

From: Judy Foster <jfoster7@optonline.net>
Sent: Monday, March 03, 2014 11:17 PM
To: Sen. Gerratana, Terry; Reid, Terri
Cc: PHC Testimony; Sen. Gerratana, Terry; Rep. Johnson, Susan; Senator Slossberg; Rep. Miller, Philip; Sen. Welch, Jason; zRepresentative Prasad Srinivasan; Sen. Musto, Anthony; Sen. Kane, Rob; Rep. Alexander, David; Rep. Arconti, David; zRepresentative Whit Betts; Rep. Conroy, Theresa; Rep. Cook, Michelle; zRepresentative Christopher Davis; Rep. Demicco, Mike; zRepresentative DebraLee Hovey; zRepresentative Themis Klarides; Rep. Maroney, James; zRepresentative Jason Perillo; Rep. Riley, Emmett; Rep. Ryan, Kevin; Rep. Sayers, Peggy; zRepresentative David Scribner; Rep. Tercyak, Peter; Rep. Widlitz, Patricia; zRepresentative Melissa Ziobron; Rep. Zoni, David
Subject: Catholic Dioceses Agree Allowing Adoptees to Obtain Their Original Birth Certificate Has No Negative Consequences
Attachments: CATHOLIC_DIOCESE_POS_ON_ADOPTEE_ACCESS_TO_OBC_CONN.pdf;
Support_Letter_to_Senator_David_Shafer_from_CCA.pdf;
Ohio_testimony_Catholic_Conference.pdf

Subject: Catholic Dioceses Agree Allowing Adoptees to Obtain Their Original Birth Certificate Has No Negative Consequences

Dear Senator Gerratana,

Attached is a summary of research done to understand the position of Catholic Dioceses in those states that have either passed, are considering legislation or have always allowed adoptee's to access their original birth certificates (OBC). Letters of support written by Catholic Charities in Atlanta, Georgia and the Catholic Conference of Ohio in support of adoptee access to their original birth certificates are attached for your review. **Please add the attached documents to the testimony in support of HB 5144.**

After reviewing the attached information, it will be clear there have been no negative consequences to adoption after passing adoptee access to original birth certificates legislation in any state that has restored the **human right** for adult adoptee's to obtain their original birth certificates.

House Bill 5144 legislation presently in the Public Health Committee is almost identical to the legislation that was passed in New Hampshire (2004), Maine (2007) and Rhode Island (2011). Legislation that would restore the right for adult adoptee's 21 years of age born or adopted in Connecticut to obtain their OBC.

This bill is about restoring the **human right** to adult adoptee's and to be treated just like everyone else in the state of Connecticut, the right to go to the Vital Records Office and obtain a copy of their original birth certificate. I urge the members of the Public Health Committee to support the passage of this important human rights legislation.

Members of the **ACCESS CONNECTICUT** believe it's time for the Connecticut legislature to listen to their constituents and restore the **human right** for Connecticut born adult adoptee's to obtain copies of their original birth certificates. It was the right thing to do in New Hampshire, Maine and Rhode Island. It's the right thing to do here in Connecticut!

Sincerely,
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Copy to:
Public Health Committee Members



ADOPTION: NO SECRETS. NO FEAR.

March 3, 2014

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(Non-Board Position)*

Chairwoman Terry Gerratana
Room 3000,
Legislative Office Building
Hartford, CT 06106

Subject: Research on Catholic Dioceses positions on the impact to adoption in their states after passing or considering adoptee access to original birth certificate legislation.

Dear Chairwoman Gerratana,

Over the last several years we have spoken with many organizations around the state of Connecticut to understand their position on the adoptee rights bills including HB 5144 that would restore the right for adult adoptees born in Connecticut to obtain a copy of their original birth certificate (OBC). We have been particularly interested in the varying positions of the Catholic Church and have researched the retrospective position of many Dioceses in states that have passed or are considering passing access legislation for all adult adoptees. These states include Oregon, Alabama, New Hampshire, Maine, Rhode Island, Ohio, Georgia and Montana. Two states never closed records to adoptees: Alaska and Kansas.

