



Bastard Nation: the Adoptee Rights Organization

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TO: Senate Health Policy Committee
FROM: Marley Greiner, Executive Chair
DATE: March 5, 2023
RE: SB870 – Amendments to Florida Safe Haven Law – OPPOSED

Bastard Nation: the Adoptee Rights Organization is the largest adoptee civil rights organization in the United States. We support only full unrestricted access for all adopted persons, to their original birth certificates (OBC) and related documents.

Besides being Executive Chair and co-founder of Bastard Nation, I operate the *Stop Safe Haven Baby Boxes Now* website (<https://stopshbbnow.org/>) that contains over 100 pages of SHBB information including up-to-date legislative tracking, individual state updates, statistics, policy statements from organizations that oppose boxes, critical readings and reports, pictorials, videos, and a frequently published blog. I am considered a national expert in the field of Safe Haven/Safe Haven Baby Box studies and I work with media, academics, and activists.

Bastard Nation opposes SB870 and urges you to reject this bill that if passed will legalize statewide the most severe and dehumanizing form of legalized newborn abandonment possible: Safe Have Baby Boxes.

There is much to say about the Safe Haven Baby Boxes Inc and its movement,

but I will limit this letter to four issues: (1) adoptee objections to baby boxes; (2) the claim for the need for baby boxes in Florida; (3) who benefits; (4) child exploitation.

This letter also includes a bullet point listing of adoptee rights/adoption reform objections to boxes; the names of many of the organizations that oppose baby boxes. I hope to also submit a short list of suggested amendments to SB870 and the state's in-place Safe Haven law, but I am hunting around for language. If I find the correct language, I will email this to the committee before the meeting is held.

Safe Haven Baby Boxes are not adoptee or adoption friendly

Not one single adoptee rights or adoption reform organization in the United States today supports Safe Haven Baby Boxes and their enabling legislation. Last time a similar bill was introduced, in Florida, even the Florida Adoption Council (the state affiliate of the American Academy of Adoption and Assisted Reproduction Attorneys) filed their opposition. I don't know if they have entered an objection this year, but I doubt they have changed their mind.

Yet, Safe Haven Baby Box proponents pretend their boxes are adoptee/adoption friendly. They pretend that we are silent (which we are not) implying that we must approve of Baby Boxes (which we do not). Proponents downplay and ignore individual and organizational opposition from the adoptee rights community.

If forced, box proponents respond to adoptee criticism with incredulity and hostility and the stupid question: “would you rather be dead?” to avoid the issue of anonymous child surrender and adoption ethics.

SHBB's graduate-degreed hotline coordinator and counselor, posted on the Stop Safe Haven Baby Boxes Facebook page. *“I find it completely fraudulent that any of the things written on this page were from adoptee unless ...they have severe mental challenges.”* Since it's not a good idea to pathologize a group of people you like to pretend are your friends, or whose population you plan to increase through unscrupulous methods, the usual retort, when they bother to make one is “they had a bad experience or “they hate adoption.” This is not true.

What adoptee rights and adoptee reform advocates and our allies hate are deceptive newborn adoption relinquishment practices, rooted in shame secrecy, and coercion that lead to drastic permanent solutions to temporary problems and a population of adoptees with no birth records, identity, or history. This is what Safe Haven Baby Boxes do: continue systematic identity erasure and create even more documentless adopted people with abrogated rights.

The State of Florida already upends the rights of adopted people by refusing to recognize the legal right of its state-born adoptees to obtain their Original Birth Certificates, without restrictions or conditions. Currently, the remedy to that injustice, HB473/SB854, roosts in the Florida legislature to restore all Florida-born adoptees the right to their OBCs without impediment. Identical proposals have been introduced for years. They move nowhere but the trash can—another kind of baby box. Shouldn't Florida clean up that mess before it tries to make more mess?

Excuse my rhetorical hysteria but we will not be used to push through programs that are antithetical to our and our adoptee brethren's interests and rights. We are not invisible and will not be rendered so for other people's sociopolitical agendas and social experimentation.

