

Statement of Carol Sandusky, Adult Adoptee
Doylestown, Pennsylvania

Testimony Before the Subcommittee on Human Resources
of the House Committee on Ways and Means

Hearing on Adoption Reunion Registries and Screening of Adults Working with Children

June 11, 1998

My name is Carol Sandusky and my address is P.O. Box 1527, Doylestown, which is in Bucks County, Pennsylvania. I am here today in response to the June 1, 1998 letter of invitation I received from Mr. Shaw. I do not have a curriculum vitae. I am here as an adoptee. I am married. I work as a sales representative. My parents, Jeanne and Thomas Sandusky, are here with me today not to testify but to show their support for me and what I am saying.

On the paper that was sent to me was something about Federal government grants and contracts and representing people. I have never received any Federal government grants or contracts and I am representing myself.

I want to start by thanking you for inviting me to come here and tell you my story. I also want to tell you that I am not the only person that feels this way. I may be the only person invited here today but the way I feel is supported by others.

You may ask how I know this and that is a fair question. I know this because I have heard from many people in the years since my case became public. I have been asked to be on many news shows and talk shows and so many people know my story. One of the things that happens when you are on a show is that if the show gets letters or calls they forward them to you. So you know what people think of you or your ideas. The letters I received were almost all in support of my viewpoint. Actually I was surprised that nobody really attacked me in these letters because I certainly was attacked on some of the shows and there have been some nasty things said about me on the internet.

Here is what the count was of my letters. I got 118 letters. I got 46 positive letters from adult adoptees. I got 17 positive letters from adoptive parents. I got 27 positive anonymous letters who did not say whether they were adopted or not. I got 9 positive letters from birth mothers. I got 2 positive letters from birth fathers. I got another 11 positive letters from children who were adopted and I mean little children sometimes, like age 12. I got six letters asking how do I search.

So I feel like I am speaking on behalf of lots of people who do not know I am here but know what I stand for and are on my side.

I think the easiest way to let you know what my story is to give you a copy of the letter that I wrote to the Senators in Pennsylvania when they were considering passing the

Uniform Adoption Act. This is a very complete letter which shows all the troubles I have had and how I got my act together and how upset I was when my privacy was invaded. It was what happened to me that made me write the Senators and tell them why I hope they pass the Uniform Adoption Act.

Here is my letter.

Carol A. Sandusky
P.O. Box 1527
Doylestown, PA 18901

Dear Senator

My name is Carol Sandusky and I am writing hoping to be heard. My experience could have been prevented if we had adoption laws that protected the confidentiality of the adopted person.

At the age of three, I was adopted by my parents. When they adopted me, they were told by the agency that my biological parents had abused me, but I was removed from my birth home at 9 months before much abuse had occurred. They also were told that was all the information they had. In fact, I was taken away from my biological parents due to severe abuse and abandonment. The agency did not disclose the severity of abuse or recommend that my parents seek therapy for me, at the time of my adoption, to deal with the feelings I would have because of my abuse.

As an adolescent, I rebelled!! I was very depressed and out of control. I had many issues I needed to work out regarding adoption. After several hospital placements, a group home placement, lots of love and therapy, I managed to get back on track.

After all this time and therapy, I finally learned to leave my past behind and be thankful for being adopted. However, in 1992, a social worker from the agency where I was adopted, telephoned my parents. She told them my older biological sister wanted to contact me. The social worker wanted my phone number and address. My parents refused, but told her they would gladly give me the message. They told me I had an older sister searching for me. I felt like a bomb had fallen on my family. My parents encouraged me not to be scared. They said they would support any decision I made. I returned the social worker's call. The social worker told me I had an older sister who had been searching for me for a very long time. She stated no other family members were involved in this search. I did not ask for this information and I was in a state of shock. The social worker continued to tell me how my older sister had a need to see that I was okay after having to protect me in my infancy. I was completely taken back and told the social worker I was only interested in my medical history. I also stated I needed time to think, since it wasn't so long ago that I had major problems with adoption issues. The social worker asked for permission to give information to my sister regarding my return call. I said "NO." I really needed time to think. The conversation ended on the terms that

everything was confidential and I only wanted medical information.

Within a week, the social worker called back. This call concerned unsolicited information on my abuse. She related numerous, graphically detailed instances of the abuse. She continued to insist that I should contact my sister. I was then told about my biological mother. She even gave me my biological mother's phone number. I can't tell you the pain I felt. I told her again that I only wanted medical information and told her my past was very upsetting and I didn't need to hear this. The only medical information that she gave me was to tell me cancer ran in my family. The conversation ended with me being very angry.

