate has no impact to the rights they are afforded as a parent of an adult adopted person.

I have heard testimony with concerns that original birth certificate access, without a non-disclosure form, could lead to domestic violence. As a survivor of a decade of domestic abuse, I implore you to consider the facts & what the implications may be if you allow a caveat to this bill based on the possibility of abuse. There is not a triggering event that “makes” someone an abuser. To set a legal precedent that allows equal rights to be denied out of fear it may turn someone abusive is not wise. This places the blame for being the perpetrator on the shoulders of the victim, insinuating the responsibility of their crimes lies can be caused by something the victim may have done. We do not make laws that limit the free exercise of the rights of others because we fear criminals may be given an excuse to commit crimes they will otherwise carry out regardless. We know that abusers don't need a reason to abuse. Furthermore, as stated above, an adoptee does not need their birth record to reach out to their birth family. You increase the risk of third parties being contacted when we deny an easy way for people to access their accurate records. As a search angel, it is most often third parties that I approach as a means to reconnect adoptees with families of origin. If this legislature is concerned about domestic abuse from a partner upon learning they have another child, I strongly advocate for record access, without discrimination, to all adoptees, as well as enacting legislation outside of this bill to better enable all people to easily escape domestic violence situations.

We birth parents were not guaranteed a right to privacy when we relinquished our rights to our children. As I discussed earlier, as birth parents, we do not have the power to guarantee our child will be adopted or that their birth certificate will be sealed away or changed. The ability to influence what access our children have to their birth certificate is not anything we were promised or able to do—except in cases where our permission is needed for access to a birth certificate to be given, wrongly. We should never be given the power, or used as an excuse, to deny equal rights to adoptees. My rights end at the same place where they begin to infringe on the rights of others. This concept is the crux of our Republic.

Adoptees are the only people who have been significantly impacted by being denied their rights to access their original birth records, without restriction. They are marginalized people in this regard as they 1) have no choice in being part of this population and 2) experience discrimination and exclusion because they belong to this population. The good news is, there is a way to cure this marginalization, and the power to do that lies in your hands. You only need to decide to act upon it.

I leave you with one final thought. It is rare to meet a birth parent who does not want to know what happened to their child. So rare that in the 21 years I have been in this community I have never met one. I know they exist, however I also know their concerns are rooted in the same shame that was used to make their children available for adoption. Regardless, as birth parents, we were not guaranteed privacy. We were not in control of birth certificates being locked away. We do not get to interfere with the process of restoring equal rights of all citizens in the state of Vermont. There are already existing privacy laws & rights that any citizen can exercise if they feel there is a need. Creating special laws for one subset of citizens is not only discriminatory, it is unnecessary.

I am asking you today, while the entire country watches the tone you are setting, to please enact clean legislation that restores access to the original birth certificates of all adoptees, without discrimination.

Thank you for taking the time to read to my testimony.

Warmest Regards,

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