

HARRISBURG TESTIMONY

Representative Watson, Members of the Committee. Thank you for the opportunity to speak to you today in support of HB 162.

My name is Carolyn Hoard. I was born in Norwood, PA and now reside in West Grove, PA. I have been a member of the American Adoption Congress since 1998, a past president of the organization, and currently a member of its Legislation Committee. I am the mother of 5 sons and daughters, only one of whom does not have his original birth certificate (OBC) because I am a mother who placed my son for adoption in 1964. Despite the fact that I shamed my family by having a child out of wedlock, moved a thousand miles away so the neighbors wouldn't learn about my pregnancy, and gave away my own child, I have my original birth certificate from Harrisburg. My son, who did not choose to be born or choose to be given away, who did nothing wrong other than be born to an unwed mother, is treated differently than his siblings. Of my 5 children, he is the only one who does not have a copy of his original birth certificate simply because he is adopted. My son was born in Florida, another sealed records state. But had he been born in Pennsylvania, the result would have been the same – he would have been denied access to his own birth certificate. Despite requests to Catholic Social Services, the Division of Vital Records and the court in Palm Beach County, FL, my son passed away at the age of 37 without ever having received his birth certificate. Pennsylvania-

born adoptees pass away day in and day out without ever seeing their original birth certificate.

Opponents of this bill will tell you that birth parents were promised confidentiality when they signed the relinquishment papers. This is not true!! There is nothing in the relinquishment papers signed by mothers that promised us confidentiality from our own sons and daughters. A few years ago the attorney for the American Adoption Congress contacted the National Council for Adoption and requested copies of any relinquishment papers signed by birth mothers that contained promises of confidentiality. None were produced. I challenge anyone here today who opposes this bill to produce one document wherein a birth mother was promised confidentiality in writing. It simply does not exist. On the contrary most papers take away from the birth parent any right to the child. Now when that child is grown, opponents seek to bestow on us rights we never had or asked for. In addition, court decisions in Tennessee and Oregon have confirmed that there was never an absolute guarantee of birth parent confidentiality in any adoption. “To the extent that adoption professionals might have verbally made such statements, courts have found that they were contrary to state law and cannot be considered legally binding.” (*For the Records: Restoring a Legal Right for Adult Adoptees*, p. 3, Evan B. Donaldson Adoption Institute).

Until 1984 adult adoptees born in PA were treated fairly and exactly the same as every other PA-born person. They were permitted to apply for and receive their original birth certificate. In 1978 the Office of the Pennsylvania Attorney General issued an Official Opinion stating that the “Division of Vital Statistics of the Department of Health is mandated by law to continue making certified copies of their original birth certificates available to adoptees who have attained majority and are not incompetent.” However, after years of trying, Rep. Steven Freind finally convinced the General Assembly in 1984 that pregnant women would opt to have an abortion if they thought their son or daughter could search for them 21 years later. Rep. Freind’s argument has been proven to be untrue in the states that have allowed access. In Oregon where adoptees have had access their OBC since 2000, abortions have declined 24.6%. The law also changed in Alabama in 2000 and abortions dropped 9.6%.

Two states, Kansas and Alaska, have never sealed adoption records. In the last 10 years, four states – Oregon, Alabama, New Hampshire and Maine – have updated their laws to allow unrestricted access to the OBC. In this 10 year period, over 20,000 adult adoptees have received their OBC. Delaware’s adoption law changed in 1999 and 841 adoptees now have their OBC. Illinois changed its law in 2010 and over 8,600 adoptees have received their OBC. The Rhode Island law took effect in July 2012 and in that one year 759 adoptees have received their OBC.

“Adopted persons are the only individuals in the United States who, as a class, are not permitted to routinely obtain their original birth certificates.” (*For the Records: Restoring a Legal Right for Adult Adoptees*, p. 3). The adopted person’s need to receive their OBC does not reflect negatively on their adoptive family; it is simply a desire to know who they were at birth, what nationality they really are, what name they received at birth. It is a basic human need and one which the Commonwealth of PA has denied them since 1985. At least two members of this Body are treated differently from other members of the House simply because they are adopted. The original birth certificate is considered a legal document, a factual snapshot of the beginning of a person’s history. It belongs to the adopted person! As a birth parent who placed a son for adoption, I support HB 162 and I urge you to do the same.

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