

Vermont State House
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I'd like to begin today with a little bit of adoption history that is rather unknown.

On April 24, 1978, the Child Abuse and Prevention and Treatment Adoption Reform Act was signed into law. Section 203 of the Title II- Adoption Opportunities mandated the creation of an *independent expert panel* to recommend to the Secretary of State model legislation and procedures relating to adoption. This panel met eight times over a period of almost a year and the results of that was a draft of the [Model State Adoption Act and Model State Adoption Procedures](#) which, if enacted, would have made this entire debate and discussion here in Vermont, moot.

The original Draft Model State Adoption Act (DMSAA) would have radically changed adoption practices in the United States by saying

"...that there can be no legally protected interest in keeping one's identity secret from one's biological offspring; parent and child are considered co-owners of the information regarding the event of birth."

In it, there was Title V that would have given adult adoptees, at age 18, unqualified right of access to their records. One of the sections of Title V, §504 (f) (2) states:

"It shall not be a violation of the privacy of a parent whose rights were terminated, for a record to reveal the identity of such parent to his adult son or daughter."

And then section 507 stated:

"The rights of access to records established by this Title shall have retroactive effect, and shall not be limited by reason of prior law or of assurances of confidentiality not required by this Act."

You see, the Model State Adoption Act and Model State Adoption Procedures required that ALL courts and agencies compiling records of the original birth certificate plus the court and agency records of the termination proceedings **to allow access to all birth parents and adult adoptees**. In addition, adoptive parents and adult adoptees would have access to all court and agency records of the adoption proceedings.

Furthermore, clearly defined that “the Act provides for the protection of the rights of all parties to an adoption, but ***the child’s rights and interests are paramount*** if a conflict among the birth parents, adoptive parents and child develop.” The Act would have provided the answers to the very issues now before you if it had passed 40 years ago. It would have been a federal mandate stating that the adopted person’s needs came first and yes, birth parent’s “rights” were not the priority.

Unfortunately, it did not pass and that is also a very important part of this story.

Under the threat of allowing adult adoptee access to their original birth records, Ruby Lee Piester, Executive Director of the Edna Gladney Home and a member of the Child Welfare League of America (CWLA) went to war against the Draft Model State Adoption Act (DMSAA). Piester wanted the CWLA to join her in organizing national resistance to the DMSAA, but could find no takers. At a Senate hearing, she met William L. Pierce and together they formed the National Committee For Adoption (NCFA) which by 1980 became the National Council For Adoption which is, to this day, the lobby arm representing and advocating for the desires of the county’s adoption agencies. They used that powerful lobby arm to completely bury the Draft Model State Adoption Act because they did not want adult adoptees to have access to the names of their birth parents.

This issue is still framed in the same way by those in the business of making adoptions happen, included those adoption professionals in Vermont. They are still using the excuse of the mythological birth mother privacy to deny adult citizens access to their legal documentation. We hear talk about the need to protect the birthmother. The professionals speak about her privacy and her safety. They are so concerned about the circumstances of the conception, perhaps it was rape, and her mental anguish if confronted with the child created of that violent union. These are the stories that the adoption professionals would want us to believe. The question, to ponder most critically, is why.

The mothers who have actually lived this aren’t saying that they were promised nor needed nor wanted any “protection”.

I have attached Mothers for Open Records Everywhere’s (MORE) list of over 1300 names of mothers who, “hereby state publicly and unequivocally that we fully support open records for adult adoptees. We further state publicly and unequivocally that we were NEVER promised privacy or confidentiality, either verbally or in writing, at any time prior to, during, or after the surrender of our children to adoption.”

The legal basis is further exemplified in Elizabeth Samuels' [Surrender and Subordination: Birth Mothers and Adoption Law Reform](#) which analyzes the provisions of seventy-five mid-twentieth century birth mother surrender documents collected from twenty-six different states that definitively supports birth mother advocates' reports that women were neither offered a choice of nor guaranteed lifelong anonymity. In fact, the findings clearly show that any mention of privacy was extended towards the adoptive family, not the birth mothers.

Furthermore, we have factual research; states where adoptees have been able to obtain their OBC's have zero reported incidents of harm or harassment resulting from post relinquishment and adoption reunion contact. In fact, other nations, such as New Zealand, who have had open access for decades not only share in naught for negative transgressions, but have simplified and eliminated any "protections" they thought needed, such as a contact preference, because mothers didn't want it and didn't use it.