Are Safe Haven Baby Boxes Needed in Florida?

There is no indication that Florida needs the Safe Haven Baby Box “option.” Florida, in fact, enjoys a very low rate of discard. According to statistics maintained by the Florida non-profit, A Safe Haven for Newborns (<https://asafehavenfornewborns.com/what-we-do/safe-haven-statistics>) and by myself independent of that organization, the only discard in Florida in the last 3 years was this year in Polk County. SHBB Inc began to collect their stats in 2017. According to them, a whopping 28 babies have been discarded since then, but A Safe Haven for Newborns tells another story: 8. What's going on? In my opinion, it's called cooking the books.

Two years ago SHBB Inc's founder and CEO testified during hearings for a similar bill to SB870 (baby boxes ended up getting written out of the bill) in the Florida legislature. She became so frustrated at the low number of abandonments claimed by opponents of the bill (apparently decreased numbers are bad!) that she pulled out a sheaf of news printouts she said documented abandonments, read off headlines, and tossed the papers in the air and on to the floor

But what were those cases? I'm an historian by training and have worked for decades with public records and media reports, and I just don't see all those cases. They certainly don't show up on SHBB's social media pages or my own daily searches.

It is important to remember that original Safe Haven laws were passed to decrease the number of newborn discards and death—newborn usually defined as babies up to three days of age and certainly not older than 7 days tops--at the hands of mothers who had concealed their pregnancies and given birth unassisted and in secret outside of a health delivery setting. Advocates were quite vocal that Safe Haven laws were not intended to supersede older-child abandonment cases or cases of child abuse and domestic violence, Yet what do

we see posted on SHBB Inc's social media: cases that do not fall under Safe Haven protocols? Older child abandonment, child abuse, probably accidental injuries and deaths, and occasional abuse of a corpse, and abandoned fetus cases. Or just plain stupid things that parents do.

Is this what is being passed off to the Florida legislature as an abandonment epidemic? I don't know, but it is certainly passed off to the public to create a moral panic in order to create successful a SHBB Inc movement.

So, No. Safe Haven Baby Boxes not needed in Florida.

Who Benefits

Safe Haven Baby Boxes is a ministry. It is a non-profit and a charity. It is a private corporation. Yet, the organization is promoting legislation across the country that specifically benefits its agenda and quite frankly pocketbook. It is not poor. According to its last posted IRS 990 form, it churned in nearly \$1 million in donations. The next one will undoubtedly how more than \$1 million.

The company likes to brag that no taxpayer money goes toward the boxes, True: most of its boxes are funded by donations from individuals, churches, non-profits, and foundation grants, but it also receives taxpayer money.

At the end of last year the New Mexico governor allocated \$330,00 to pay up to a \$10,000 grant per county to obtain boxes; and Indiana allocated \$1 million to assist that state's towns to obtain boxes. I have never seen SHBB Inc make this information public, though it appeared in government press releases and news stories If those windfalls were public knowledge perhaps donations would decrease. I have tried to learn how these funds would be administered, but have received no reply. I suspect through grants. New Jersey which has no law, has a bill to require every new hospital, fire and police station to install a baby box. I doubt they will hold spaghetti dinners to raise the money.

Going Vertical: Sometime back SHBB Inc purchased an office/factory-type building in Woodburn Indiana. According to a recent TikTok post, the company is now manufacturing its own boxes, instead of sourcing out the job. The son of the SHBB Inc CEO is shown in the background assembling a box. Since SHBB Inc seems to be the only source in the country building these boxes, which they patented years ago, and are distributed only through its ministry, this makes any bill to authorize Baby Boxes a vendor's bill that specifically benefits tone company.

Child Exploitation and Abuse

Coming back to adoption and closing: Children who have been boxed in Indiana are routinely paraded around at SHBB Inc press conferences, baby box blessings, banquets, and fundraisers. Come on down....! They regularly appear

on Facebook and Tik Tok.

