



NEW YORK STATE SENATOR

Velmanette Montgomery

Weprin and Adoptee Advocates Push for Vote on Adoptee Rights Bill

DYLAN CEPEDA April 30, 2019

| ISSUE: **ADOPTEE RIGHTS BILL, ADOPTION, BIRTH CERTIFICATES, CHILDREN AND FAMILIES, ADOPTION REFORM**



PRESS RELEASE

May 1, 2019

CONTACT: Dylan Cepeda (cepedad@nyassembly.gov | 718-805-2381)

Weprin and Adoptee Advocates Push for Vote on Adoptee Rights Bill

ALBANY, NEW YORK – Assemblyman David I. Weprin, adoptee rights advocates from organizations including the American Adoption Congress, New York Statewide Adoption Reform, and New York Adoptee Rights Coalition, as well as adoptees from across the state gathered on Tuesday in the Capitol to call for the passage of A5494, The Clean Bill of Adoptee Rights.

The legislation establishes the right of adoptees to receive a certified copy of their birth certificate upon reaching the age of 18. The bill, which was first sponsored by Weprin in 2011 and currently has 89 co-sponsors, was reported out of the Assembly Health Committee, and now awaits a full vote.

The legislation restores important civil rights to adult adoptees such as their right to access information that non-adopted persons have a legal right to obtain. In New York State, an adoptee cannot access his or her original birth certificate unless the adoptee goes through a judicial proceeding which does not guarantee that access will be granted.

“The right of adoptees to access crucial information about their own lives is a human and civil right. It is time for New York, like many other states, to guarantee adoptees access to their original birth certificate so that they can gain knowledge of their family history and medical background,” said Assemblyman David Weprin. “I applaud the Assembly Health Committee for reporting the bill out of committee and I look forward to the day that the bill passes the Assembly”

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"I am proud to sponsor this bill in the Senate because adult adoptees deserve access to their own vital records just like any other individual. They deserve the right to seek answers about their health, their family history and their heritage," said State Senator Velmanette Montgomery. "I thank my colleagues in the Assembly for passing it out of the Assembly Health Committee and look forward to continuing to push this important issue."

"Access to your personal information – who you are and where you come from – is a human right," said Assemblyman Richard N. Gottfried, Assembly Health Committee Chair. "New Yorkers need their own medical histories in order to make better health care choices. And connecting adoptees and birth parents works; in the overwhelming majority of cases, these reunions are cherished by both parties. I am proud we reported it from the Health Committee today."

"It is time that New York allows adult adoptees access to their original birth certificate. The State of New York should not be in the practice of withholding personal records from any individual," said Assemblymember Robert C. Carroll. "It's time to give all New Yorkers the same access to vital identifying records."

"A birth certificate is something that the vast majority of Americans take for granted. Although the privacy of adopted parents has been a concern in the past, the stigma of adoption has worn off," said Assemblywoman Pamela J. Hunter. "The advent of social media and the wide adoption of DNA databases have also made finding biological parents easier than ever, however, adoptees should not be made to use these methods to determine their heritage and those with fewer resources are less likely to have successful results. As an adoptee myself, I fully support this bill and hope to see it finally enacted."

“Governor Cuomo vetoed discriminatory legislation in 2017 that would have continued to restrict the rights of New York adoptees. In his message as part of that veto, Governor Cuomo requested a better bill from the legislature and ordered a state agency workgroup to study the issue and to make recommendations. The Weprin/Montgomery Bill A5494/S3419, came directly out of that process, and a large bipartisan group of legislators now stand behind it,” said Annette O’Connell, Co-spokesperson of New York Adoptee Rights Coalition & Treasurer of Bastard Nation, The Adoptee Rights Organization. “Almost half of all legislators in the Senate and Assembly, including sixty percent of all New York Assembly members, have signed on to the bill. The time to pass this legislation this session is now 83 years overdue. New York’s experiment in enforcing eternal secrecy over a person’s own personal vital record has proven unworkable, discriminatory, and punitive.”

“Hundreds of thousands of people were born and adopted in New York and tens of millions of families are linked to adoption,” said Gregory D. Luce, Attorney & Founder of Adoptee Rights Law Center. “We are asking for leadership from the governor’s office and from the New York legislature on this issue, which is about basic equality—a basic right to know your own heritage and who you are.”

“As advocates of the civil and human rights of all adoptees, Bastard Nation hopes New York can fulfill the promise demonstrated by Governor Cuomo’s veto of a greatly flawed bill in 2017,” said Marley Greiner,

Executive Chair of Bastard Nation, The Adoptee Rights Organization. “New York needs to end the hidden legacy of shame, fear, and venality by restoring the rights of ALL adoptees.”

“New York has no reason to continue to deny adult adoptees equal access to their original birth certificates. At the Adoptive and Foster Family Coalition of New York, we know that it is normal, natural and healthy for all adoptees to know and understand their biological

connections and history. The Coalition's constituents, a strong block of adoptive parents themselves, overwhelmingly want the same for their sons and daughters. As our state's foster and adoptive family association, we know that true adoptee equality is supported by all in the adoption community – adoptive parents, birth parents, and most importantly, the adopted persons,” said Claudia Corrigan D’Arcy, Director of Outreach and Advocacy at Adoptive and Foster Family Coalition of New York. “Over seven million Americans are adopted and each one has two sets of parents, extended families and untold of descendants who are affected. Six out of every ten people have a personal connection with adoption. This is personal for so many and it is time to end the state’s discrimination of its adopted citizens once and for all. We will continue to support the passage of A5494/S3419.”

“Today, we advocate for the restoration of unrestricted access to original birth certificates for all adult adoptees (A5494 / S3419). We call this “clean” adoption reform. Such laws are working in nine other states and many other nations. As a New York adoptee, myself, I know: Adoptee rights are human rights. And adoptee rights are basic civil rights. Every American citizen, every person anywhere has a human right to know where they came from,” said Tim Monti-Wohlpart National Legislative Chair and New York State Representative of the American Adoption Congress. “But I estimate that New York keeps almost 650 thousand sealed adoptee birth certificates. Ten percent of those come from confidential closed adoptions, like my own. It took me two years, and thousands of dollars, to confirm basic, but vital, information about myself. But some adoptees who seek information, get none. Some die. And this is totally unacceptable.”

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2019-S3419

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
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Establishes the right of adoptees to receive a certified copy of their birth certificate upon reaching the age of 18

February 06, 2019

Signed by Governor

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Do you support this bill?

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