I would also implore you all to spend seven minutes watching adoptee, Jean Strauss', short film, [Four Birthmothers - For Mothers](#), which was made to speak to legislators like yourselves as you wrestle with these issues. In this, four mothers, including a younger version of myself, speak about the pain of losing our children to adoption and the trauma of then being used by the government and agencies to discriminate against our children in the name of our supposed safety.

This is the paradox that must be explored. The whole argument that is pushed by those in the business of transferring the parental rights and possession of children, is to prevent a birth mother's further pain and suffering that would be brought on by the trauma of her being contacted by her child. Yet, the same professionals know, though the myriad of both formal research and anecdotal evidence, that the very act of relinquishment, the separation of the mother and child, actually causes known harm to both mother and child.

This is a list from [Origins Canada](#) of findings from the available research on just the birth mother's long term outcomes post relinquishment.

Pannor, R., Baran, A., & Sorosky, A. (1978)

- Half of mothers surveyed said they have continued to feel loss, pain, and mourning over the child they lost to adoption (even many years later — this included mothers who had surrendered up to 33 years prior).
- Only 30% expressed "comfort" about the adoption (thus 70% were not comfortable with the adoption and/or felt it was not the outcome they wanted)

Rynearson, E. K. (1982)

- Eight of the 20 mothers were so traumatized by signing the papers that they were amnesiac of it.
- All reported recurring dreams of the loss of the baby, with contrasting themes of traumatic separation and joyful reunion.
- All had unresolved grief, continuing to experience symptoms of mourning at the anniversary of the relinquishment.

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Winkler, Dr. R.; and Van Keppel, M. (1984)

- 45% of mothers surveyed stated that their sense of loss had intensified over the period since surrender and 6.4% stated it had remained the same. For the sample as a whole, this loss remains constant for up to 30 years.
- Compared to a carefully-matched control group, mothers who had lost a child to adoption had significantly greater psychological impairment afterwards.
- 53% of the Western Australia respondents and 58.8% of the National Survey respondents stated the surrender of their babies was the most stressful thing they had ever experienced.

Condon, Dr. J. T.(1986)

- “over half of these women are suffering from severe and disabling grief reactions which are not resolving with the passage of time and which manifest predominantly as depression and psychosomatic symptoms” (p. 118)
- Over half had used alcohol or sedative medication to help them cope after relinquishment. (p. 118)
- Feelings of sadness and depression at the time of the surrender were rated on average as between “intense” and “the most intense ever experienced.”
- For 67%, these feelings either stayed the same or intensified in the years since surrender, they did not diminish.

Blanton, T., & Deschner, J. (1990)

- Natural mothers registered significantly stronger symptoms than mothers whose babies had died in 8 of the 14 bereavement subscales.
- Comparing natural mothers in both open and closed adoptions with parents whose babies had died shows that natural mothers suffer more denial, atypical responses, despair, anger, depersonalization, sleep disturbance, somaticizing, physical symptoms, optimism vs despair, dependency, and vigor. (pp. 532-533)
- “Relinquishing mothers have more grief symptoms than women who have lost a child to death, including more denial; despair, atypical responses; and disturbances in sleep, appetite, and vigor.”

Weinreb, M. (1991)

- Mothers’ scores averaged in the mild to moderate range of depression at the time of the study, which was done a number of years post-surrender, significantly higher than the population average.. Indicates that surrender can lead to long-lasting depression.
- 40% were still experiencing at least moderate acute grief.

Wells, Sue (1993a and b)

- 136 out of 262 mothers (52%) found that thoughts about their children increased rather than decreased over the years. Unlike a normal loss or bereavement the child is living elsewhere. Many liken it to a “living death.”
- Half stated that the trauma has affected their physical health.
- Many experience symptoms of PTSD.

- 207 out of 262 (79%) indicated that depression and anxiety, as well as difficulties with relationships and trust, as prolonged and profound consequences of surrender.