SHBB Inc has come under criticism for this from even strong supporters who view these dog and pony shows as disrespectful to the children and an invasion of their privacy, even if their adoptive parents approve. These personal appearances are excused away as a means for movement growth. Every event is a publicity stunt to “raise awareness” importantly “raise money” and to push the message to generate more boxings, as if no other options were available. Their mothers are praised as brave and courageous for “saving their child” (from what?) and warned off as dangerous on the other. It's a little hard to hold up this fantasy when SHBB Inc reports that many of the babies that have been boxed are left with baby items and loving letters from their mothers. They say that mothers often call to check on their baby's welfare. One mother is now in an open adoption and another (or perhaps the same mother) volunteers for the organization. Another child has been returned to his mother. Yet these same mothers, they tell us, were a danger to their babies. and would have killed them without the box option. There is no evidence that any life has ever been saved by a baby box. Only a “we just know it.”

This child objectification and exploitation must not be allowed. This is child abuse. Until recently the common explanation for children regarding their adoption was “your mother loved you so much she gave you away.” That never made sense and has done great harm psychologically to adopted people. Imagine what it will be like to hear the new explanation: “Your mother loved you so much that she stuck you in a box in a hole in the wall and walked away and didn't murder you.” Proponents like to say that being put in a box for a minute or so will not be traumatic. I agree with that, but it's what follows that, is. Abandonment is the existential core of adoption, and should not be encouraged and celebrated. I will suggest a remedy to in my Amendment Suggestion sheet

Conclusion

There is much more to say about SB870 but I will stop for now.

SB870 is anti-adoptee; anti-adoption, and anti-family. A permanent solution to a temporary problem. Safe Haven Baby Boxes is an archaic social experiment that will have dire consequences in a few years. Please vote DO NOT PASS on SB870.

I will be happy to talk to any of your about the bill. Thank you!

Bastard Nation is dedicated to the recognition of the full human and civil rights of adult adoptees. Toward that end, we advocate the opening to adoptees, upon request at age of majority, of those government documents which pertain to the adopter's historical, genetic, and legal identity, including the unaltered original birth certificate and adoption decree. Bastard Nation

asserts that it is the right of people everywhere to have their official original birth records unaltered and free from falsification, and that the adoptive status of any person should not prohibit him or her from choosing to exercise that right. We have reclaimed the badge of bastardy placed on us by those who would attempt to shame us; we see nothing shameful in having been born out of wedlock or in being adopted. Bastard Nation does not support mandated mutual consent registries or intermediary systems in place of unconditional open records, nor any other system that is less than access on demand to the adult adoptee, without condition, and without qualification.

Bastard Nation and adoptee rights activists believe the implementation of Safe Haven Baby Boxes:

- Creates a parallel child welfare system that rejects informed consent and a full record of identifying information and social and medical histories of the newborn. Their use eliminates adoptees' right to identity by denying their right to full and original birth and heritage records.
- Replaces professional best practice standards with unprofessional and unethical "relinquishment" by letting parents abandon solely for convenience or out of ignorance with no counseling, paper-signing, or discussion on alternatives such as government and private financial and material assistance for family preservation, temporary foster care, and legitimate adoption planning.
- Denies the non-surrendering parent the right of custody and to rear her or his own child. There is no mechanism in place to prove that the "surrendering" person has the legal right to do so. Abusive, embarrassed, or frightened partners, spouses or family members and even sex traffickers can use drop boxes without consent or knowledge of the (other) parent with no repercussions.
- Disenfranchises natural parents—particularly the non-surrendering parent (usually the father)—their right to due process by eliminating their ability to locate the child; thus denying them knowledge of (among other things) the dependency proceeding to which they are a party. The Putative Father Registry, touted as a safeguard, is useless since records are filed by the name of the mother.
- Creates at-risk adoptions due to possible litigation from the non-surrendering parent or biological family members seeking custody.
- Contravenes the family reunification guidelines of the federal Adoption and Safe Families Act and parts of the federal Indian Child Welfare Act (ICWA) and tribal rights which can cause federal litigation and loss of federal funding for various programs.
- Encourages women to keep problematic pregnancies a secret by discouraging them from seeking family and professional communication, to seek assistance for sexual and physical abuse, mental illness, substance abuse, and social isolation—factors that cause nearly every newborn discard. Studies indicate that once a pregnancy is acknowledged and discussed the chance of discard is almost always abolished.
- Discourages women from seeking pre-and post-natal care and to give unsafe unattended birth.
- Hides crime such as rape, incest, spousal and partner abuse, and trafficking.
- Preys on undocumented and refugee parents who can't or won't seek medical and social services for fear of arrest, deportation, and loss of other children. It forces them to give birth dangerously and secretly and to secretly abandon them if they can't care for them.
- Does not decrease infant mortality rates. as suggested by promoters. According to NIH, the

