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Mr. Chairman, honorable members and guests.

My name is Richard Rinker. I am Nevada born and adopted. My father moved to Las Vegas in 1935. He poured much of the concrete at McCarren Air Field. I am here to urge a Do-Pass vote on SB267 for the following reasons.

An adult adoptee has a constitutional right to receive information about himself. In fact, the Constitutional right to privacy mandates the availability of this information. Granting access to this information does not interfere with any compelling state interest in protecting the adoptive family, nor does it violate the birth parents privacy interests. The birth parents privacy interests are well and fully protected under tort and criminal law.

Any First Amendment claim to access to information must be in harmony with the purposes of the 1st Amendment. The most obvious purpose is the facilitation of the decision making process. In the Yale Law Journal, Volume 72, it was held that facility of individual development is an independent purpose of the 1st Amendment.

Additionally, the US Supreme Court, in Lamont Vs. Postmaster General, 381 US 301 (1965) held that none of the purposes of the 1st Amendment are possible unless not only the right to speak but to receive information is protected. The right to receive is as essential in the personal life of an individual as in his public decision making.

That the 1st Amendment does, in fact, protect the flow of even that information which goes only to individual development is well established. In Stanley Vs. Georgia, 394 US 557 (1969), the Court declared specifically that the "Right to receive information and ideas takes on an added dimension" in the private setting. In Griswold Vs. Connecticut, 381 US 479 (1965) the US Supreme Court held that "The adoptee's assertion that the protection of his right to make fundamental decisions is of little worth unless he is also provided with access to the same information about himself that others enjoy".

These are the constitutional reasons in support of SB267.

Another reason to support SB267 is that there are four groups involved in adoption. Up to now, the concerns of adoption professionals, birth parents and adoptive parents have been heard . It is time, now, to restore the rights of adult adoptees.

THIS EXHIBIT IS 70 PAGES LONG.
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**AFFIRMING THE IDENTITY RIGHTS
OF ALL ADOPTED CITIZENS**

Open Records: In the Public Interest

- **Equal Access** to State maintained vital statistics to ALL Nevada Citizens. Since 1973, the Nevada Revised Statutes have governed discriminatory access practices to adult citizens. One standard for the adopted (NRS 440.310) – another for the non-adopted (NRS 440:650). Restore equal access to Nevada birth information.
- **Best Adoption Practice.** Standards of Excellence in adoption practice dictate openness and honesty to adult adoptees, including release of identifying information. Nevada's DCFS is a member agency of the Child Welfare League of America., who considers adult adoptee access "best practice".
(<http://www.cwla.org/members/members.htm>)
- **Transparency and Accountability** is needed for an under-regulated industry: adoption. Nevada already recognizes the public benefit of records access, in the establishment of the Nevada Public Records Act. (NRS 239 et.seq.) Without accountability to the very families it serves, the adoption industry can hide practices behind a veil of sealed records. Corruption potential and provision of false information is costing money to the State and hardship to citizens. Nevada's recent \$40,000 settlement to the Nolte family for DCFS' failure to provide complete background information and Catholic Charities failure to provide complete and truthful information to the Coy family are but two horrific examples of the cost of sealed records. Since adoption records began to seal, a black market adoption ring operated out of Las Vegas for decades. Don't let it happen again.
<http://www.lasvegassun.com/sunbin/stories/archives/2000/apr/13/510125828.html>
<http://www.lasvegassun.com/sunbin/stories/archives/1996/may/08/504657537.html>
- **Save State Monies**, by eliminating the State Adoption Reunion Registry. In an already limited state budget, repealing a registry with a mere 4.4% success rate makes good fiscal sense to citizens.
- **Let's Be Honest.** Restore truth and dignity to adoption in Nevada. Serve Nevada's families and the public interest, not the special interest groups who financially benefit.