Edwards, D. S. (1995)

- ... found a range of poor psychological outcomes. The women studied frequently described the experience of placing their children for adoption as the most traumatic event of their lives; and related multiple symptoms of posttraumatic stress

Logan, J. (1996)

- 21% of mothers had made attempts on their lives
- 82% reported significant depression as a result of surrender
- 68% described themselves as having a significant mental health problem.
- 32% had been referred to specialized psychiatric treatment on an out-patient or in-patient basis and 18% had received treatment for a continuous period of 5 years or longer. This compares to a normative statistic of 3% of all women in the U.K. who were referred in 1993 to the same treatment service.

Kelly, J. (1999)

- 89% of mothers answered “Extremely true” to the statement “Relinquishing my child was a traumatic experience. 96% answered either “Extremely true” or “Very true.”
- 95% selected the “most frequent” or “most severe” response to one or more items measuring unresolved grief.
- In response to items concerning depression, 51% reported experiencing severe depression since the relinquishment, with 97% reporting some degree of depression (mild, moderate, or severe).
- 63% have had thoughts about killing themselves.
- 85% stated it was extremely true that “I was either misled or not informed of the effects that relinquishment would have on me”

Askren, H., & Bloom, K. (1999)

- “A grief reaction unique to the relinquishing mother was identified. Although this reaction consists of features characteristic of the normal grief reaction, these features persist and often lead to chronic, unresolved grief. CONCLUSIONS: The relinquishing mother is at risk for long-term physical, psychologic, and social repercussions. Although interventions have been proposed, little is known about their effectiveness in preventing or alleviating these repercussions.” (p. 395)
- “comparable to losing an infant through death, it is a very stressful event for the relinquishing mother. This stress, combined with a powerful grief reaction, can predispose these women to a number of long-term adverse effects” (p. 395)
- “A woman who goes through the birth process and then relinquishes her child is a risk for the additional emotional stress of lifelong grief” (p. 395)
- “The reaction of relinquishing mothers to the loss of their children have profound effects that can last for the lifetime of each woman.” (p. 396)

Carr, M. J. (2000)

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- “all were traumatized by the act of relinquishing their child for adoption” (p. 341).

Crowell (2007)

- 82% of mothers suffered depression after the surrender
- 80% had feelings of inadequacy
- 68% trust issues
- 57% anger

As you can see by the dates, this information has been available to the adoption professionals for some time, but the National Council for Adoption or our friends at Lund here in Vermont are not speaking about how to prevent the initial trauma in mothers by preventing the need for the adoption relinquishment, but rather, only show this concern when the adult adoptee shows a need for their legal documents.

Interestingly enough, this also contradicts all the current research and studies done on Adverse Childhood Experiences, ACE scores, trauma, and healing. Pro relinquishment attitudes such as this also conflict with the Federal Family First Prevent Act. Both research and policy demonstrate that the best outcomes for a child is to be raised within their genetic, immediate family and barring that, a child has a right to live within their genetic and cultural space. All child welfare professionals agree that stranger adoption is the last choice and should only be an option when all other possibilities are exhausted.

You might be under the impression that adoption relinquishment is a choice that some women freely make. There are those who claim that adoption is part of the “reproductive choice” package that a mother is faced with during a pregnancy. We don’t speak of motherhood as an economic status – we speak of it as a choice that women make. But the underlying truth is that women who are poor have fewer choices if any at all. Motherhood is an economic status, or a status defined by “adequate resources.” I would, instead, direct you to the words of historian and author Rickie Solinger:

“When I say that adoption exists on the backs of resourceless women, I am underscoring the class dimension of adoption, and also the racial and gender aspects – the conditions which make groups of women, some in this country and many others around the world, profoundly vulnerable to losing their children. I want to underscore that **adoption, as a social practice, absolutely depends on the existence of groups of women rendered deeply vulnerable** most essentially today because of their poverty. For adoption to take place, there must be groups of women who are so profoundly resourceless that they cannot claim or protect their status as mothers of their own children.”

Relinquishment in adoption actually creates a class of marginalized women, the mothers who lose their voices as well as their children because they do not hold enough power. The now defunct Evan B Donaldson Adoption Institutes research on birth mothers and open adoption, stated that a full 95% of ALL mothers relinquishing to adoption do so due to financial issues. AS If adoption relinquishment was a real option that women opted for out of their own free will and personal feelings towards a pregnancy, then we would see equal numbers of surrenders

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across the economic classes. We do not. It is the poor and resourceless who must find themselves making the calls to adoption agencies. I like to say, the rich do NOT relinquish because they do not have to. This is another example of systemic oppression that is currently continued by the adoption agencies and professionals who purport to speak for mothers. It is literally being acted out here in this very Chamber. I am the only birth mother asked to speak today, yet there are multitudes of professionals who will attempt to speak for me and tell you what I and other birth mothers think, want or need.