This letter documents our research and those findings on the retrospective positions of the Dioceses in those states. We have received very positive responses from most of the Dioceses listed below. The Diocese of Anchorage and Diocese of Kansas City are working to provide us with their retrospective position on always allowing adult adoptee access to their original birth certificates.

| | <u>Access law effective:</u> |
|-------------------------------------|------------------------------|
| Archdiocese of Portland Oregon | 2000 |
| Diocese of Birmingham Alabama | 2000 |
| Diocese of Manchester New Hampshire | 2005 |
| Diocese of Portland Maine | 2009 |
| Diocese of Providence Rhode Island | 2012 |
| Catholic Conference of Ohio | 2013 |
| Archdiocese of Atlanta Georgia | Pending legislation |
| Catholic Conference of Montana | Pending legislation |
| Archdiocese of Anchorage Alaska | Never closed records |
| Archdiocese of Kansas City | Never closed records |

Oregon

In 1998, Measure 58, a ballot measure, passed in Oregon restoring the human right for adult adoptees to obtain their OBC. We contacted **Mary Jo Tully, Chancellor, at the Archdiocese of Portland Oregon** to get their retrospective position. Ms. Tully provided this information to us.

"Since the person who was the Executive Director in 1998 is no longer here I did some investigating myself. I believe that we did not take a position on this measure (which passed incidentally) because Oregon has an initiative policy that results in

(continued)

many signature gathering efforts and many, many initiatives. Our policy is to only take positions on those initiatives with a strong religious component. In late 1997, for instance, we were working very hard to repeal the Assisted Suicide Law. Ballot Measure 58 was upheld after being challenged by several birth mothers. Oregon's open records policy has been in effect since the summer of 2000."

Mary Jo Tully

Alabama

In 2000, Alabama Governor Don Siegelman signed into law HB-690, a bill that allows adult adoptees unconditional access to their original birth certificates and other documents in their files held by the Department of Vital Services. We spoke with Tom Cook D.S.W, Director Catholic Family Services at the Diocese of Birmingham to get his retrospective position on the passing of adoptee access legislation in Alabama. **Mr. Cook clearly indicated that the Diocese of Alabama supported the passage of HB-690 in 2000.**

New Hampshire

In 2004, while adoptee access legislation (SB335) was in the New Hampshire legislature, the Diocese of Manchester did not support this legislation. We recently spoke with Joseph Naff, Director of Clinical and Family Services of New Hampshire Catholic Charities. He indicates **"that although several birthmothers contacted the Catholic Charities Office concerned about the passing of SB335, there have been no problems or no negative impact to adoption since the passing of SB 335."** Additionally, Steve Wurtz, Registrar on New Hampshire Vital Records and Jack Lightfoot, former Director of Advocacy Child and Family Services, indicated they had no knowledge of any problems or lawsuits as a result of passing adoptee access to their original birth certificate legislation in New Hampshire.

Maine

In 2005, while adoptee access legislation was in the Maine legislature, the Diocese of Portland did not support this legislation. In 2010, we spoke with Mr. Marc R. Mutty, Director of the Office of Public Affairs for the Diocese of Portland to get his retrospective position on the passing of adoptee access legislation in Maine. He indicated **"from his perspective, he knew of no particular problems or complaints that have resulted from the implementation of this law and they were pleased with this outcome."** Additionally, Donald R. Lemieux, former State Registrar and Director of the Office of Data, Research and Vital Statistics and former State Senator Paula Benoit both indicated they had no knowledge of any problems or lawsuits as a result of passing adoptee OBC access legislation in Maine.

Rhode Island

In Rhode Island, we spoke with Mr. Michael Guilfoyle, Communications Director, and Father Bernard Healy, Government Liaison for the Diocese of Providence to get their position on adoptee access to their original birth certificate legislation. In 2009, they indicated that they would be taking a neutral position on this legislation, a position which they held through 2010 and 2011. On July 1, 2011, Governor Lincoln Chafee signed into law Rhode Island Senate Bill 0478 Sub A restoring the human right for adult adoptees to obtain their OBC. Several weeks after the bill passed, we spoke with Father Healy to ask him why the Diocese of Providence had taken a neutral position on this legislation. He simply stated that **"this was not a fundamental issue for the Diocese of Providence"** and that they did not need to oppose this type of legislation.

