



Bastard Nation: the Adoptee Rights Organization

PO Box 4607

New Windsor, New York 12553-7845

614-795-6819

bastards.org bastardnation3@gmail.com

TO: Members: Maryland Senate Judicial Proceedings Committee
FROM: Marley Greiner, Executive Chair
RE: SB873/SB912--Safe Haven Baby Box/Newborn Safety Device-- **Submitted**
Testimony: OPPOSE
DATE: February 28,2024

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.

In addition to being the 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 Safe Haven Baby Box 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.

Bastard Nation is absolutely opposed to implementation of Safe Haven Baby Boxes/Newborn Safety Devices in SB873/SB912((and HB1323) bills that encourage a tiny tiny tiny number of Maryland parents to legally and anonymously abandon their newborns for adoption; thus, denying their children the right to their a genuine record of birth, biological family information, history, and social and cultural context.

We are attaching our bullet points of objections and concerns at the bottom of the testimony.

In addition to those points we would like to express four other points:

(1) HB1323 is a vendor bill, for a family-operated non-profit corporation that exploits vulnerable children and their parents and encourages a permanent uninformed solution to a temporary family crisis.

To the best of our knowledge, there is no other manufacturer or seller of baby boxes in the United States than Safe Haven Baby Boxes Inc located in Woodburn, Indiana. As a *de facto* monopoly, the baby box corporation also maintains the benefit of a vertical market over the devices. Not only does it manufacture the boxes, but it also leases them, promotes them, (including elaborate box blessings and press conferences that celebrate abandonment and often feature children who have been left in drop boxes), works to change state laws to install them, controls their installation and use, places limitations on local communications, and further promotes its own free “hotline” as a way to refer people to abandon babies in the boxes. That referral process is obviously a financial conflict of interest that, to my knowledge, is never disclosed to women or others in crisis.

The corporation is also, as of 2022, a \$1.1 million profitable operation that pays corporation founder and CEO Monica Kelsey and her husband (listed on the payroll) at least \$170,000 each year (though these figures are likely even more today). The company also employs Mrs. Kelsey's son. The Kelseys and the corporation obviously have vested financial interests in expanding the baby box empire to every state, and they have specifically stated this as a goal. It has no “competition” for that mission other than traditional safe haven laws and safe haven organizations, which generally do not support installation of boxes and require safe and reasonable face-to-face relinquishments in hospitals or fire stations.

(2) Statistics

There is no epidemic of newborn discard in Maryland. Safe Haven Baby Boxes Inc. reports that since 2017 only six cases of discard have been reported in the state. There are at least 263 traditional safe haven drop-off locations in Maryland.

(3) There is no evidence that Safe Haven/newborn safety devices have saved one single baby.

We believe that the installation of baby boxes, along with the savvy promotion of them —such as public celebration of legal abandonment—does one thing: increases the abandonment of infants. *Of note:* a substantial number of babies left in boxes, according to press reports and SHBB Inc press conferences arrive wrapped in blankets, dressed in diapers, onesies, caps, with toys, and notes from their mothers. SHBB Inc reports that they have regular conversations with some of the moms and one even volunteers for the organization. **No studies have ever been made on boxes, their use, outcomes, and efficacy.** The public and lawmakers are expected to believe the word of the entrepreneurial SHBB Inc vendor.

- (4) **The promotion of boxes diminishes if not overtakes legitimate priorities to provide adequate health care, mental health services, and other community-based supportive services for people in crisis.**

A 2019 study made by the University of Southern California's Keck School of Medicine and Children's Hospital in Los Angeles indicates that the majority of infants surrendered through the state's traditional SH program came from low-income communities. Instead of offering a quick and dirty unethical throwaway "solution" to discard (and extension neglect and abuse) the State of Maryland should extend programs to assist pregnant persons, especially those marginalized groups, with pre-and post-natal care, mental health care, and pro-family and family preservation programs offered by public and private agencies.