No one wants to get hurt. Birth mothers (and adopted persons) are just like everyone else and will avoid pain and suffering if possible. Of course, we don't want to make laws and policy that are known to hurt people. Yet these proposed "protections" for birth mothers actually have the potential to further harm us by not allowing us the opportunity to begin to heal.

Again, we must go to current knowledge about healing from traumas. We are learning that traumatic events affect us in every aspect of our lives. ACES research is showing us that our health, our emotional wellbeing, our weight, our mental health, our life span, heart disease are all affected by the amount of trauma and stress in our lives. Substance abuse and alcohol addictions are now being seen as self-medicating behaviors due to unhealed and unrecognized trauma. Pretty much everything that ails us as human beings can be traced back to early childhood and subsequent traumas. I am not sure why the social workers at adoption agencies aren't parroting this knowledge like the rest of the professionals in the field do. Separation is a trauma for both mother and child even if we call it adoption.

We are also finding that the best, if not only, way to heal trauma is through connection to another caring human being. When others enable a birth mother to live in fear of facing her child, we are not preventing her pain, we are allowing her to stay IN PAIN. Fear is not a good motivating factor nor should be the conditions on which major decisions are made. Somehow this has gotten twisted up that it's the child that is a danger to her, when it was the removal of the child that actual caused the wound and the only thing that can even begin to heal it, is the connection to he who was lost.

Plus, it bares to be said again, there is no state, no government, no adoption entity, that can promise this anonymity in the days of DNA testing. Continuing to tell mother that she can hide from her child for whatever reason is a lie. Neither a redaction of her name or a sealing of the record can prevent the DNA from finding its own. It is a false promise that no entity can keep.

I will further expand on this concept of birthmother safety and wellbeing as proposed by agencies. In the adoption narrative, we accept the mothers reasoning for surrendering her baby believing and trusting that she knows best. She might have some very legitimate reasons. Perhaps she is homeless. Perhaps she has other children to care for and not enough money. Perhaps she is in an abusive relationship and needs her partner gone, or one less tie to him, or just desires to save the child form that environment. Perhaps she has substance abuse issues or her mental health is not well. Perhaps a combination of all of them and more. We applaud when she gives up her baby, saving it from her personal struggles and rejoice for the baby's bright future now with privileged parents.

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Yet, if we care so much about her possibly getting hurt by the thought of her grown child contacting her or learning her name, why are we not concerned that we take her child and then put her right back into the terrible situation the child had to be saved from? Why are the agencies and other caring professionals not attempting to get her out of the homeless shelter, with her child, and into supportive housing? How come we allow her to go back to the abusive relationship without providing more assistance? How can we take the youngest child to a new home and then leave her in poverty with her other children struggling? Is one child's life worth more than the other? The actions of many adoption professionals and agencies that are in the business of promoting adoptions seem to have a definitive double standard where "preventing harm" to birth mothers only matters after a business transaction has been successfully completed and the transfer of parental rights is permanent.

I am a birth mother. I relinquished my first born son to adoption in 1987 when I was 19 years old. I was told by the adoption professionals that I was strong and selfless and a loving mother because I was willing to sacrifice my own feelings for the betterment of my child. The truth was that I was taken advantage of by my much older employer and then I protected him with lies, my silence and the relinquishment of our child. The agency was happy to help me by taking my child. I was not assisted, nor encouraged, nor empowered to stand up to him and advocate for myself or my son. Likewise, my agency knew my mother was mentally unwell, but was happy to take my child and send me back to her. Sadly, I followed along and became a typical birth mother statistic, spending over 20 years in an abusive marriage afterwards partly due to the harm caused by the relinquishment. And just like the adoption taught me in 1987, to enable and protect the bad behavior of my son's father, I continued to enable and protect my abusive husband after he ruptured my spleen and almost killed me in 2002. I spent the next 20 years living in fear of him.

What saved me was actually my son. The one who was adopted. The one who the agencies claim I need protection from.

Thank you.

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