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Adoption-records advocates to protest in Philadelphia

By Jeff Gammage

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Michelle Edmunds was born in Chicago, placed in foster care as a toddler, adopted at 10, and raised in Canada.

It took her years to find her biological mother, and a decade more to locate her father, because she faced a particular impediment to search:

Unlike everyone else born in the United States, people who were adopted are commonly denied access to their original birth certificates.

The effort to open those records - closed in 44 states, including Pennsylvania and New Jersey - constitutes what adult adoptees call the nation's last civil rights battle. Today, that fight comes to Philadelphia, when adoptees from around the country are expected to convene and protest at the National Conference of State Legislatures convention.

"Why is it against the law for me to know who my people are, who my cousins are?" asked Edmunds, 46, host of "The Adoption Show," a Canadian podcast and Web site.

Today that question stands at the fore as adoption becomes more common. Access to birth records ranks among the most controversial and emotional issues in the field.

For many adoptees, the desire to obtain their birth certificates is separate from deciding whether to search for biological relatives. They feel that, as a specific class of Americans, they're being discriminated against.

In the United States, Depression-era laws created "amended birth certificates" that replaced the names of biological parents with those of adoptive parents, symbolic of a time when adoption was a shameful secret for all involved: for unwed mothers, scorned by society; for adoptive parents, unable to conceive; for the children, bastards in a society that prized marriage.

At the time, experts believed that permanent separation was best for everyone.

But during the last 50 years, adoption has become an event to be celebrated, not hidden. Openness and contact among birth parents, adoptive parents, and children now are typical.

Yet, though society has changed, the laws generally have not. And many respected, well-known national organizations oppose giving adoptees access to birth records.

"We support open adoption, but not open records," said Chuck Johnson, chief operating officer of the National Council for Adoption, a well-known advocacy and policy group. "There are people who believed, in generations past, that their rights of privacy were protected. It's not right to retroactively take that away from them."

Providing original birth certificates means adoptees could contact birth parents without invitation or warning, Johnson said. And that could disrupt lives. Some women never told their husbands that they surrendered a child. Others want nothing to do with children conceived through rape or incest.

The council would support a system in which contact would be mutually agreed upon and arranged through a government intermediary registry, he said.

In the meantime, others share the council's stance.

The antiabortion National Right to Life opposes granting access to birth information, as do some chapters of abortion-rights Planned Parenthood. Some ACLU chapters are opposed, citing privacy rights.

Privacy clearly is a concern.

In New Jersey, an Atlantic City woman is suing the state for \$1 million after being approached by a daughter she surrendered 30 years ago, a child conceived by rape, according to the Philadelphia Daily News. She claims state authorities provided personal information that enabled her daughter to show up at her door.

New Jersey has long been a battleground, with such people as State Sen. Diane Allen and celebrity adoptee Darryl McDaniels of the hip-hop group Run-DMC lobbying for openness. The state ACLU, Bar Association, and the Catholic Conference have pushed to keep records closed.

The latest open-records bill passed the Senate in 2008 but failed to reach the Assembly floor.

If the fight for access is the last civil rights battle, it's going awfully slowly. Alaska, Oregon, Kansas, Alabama, New Hampshire, and, this year, Maine are the only states where adult adoptees have unrestricted access to their original birth records.

"These [bills] have just died in committee in so many states," said Ann Fessler, author of *The Girls Who Went Away*, the story of single women compelled to surrender their babies in the age before legal abortion. Legislators often hear "conflicting kinds of reports about what was promised to birth mothers, and they think, 'Leave well enough alone,' " she said.

But it's often unclear exactly what was promised by whom and whether those pledges have any legal validity. Moreover, Fessler said, the reality is that many adoptees and birth parents already are searching for one another, aided by the Internet.

Some come away with new extended families. Others find nothing. Some spend years working through painful pasts with relatives they barely know.

"Questions come up a lot in relationships. Adults can work them out," Fessler said. "The government should not be involved in building walls against certain people meeting each other and knowing each other."

About 100 adoptees plan to attend the Philadelphia protest, sponsored by the Adoptee Rights Coalition. They are to gather near Independence Hall and march to the Convention Center to meet with legislators.

They intend to point out that adoption records haven't always been closed.

In the early 1900s, states stamped "illegitimate" on the certificates of children born to single mothers. That stigma led authorities to seal those certificates, but only until adoptees reached adulthood.

After World War II, states began to seal records permanently based on the recommendation of social-work organizations that considered a complete break between parent and child emotionally beneficial to both.

Advocates of openness say that today more than feelings are at stake. Finding biological relatives can provide important health information.

Cathy Robishaw's search for her birth mother led not to a joyful or sad reunion, but to a death certificate. Later, when Robishaw developed symptoms of the same type of cancer that killed her mother, she knew not to dismiss what her body was telling her and seek medical help.

"Ultimately," said Robishaw, who led the charge that opened records in Maine, "getting one's original birth certificate isn't about medical history and it isn't about reunion. That piece of paper belongs to me."

Adult adoptees will tell you: It's not that they don't love their adoptive parents. They do. Or that they want to hurt the people who raised them.

them. They don't.

They want to learn how they came to be, to see whether they have biological brothers or sisters. Information as basic as a surname tell them something about their origins.

Edmunds, the Canadian podcast host, found her birth mother in 1996, eight months before the woman died. Ten years later she found her father in Wyoming. He wants to move to Canada, but Edmunds can't sponsor him because she can't show they're related: Her birth certificate is sealed in Illinois.

"The government needs to stay out of our business," she said. "Who are they to tell me who I can have a relationship with?"

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