I called my parents and we cried about the whole situation since this was also the first time they knew the extent of the abuse. I couldn't understand why a social worker would give this information over the telephone. I knew if I wanted to obtain this information, I would have to petition the court to open my file.

My parents and I couldn't believe what was happening. Didn't I have any rights to my privacy? What happened to the confidentiality of my files? My family and I called the social worker's supervisor. Her supervisor said that nothing was done wrong and that my mother and I needed therapy. We contacted the District Attorney to investigate and press criminal charges. We, of course, got nowhere.

One week later, I received a letter from my sister. This letter was devastating. The letter stated that the social worker gave her my address. How did the social worker get my address since I did not give it to her. This was a violation of my privacy. The letter of more information of abuse in our childhood along with a picture of herself.

My family and I called other agencies asking if they gave out confidential information with out permission. hey all told us this behavior was unacceptable. We then contacted a lawyer to investigate the state agency's action and to send out letters telling everyone they may not contact me. Needless to say, much money was spent. I would like to point out that public agencies cannot be sued!! Public agencies should be held liable for any wrong going! Taxpayers should not be putting out money that results in citizens being harmed. Federal tax dollars should not, even in part, be used by state, county, or local social service agencies to invade the privacy of a person they serve.

I then received another letter from my sister along with a 17 page letter that she had received from my biological mother describing terrible abuse, murder, drug use, and abandonment. The envelope also contained the addresses and phone numbers for my biological mother, father, grandparennts, aunt, and sister. A letter from my father was also included. I cannot begin to describe the awful feeling I had and the feelings that resurfaced. I was told things I didn't even remember and did not want to know.

Another letter arrived. It was from my sister giving me reasons why I should not be upset with the social worker. She sent newspaper clippings about how the social worker worked hard to reunite families and how she would use any resource, above and beyond

the law, to complete a search. was also told I needed counseling.

I cannot begin to tell you the disruption and anguish this caused my family and me. This situation is still on-going. We need laws to protect the right to privacy. If you want to adopt a child, you have rights. If you want to put a child up for adoption, you have rights. But, if you are adopted, you have no rights.

Therefore, I thank you for introducing the Uniform Adoption Act this year. This is extremely important legislation for all members of the adoption triad, but I, an adoptee, particularly applaud the "mutual consent" and medical records provisions of the legislation. We must have access to non-identifying medical information. But, we also must be sure that we maintain the right to privacy for those adoptee and birth parents who choose not to be identified and contacted.

I feel very positively and very strongly about the mutual consent provisions of the Uniform Adoption Act. This issue is extremely important and I would be very willing to speak with you personally or in a group concerning these issues. I will do whatever you wish to help you push the UAA and its mutual consent provisions forward.

I have enclosed a copy of my letter to Senator Heckler last year which describes the circumstances of my case to preserve my privacy. Ironically, since my privacy has been invaded, I have had to go public to preserve my right to privacy in the future. Most adoptees and birth parents who desire privacy will not speak out publicly on this issue in order to ensure their privacy right now, as well as in the future.

Please enact S.B. 544 quickly, and in the process, please protect the right to privacy for those birth parents and adoptees who, for good reasons, choose it.

Sincerely,

Carol Sandusky
Adoptee

I think there are some problems you need to know about and do something about because of what happened to me and what has happened to others who cannot come here or even write letters because they want their privacy. It happens all the time but it is hidden. And when people try to do something, like me and my parents did and nothing happens then it discourages other people too.

Problem # 1 is that no state employee and no person should be contacting other people unless they want a contact. We have a right to be left alone. Any law like the one in Pennsylvania that allows people to call up out of the blue should be changed. I know that some of what that social worker did was legal. But some of it was not legal. So that is #

1. No contact unless the other person says they want it.

Problem # 2 is that the social worker lied. Officials who lie should be punished at least by firing. The social worker lied when she said no other family members were involved in the search. How could my birth mother not be searching when the social worker gave me the birth mother's telephone number during the second call. # 2 is if someone who is paid by the taxpayer lies then they at least get fired.

Problem # 3 is that when I asked for medical history the social worker told me all kinds of horrible things that I do not think are medical history. The social worker may think so. But to me if someone calls and asks if you want medical history it should be clear what they mean. Some of us adoptees are young when they contact us. What do we know about some of these things at 18 or even 21? So # 3 is it should be made plain what a medical history means before someone gets permission to unload it on the adoptee.

Before I forget it I want you to know that I am saying I understand how birth parents feel. I am not a birth parent. I think I know how some birth parents feel because I have talked to some since my case became public. I have a good idea how adoptive parents feel because I know how this has effected my adoptive parents and our family and even intruded into my marriage. This is very stressful. So the problems I am listing and the solutions I am suggesting are from the adoptee viewpoint only.

