



Support, Information, and Advocacy for Foster and Adoptive Families

LEGISLATION TO ALLOW ADOPTEES TO ACCESS THEIR ORIGINAL BIRTH CERTIFICATES

***Testimony Before New York State Assembly Committee on Health In Support of Assembly Bill A909
That Would Allow an Adopted Person Who is at Least 18 Years of Age to Obtain From the
Department of Health a Copy of His or Her Original Birth Certificate Which Includes Identifying
Information of the Birth Parents Such as Their Name and Address at the Time of the Adoption
and/or A medical History Form if Available.***

New York City, Friday January 31st, 2014, 10 A.M., 250 Broadway Room 1923

Testimony by Pat O'Brien, President, New York State Citizens' Coalition for Children

Good Morning. My name is Pat O'Brien and I am here representing, as its President, the NYS Citizens' Coalition for Children, an advocacy group that educates and advocates for New York State adoptive and foster parents and the children they adopt and foster.

We at NYSCCC strongly believe that all adult adoptees should have fair and equal access to their original birth certificates and we believe that this is the fundamental civil rights issue of our time because by denying the adoptee access to his or her original birth certificate means that the law treats the adoptee differently than the non-adopted person.

The original birth certificate is of significant emotional importance because it is the first document issued to an individual. If you were not adopted, this would have never had occurred to you. You always had access to your original birth certificate with your accurate information written on it. The amended birth certificate does not carry the same significance as the original birth certificate the rest of us have access to because it comes later and has information that has been altered. The amended birth certificate evidences the adoption and not the birth link between the adoptee and the biological parents. The OBC for the adoptee is actually a legal lie. Should an adoptive parent not want their child to know they are adopted, the amended birth certificate does not in any way indicate to the adoptee that they were adopted. It has the names of his or her adoptive parents in the category where their birth parents name should be. And there is absolutely no indication to the adoptee that his adoptive parents are not his birth parents if they have so chose not to inform him he is adopted. Denying access to the original birth certificate discriminates against the adoptee based solely on how they entered their family. And as many of have come to understand, adoptive parents do not replace birth parents. They are an addition to birth parents.

Many adoptees report feeling a sense of confusion, emptiness, and loss as the result of being denied access to their original birth certificates. Denying access complicates the formation of the individual adoptee's identity and sense of personal history. Allowing adult adoptees access to their original birth certificates helps alleviate the shame and secrecy associated with adoption. To have one's original birth certificate hidden from one

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implies there is something shameful about it. Allowing access removes the aura of secrecy and gives the adopted adult the truth in the form of a tangible legal document which can be used to understand his or her identity.

We now have enough evidence from States such as Illinois, Alabama, Kansas, and Oregon granting access to original birth certificates does not increase abortion rates or diminish adoption placements. In fact, we believe original birth certificates strengthens adoptive relationships because it will decrease the number of neurotic adoptive parents who will only adopt a child if they, and ultimately their grown adopted children, are guaranteed to never have access to any of their original birth information. Who would ever want that for their child? Only grown-ups who put their child's needs second to their own, that's who.

Also, data from these States indicate that very few birth mothers ask not to be contacted, and also very few adoptees actually contact their birth parents as a result of receiving their original birth certificate. Most adoptee's goal is the information and sense of identity and not to reunite or disturb family relationships.

For far too long adult adoptees in New York State have been denied the basic right to their birth information and the potentially life changing information that can come with it. The NYSCCC is part of a coalition of adoption agencies, birth parents, adoptive parents, and adoptee rights advocacy groups from across the State and we ask you to support Assembly Bill A909 that would restore and grant adult adoptees access to their original birth certificates and the critical information that is maintain therein.

Respectfully Submitted By

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