Ohio

On December 19, 2013, Governor John Kasich signed HB 61/SB23 into law restoring adult adoptee access to their OBC. The Catholic Conference of Ohio supported the legislation. The following statement was provided by Jim Tobin, Associate Director, Department on Social Concerns.

(continued)

"We acknowledge and affirm that providing adopted adults access to their original birth certificate is not only good practice, but also, more importantly, the right and just thing to do. Legislation allowing such access, while establishing a way for birth parents to state their contact preference (which could include 'no contact') has been shown to work in other states. Similar provisions in HB 61 and SB 23 seek to balance the privacy concerns of birth parents and the identity rights of adoptees." The statement from the Catholic Conference of Ohio is attached to this email.

Georgia

Catholic Charities of Atlanta has provide a letter of support for access to birth certificates for adult adoptees stating that *"Being a Georgia Association of Licensed Adoption Agencies associate member, we have worked with Representative Buzz Brockway to bring HB 748 to the General Assembly because we believe strongly that Georgia-born adult adoptees should have their civil right to obtain a copy of their Original Birth Certificate (OBC) restored to them."* The complete letter from the Catholic Charities to the Georgia Legislature is attached to this email.

Montana

On March 21, 2013, Moe Wosepka, Director of Montana Catholic Conference, testified in support of SB 384 on behalf of the Bishops in the two Diocese of Billings and Helena and Rosemary Miller, Director of Montana Catholic Social Services saying, *"We stand in support of access to original birth certificates for adult adoptees."* Listen here at 1:16:00: http://montanalegislature.granicus.com/MediaPlayer.php?clip_id=2541&meta_id=34827

As you can see from our data, there hasn't been any negative impact to adoption, no lawsuits or any problems in any of the states that have passed access to OBC legislation. The Diocese of Manchester, New Hampshire and the Diocese of Portland, Maine, which opposed the original legislation, indicated there have been no problems after their states passed access legislation. The representative from the Diocese of Portland indicated that they were pleased with the outcome.

The two dioceses that remained neutral or did not oppose access to OBC legislation, (the Archdiocese of Portland Oregon and the Diocese of Providence, Rhode Island) indicated that this was not a fundamental issue for their dioceses.

The Diocese of Birmingham Alabama, Archdiocese of Atlanta, Georgia, Catholic Conference of Ohio and Catholic Conference of Montana have publicly acknowledging their support for restoring the human right for adult adoptees in their states to obtain their original birth certificates. To our knowledge, the Atlanta and Ohio statements of support are unmatched by any other Catholic organizations in America.

In closing, we hope the Connecticut legislature and Governor Malloy will consider the retrospective and current positions of the dioceses discussed in this report while considering HB5144 . It is clear from reputable sources in other states that passing access to OBC legislation will not have any negative effects to adoption in Connecticut. We hope this information will help the Connecticut legislature support this important human rights legislation. Please do not hesitate to contact me for any additional information or for any questions you may have.

Sincerely,

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Diocese contact information follows

Research on Catholic Dioceses positions – 4

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**Catholic
Charities**
Atlanta

Providing Help. Creating Hope.

February 8, 2012

Senator David Shafer
421-F State Capitol
Atlanta, GA 30334

Re: HB 748

Dear Senator Shafer;

I'm reaching out to you as the previous adoption director of Catholic Charities Atlanta and current Manager of our Post Adoption Services to please help us support HB 748. We hear from the Georgia Association of Licensed Adoption Agencies (GALAA) and the American Academy of Adoption Lawyers all the wonderful work you have done in the name of Adoption. I would like to borrow some of your time by having you read some of the background on HB 748.

Being a GALAA associate member, we have worked with Representative Buzz Brockway to bring HB 748 to the General Assembly because we believe strongly that Georgia-born adult adoptees should have their civil right to obtain a copy of their Original Birth Certificate (OBC) restored to them. , when a child is adopted the child's OBC is replaced with an amended birth certificate showing their adoptive parents as their parents and changing their name to the name given to them by their adoptive parents. The adoptee's OBC is then sealed, pursuant to legislation passed by the General Assembly in 1941. Currently an adoptee's OBC is *only* available "upon order of a court of competent jurisdiction."