Problem # 4. This was my sister searching. This is a sibling search. What happened to me is that under the disguise of my sister searching it was really more than my sister. My sister gave out all sorts of information about other people. I do not know whether she had their permission. The point is that when you allow siblings to search and be given information without having permission of other family members like birth parents you invade privacy. # 4 would be do not allow siblings to search until both birth parents have also agreed that they want to be contacted.

Problem # 5 was that the social worker did not follow my instructions or wishes when I said I needed more time and wanted things to be confidential. Instead of waiting for me to call her the social worker called me back within a week. She was pushing. I told her I wanted time and she did not give it to me. # 5 should be that once a person says to leave them alone so they can think, they are left alone.

Problem # 6 was the social worker changed from asking if I wanted contact to insisting that I contact my sister. That is not the job they have under Pennsylvania law. It is a search and consent system not a search and insist on meeting system. It is almost like people get a commission if they are successful in nagging someone to call the other party. Rule # 6 should be no insisting. The social worker must be neutral and just convey information and if they break this rule they should be fired.

Problem # 7 was that the social worker gave me my birth mother's phone number. That seems to me to be a real violation of the law. It is a search and consent system not a search and give the other party identifying information system. Again, the rule should be

clear. # 7 is that anyone who gives out identifying information without mutual consent should be fired.

Let me say here that I do not know what the penalties should be for breaking these laws. I am not a lawyer. I do know that if there is no penalty then people will just go ahead breaking laws. That is the case if it is parking or speeding or using drugs or whatever. So I say let the lawyers say what the penalty should be. In my case, my lawyer asked for money damages. The thinking was that if a state or a employee has to pay a big fine that will keep them from doing the same thing to someone else.

Problem # 8 is that some of these people who are so anxious to push information on you now did not give information when they should have. When I called my parents this was the first time they knew about some of the abuse I had suffered. The state held back from my parents information that they should have had. My lawyer is someone who sues agencies that lie or withhold information. My parents have not sued. Maybe they should have for the things that all of us went through and that might have been avoided if the state had just given the information. My point is that if the information is going to be given out after the adoption it sure makes sense to give it out before the adoption because then everyone will know and the state will look like a fool. Rule # 8 is that if there is medical and abuse information that should be shared with the adoptive parents before they decide on adoption. In my case, maybe I should be glad it was not given to them because it might have scared them away from adopting me. But it is not right to keep it back from parents and then give it to the adoptee.

Problem # 9 is that when my parents and I called the social worker's supervisor we were told that nothing wrong was done. Rule # 9 should be that there is no coverup for bad employees who break the law and whoever does the coverup should be fired. In some ways it is even worse when the bosses coverup breaking the law.

Problem # 10 is that the supervisor also told my mother and I that we needed therapy. What an insult! You call someone to complain about breaking a law and invasion of privacy and the social worker puts the blame back on you, calling you mentally unhealthy. I think that sort of behavior is unforgivable and if a public employee insults taxpayers telling them they need therapy that public employee should be disciplined.

Problem # 11 is that when we called the District Attorney to complain and ask him to investigate and press criminal charges we got nowhere. What this means is that not only do people break laws but the people who are supposed to be enforcing the laws do not do so. If someone breaks into your house and you know who did it you can call the police and the person will be prosecuted. Someone broke into our lives and did something more serious than just taking some money or our television set and they got away with it totally. This means to me that adoptees have no rights at all to their privacy. This means to me that we better be careful about laws if the District Attorney will not look into it. I know they are busy with lots of crimes. But this was a crime too and they did nothing. Rule # 11 should be that there should be some automatic penalties for people who invade other people's privacy and hurt their lives, like that social worker did. The rule should

work so that it does not depend on some District Attorney to take action. The rule should allow someone to hire a lawyer and go to court and have the state pay for the costs since the District Attorney will not do his job.

Problem # 12. Next I got a letter from my sister. The social worker had gone ever further and given her my address. This is just plain wrong. Pennsylvania law does not give the state social worker any right to release addresses without permission. Anyone can be stalked once there is an address. How did this sister get my address unless the social worker or someone gave it to her? Rule # 12 should be that whoever gives out addresses or other identifying information without permission should be fired and fined.

Problem # 13. The agency was not acting like other agencies. We called other agencies asking if they gave out information without permission. They said no. We then had to hire a lawyer to send out letters to people telling them to leave us alone. It is terrible to have to spend money to hire a lawyer to defend yourself from government employees and their actions. Rule #13 should be that if you have to hire a lawyer to defend yourself against the state employee and her actions that the state should have to pay for the lawyer fees and all the other costs you run up.