main causes of infant death are (1) birth defects, (2) preterm birth and low birth weight, (3) Sudden Infant Death Syndrome, (4) pregnancy complications and (5) accidents. Safe Haven Baby Boxes do not address solutions to any of those problems. In fact, the nobody-has-to-know-you-had-this baby ideology of Baby Box promoters exacerbates 1, 2, and 4

There also some practical issues outside of our sphere of interest that nonetheless, should be addressed:

- Box procurement and installation may interfere with state or local law mandating competitive bidding. Safe Haven Baby Boxes, Inc in Woodburn, Indiana, is not only the only the founder and leader of the Safe Haven Baby Box Movement, but the only manufacturer and vendor in the US. Thus, bills to legalize boxes are vendor bills.
- Boxes are promoted as “voluntary” and “free” since they are purchased and installed through local fundraisers at no expense to taxpayers. Once they are in place, however, there is nothing to stop a state or local government from later funding them with public money or making them mandatory. For instance, New Mexico, though it has not passed a Baby Box interested in installation. Indiana, during a special session of the legislature, recently allocated \$1million in grant money, but no other details have been released. For the last few sessions bills have been introduced in New Jersey (which has no Baby Box law) to require all new hospitals, fire stations, and police stations to install Baby Boxes, Those bills have gone nowhere and it is unclear how they would be funded.

Finally the Ohio Department of Health is currently investigating Safe Haven Baby Boxes installed at fire stations due to failure of SHBB Inc and locations to follow SHBB Inc and state protocols and laws regarding upkeep, testing, safety, and location. As of this writing, the state has deactivated two boxes and more may follow.

The causes of infant discard are not addressed by Safe Haven Baby Boxes or the state as a whole:

- poverty
- inability to secure affordable medical treatment and care
- denial or ignorance of pregnancy
- Draconian immigration policy and practice
- substance abuse, physical and sexual abuse
- shame, crime, mental illness, dysfunctional families, social isolation, and poor communication skills.

The following are some adoptee rights organizations and allies on record as opposing SHBB:

Bastard Nation, Adoptee Rights Law Center, Adoptees United, Missouri Open, New York Adoptee Rights Coalition, Texas Adoptee Rights Coalition, Equal Access Oklahoma, Oklahoma Original Birth Certificates for All Adult Adoptees, Florida Adoption Council (Florida affiliate of the American Academy of Adoption and Assisted Reproduction Attorneys), Chicago Bar Association,

National Safe Haven Alliance, Louisiana March of Dimes, Louisiana Partnership for Children and Families, Abrazo Adoption Associates, A Safe Haven for Newborns (Florida), Safe Abandoned Babies, Foundation (Illinois), Against Child Trafficking

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- Replaces professional best practice standards with unprofessional and unethical “relinquishment” by letting parents abandon solely for convenience or out of ignorance with no counseling, paper-signing, or discussion on alternatives such as government and private financial and material assistance for family preservation, temporary foster care, and legitimate adoption planning.
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The truth is that the causes of infant discard are not addressed by Safe Haven Baby Boxes or the state as a whole:

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- Draconian immigration policy and practice
- substance abuse, physical and sexual abuse

- *shame, crime, mental illness, dysfunctional families, social isolation, and poor communication skills.*
-