Selected list of organizations that oppose Safe Haven Baby Boxes:

Bastard Nation, Adoptee Rights Law Center, Adoptees United, Missouri Open, Texas Adoptee Rights Coalition, Abrazo Adoption Associates (San Antonio), New York 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), Against Child Trafficking, Chicago Bar Association, Louisiana March of Dimes, Louisiana Partnership for Children and Families, A Safe Haven for Newborns (Florida), Save Abandoned Babies, Foundation (Illinois), Indiana Department of Health, Mad Voters—Indiana, Freedom from Religion Foundation.

Please vote Do Not Pass on SB873/SB912 . Thank you.

Stop Safe Haven Baby Boxes Now!

Why We Oppose Safe Haven Baby Boxes

Adoptee rights and adoption reform organizations throughout the United States oppose deceptive relinquishment practices that are rooted in shame and secrecy, lead to drastic permanent solutions to temporary problems, and create a population of adopted people who have no birth records, identity, or history.

We seek ethics, transparency, and accountability in adoption and in related child welfare practices, not band-aid and gimmick solutions to social, political, and mental health problems that cause newborn discards. Contrary to long-standing and established child welfare policies, the use of baby boxes (sometimes called “newborn safety devices”):

- Creates a secretive and shadow child welfare system that eliminates informed consent, a child’s identifying information, and any record of the social and medical histories of newborns. Baby boxes operate to eliminate a child’s right to identity by eliminating accurate birth registrations and records.
- Commodifies infants and normalizes “legal” baby abandonment as a consumer choice, without acknowledging the lifetime psychological consequences for the baby and the mother, including, but not limited to, abandonment issues, shame, guilt, substance abuse, depression, low self-esteem, and suicidal ideation. Boxes represent state-promoted throwaway culture; some critics call them instruments of child abuse.
- Replaces professional best practice standards with unprofessional and unethical “relinquishment” procedures. Baby boxes instead give vulnerable parents a right to abandon an infant out of convenience or ignorance, with no counseling, documentation, or discussion of established alternatives, such as adequate medical care, financial and material family preservation assistance, or crisis nurseries.
- Deprives the non-surrendering parent of the right to rear her or his own child. Baby boxes eliminate any protections to prove that a person using the box has a legal right to surrender the baby. Embarrassed, frightened, or abusive partners, spouses or family members, and even sex traffickers, will use (and undoubtedly have used) baby boxes without the consent or knowledge of the (other) parent, with no repercussions. Baby box proponents dismiss the real, dangerous, and violent situations experienced by women, simply advocating that “if your baby is taken, just call the police.”
- Disenfranchises natural parents—particularly the non-surrendering parent (usually the father)—of 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. State-based Putative Father Registries, touted as a safeguard, are rendered useless since records are filed by the name of the mother who remains anonymous by law.
- Creates at-risk adoptions due to possible litigation from the non-surrendering parent or biological family members who may learn of the abandonment and seek custody.

- Contravenes family reunification guidelines of the federal Adoption and Safe Families Act (AFSA) and dispenses with tribal rights embedded in the federal Indian Child Welfare Act (ICWA), which can also lead to federal litigation.
- Encourages women to keep problematic pregnancies a secret. The promotion of baby boxes discourages family and professional communication and eliminates 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 almost always disappears.
- Hides crimes such as rape, incest, spousal and partner abuse, and human trafficking.
- Promotes and supports the non-profit ministry Safe Haven Baby Boxes, Inc., a million-dollar corporation that controls the manufacture, promotion, sales, installation, and referral of women to baby boxes in the United States. It has created the baby box market and lobbies legislatures, produces boxes at its own factory, installs the devices, operates a hotline that refers pregnant women to box locations near them, and holds press conferences when a newborn is left in a box. Rather than protect legitimate privacy interests of the infant, it uses boxed children as fundraising tools for its ministry.
- Discourages women from seeking pre-and post-natal care, instead encouraging dangerous and unsafe unattended births in the community, outside of a hospital.

Baby boxes do not address the causes of infant discard. Anonymously dropping a baby into a box and walking away does not obviate or solve the root causes of newborn discard/neonaticide, which are:

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

For More Information

Stop Safe Haven Baby Boxes Now
 Marley Greiner
 (614) 795-6819
stopshbbnow.org