

Senator William C. Smith, Jr., Chairman, Senate Judicial Proceedings Committee, Maryland General Assembly

RE: SB0331

Dear Chairman Smith and Members of the Committee:

Thank you for hearing testimony on SB0331. I am Joanne Wolf Small, an adult adoptee, clinical social worker, author, and practicing psychotherapist licensed and certified by the Maryland State Board of Social Work examiners. Though born and adopted in IL I have lived the past 50 years in Montgomery County, and Worcester County. I urge you to vote yes to pass SB0331.

I first testified here in favor of an open records bill in 1979. Sponsored by Delegate David L. Scull. Sponsors introduced a similar bill in the Senate. I came as a co-founder of Adoptees in Search (AIS). Our members comprised the first generation of adoptees to come of age and discover that most states, including Maryland had abrogated our right to our original birth certificates (OBC's). We asked the legislature to restore to people born and adopted in Maryland the same right to their OBC as all non-adopted Maryland citizens. To achieve equality. Nothing less.

Yet, some, testifying in opposition to the same bills had a different take. Waving toward us, a state Senator and adoptive father said, "these kids were born as the result of incest, murder, rape, and robbery". The damage done by opening these records could be "astronomical!" The Washington Post and Baltimore Sun referred to us as "adopted children" and warned passing the bill could "open Pandora's Box". The House and Senate recommended forming a committee for further study. They appointed my colleague Dr. Gordon Livingston as chair. Gordon, a late discovery adoptee and practicing psychiatrist from Columbia MD had testified in favor of the bill.

Then I received an appointment as the first adoptee to the Model Adoption Legislation and Procedures Panel in 1978. My belief that adopted people deserved equal treatment to non-adopted people contrasted with most panel member's interest. They preferred to preserve secrecy, confidentiality, and the status quo. Nonetheless, the preamble to The Model Act read, "The adoption process shall treat all persons fairly, but the principle that adoption is a service for adoptees shall govern where rights are in conflict and compromise is not possible. And, under Title V. Records Subsection d "This subsection provides that the original birth certificate will be opened to the adoptee who has attained majority upon the adoptee's simple request; no court order or intervention is required. Hence the adult adoptee may by right obtain information identifying his birth parents." Still private adoption agencies, adoption lawyers, and parent groups coalesced with The National Counsel for Adoption to defeat The Model Act.

Finally, I presented testimony in 1997 opposing open record bills before The Maryland House and Senate that were so restrictive Adoptees in Search, Catholic Charities, and The Barker Foundation all testified against their passing. Though for different reasons.

The New York state legislature recently passed an equal rights bill. It gives people born and adopted there the same right to their OBC as non-adopted citizens. After voting, each delegate apologized for so long opposing the adoptees appeal for equality. I hope you believe time is right for giving people born and adopted in Maryland the same un restricted right to their OBC's as non-adopted citizens They too seek equality. Please vote yes to pass SB0331. Thank you!