We believe it is important to know the reason for the 1941 legislation, because only then can you know if it is appropriate to change the current law. The 1941 General Assembly sealed the records to protect the "*bastard*" child, and the adoptive family, from embarrassment and ridicule (today we would say it protected them from "bullying"). Well as you know, the term "*bastard*" no longer appears in the Georgia Code (in fact, it was replaced with "*illegitimate*" and that term was replaced with the current "*born out of wedlock*"). Gone also is the stigma associated with an out of wedlock birth; therefore, it is no longer appropriate that an adult adoptee has to obtain an order from a court of competent jurisdiction to be able to obtain a copy of their own birth record. Other states have unsealed adult adoptee's OBC's and litigation in those states has confirmed that a birth parent has no privacy right that would be violated by the disclosure to the adult adoptee of their OBC. After all it is a record of adoptee's birth.

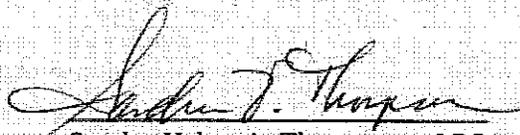
You may also hear from representatives of GEAR - Georgians for Equal Access to Records and the American Adoption Congress asking you to support HB 748 as there is a large grassroots effort to get Georgia's law changed this year.

Simply put HB 748 will restore the right to Georgia-born adult adoptees to obtain a copy of their original birth certificate (OBC) by merely paying the standard fee to Vital Records; like anyone else born in Georgia can do.

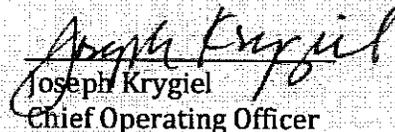
This type of legislation is supported by national organizations such as the American Adoption Congress, Concerned United Birthparents, the Evan B. Donaldson Adoption Institute, National Association of Social Workers (NASW), Child Welfare League of America (CWLA), and the North American Council on Adoptable Children (NACAC). Locally it is supported by GALAA - the Georgia Association of Licensed Adoption Agencies, and by GCAL - the Georgia Council of Adoption Lawyers, in addition to GEAR - Georgians for Equal Access to Records.

We believe that you would agree with us, that every adult adoptee should have the right to obtain a copy of his own original birth certificate, should they so desire. We graciously thank you for your time and support.

Sincerely,



Sandra Valencia Thompson, LPC
Manager of Clinical Services



Joseph Krygiel
Chief Operating Officer



Adoption Birth Records: HB 61 & SB 23

Catholic Conference of Ohio

March 13 2013

The Catholic Church in Ohio has a long-standing history of facilitating adoptions and accepting permanent surrenders.

In examining HB 61 & SB 23 with each of our diocesan adoption directors, the Catholic Conference of Ohio concludes that the proposed provision of a contact preference form is a helpful compromise regarding the access to an adoptee's birth records. We add our support for HB 61 and SB 23.

We acknowledge and affirm that providing adopted adults access to their original birth certificate is not only good practice, but also, more importantly, the right and just thing to do. Legislation allowing such access, while establishing a way for birth parents to state their contact preference (which could include "no contact"), has been shown to work in other states. Similar provisions in HB 61 and SB 23 seek to balance the privacy concerns of birth parents and the identity rights of adoptees.

In the past, our Conference's struggle was over ways to balance the competing interests of both the birthparent and the adopted person. Between 1964 and 1996 our programs did indeed follow state law and inform birthparents that their anonymity would be protected, and the original birth certificate of their child would be sealed. In 1995 the State enacted, what at the time, was hoped to be a reasonable and workable compromise that affirmed the current mutual registry and created the "open unless closed" prospective provisions. It has now become apparent that the mutual registry has not worked well. In addition, societal attitudes and adoption search options have changed with the times. Persons are being found. The contact preference provisions will provide an option for both the birthparent and the adoptee who prefer not to be contacted should they be found.

The Catholic Conference of Ohio is pleased to support HB 61.

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