Problem # 14. In some of the other letters that my sister sent she sent newspaper clippings about how the social worker worked hard to reunite families and would use anything above or beyond the law to complete a search. This proves that not only was this social worker breaking the law in my case but the newspapers knew about it and she was doing it all the time. It seems to me that if someone is a habitual lawbreaker, they deserve more harsh punishment. It is like any other crime, where you let off first offenders easier. She was no first offender. Rule # 14 should be that after you do any invasion of privacy more than twice, then the third time you automatically go to jail.

Problem # 15. Laws like those in Pennsylvania that allow people to be contacted by social workers invade the rights of adoptees. We need laws that make sure it is OK with all the parties. That means mutual consent registries. That is why I support the Uniform Adoption Act being passed in Pennsylvania and all the states, because it sets up a mutual consent registry. Rule # 15 is do away with all laws except mutual consent registries.

Problem # 16. I was adopted when I was three and my parents lost custody of me because of abuse. If it is important that people who were adopted as healthy babies by birth mothers and birth fathers who simply put their children up for adoption because they could not handle being a parent, or because they were not married, or for whatever reason, it is important to protect everyone's privacy. But it is even more important to protect the privacy of those of us adoptees who were abused and removed from our parents. What in the world does anyone think is the normal reaction from an adoptee to be confronted with family members when they were abused? Don't they think about the fear this can cause those of us who were abused? Who wants to be meeting with someone who hurt them and in some cases nearly killed them? What about the high numbers who were taken away because of sexual abuse? Rule # 16 should be: no registry or no other system should work in the case of children whose parents had their children removed

from them. That does not mean there should not be some access to non-identifying background information, important medical information. It does mean that once someone abuses a child and they are removed and adopted that's it. The door closes forever. This should also include some of the adoptees who were so hurt and are so sick that they want to get back with their abusers. You can't keep women who were battered from going back to their husbands but you sure can keep from spending government money to help them get back together. In counseling you learn this is enabling behavior. Don't spend taxpayer money on enabling behavior.

Problem # 17. When we finally got to court after a long time and lots of money we found out that you cannot sue the state. I did not know that there is sovereign immunity to protect workers from being sued. So taxpayers and citizens that are hurt by state employees have nowhere to turn. You sue and they tell you they are exempt. This must be changed so that no one can hide from the law. No one should be able to be above the law, not even people in Congress. In fact that is something I do not understand, how they can throw out Congressmen if they break the law and get rid of President Nixon but you can't get sue a state social worker. Rule # 17 should be no one should be above the law or being sued, including a state or a state social worker. People should be held accountable for their actions who ever they are.

Now you may say that since Senator Levin's bill sets up a registry that is national why am I not for it. That is a good question. Many reasons came to me.

First of all Senator Levin's bill does not stop the Pennsylvania law from operating. It does not stop any of the laws from operating that are even worse that Pennsylvania's like Tennessee where they opened records. I thought maybe I would come here and ask Senator Levin to change his law to cancel the laws like we have in Pennsylvania and the other states where privacy is not protected. But then I thought that if Senator Levin could force Pennsylvania to be more careful about people's privacy his law could work the other way too. If some state has a law that protects privacy the federal government could cancel it. That would be very unfair. So I have worries about a federal law on this.

Second I was in New Jersey testifying in Trenton for privacy. I heard the people testifying who were in favor of open records, which they are considering along with a mutual consent registry. The same people who were saying they wanted open records in New Jersey seemed to be supporting Senator Levin's national registry bill. I wondered why that would be until I thought: hey, if it would be easy for a state social worker to get into all the state files and invade the privacy of people it would be really terrible if a Federal social worker could get into every body's file in the whole country. It is bad enough for all that power to be in the hands of a state worker but a Federal worker could cause terrible problems.

Third I looked at Senator Levin's bill and my 16 rules I came up with to protect privacy and the rights of taxpayers. It doesn't seem to me that his bill has these rules. The truth is that his bill doesn't say how it will work except he gives the department of Health and Human Services Secretary the freedom to do what he wants to set it up. I keep thinking

what if the person who is that Secretary is someone like the social worker or the supervisor who mistreated me and my parents, who lied and covered up and who told us we needed counseling because we complained and we refused to be pushed into doing what they wanted. What guarantee is there that this Secretary would not do something as obnoxious and get away with it, like going above and beyond the law? If they can do it in Pennsylvania they can do it anywhere. So I think there needs to be some very strict details put in any law you pass, even if you go against what I am recommending and pass some law to give Federal social workers the right to get into the adoption records business. Make it tight so no loopholes exist. Put in penalties. But I hope you do not pass a Federal law because if it was hard for us to try and get Harrisburg to pay us any attention, just think how hard it would be to get Washington DC to pay us any attention, if we are just ordinary adoptees who are not famous or rich. We would be about as powerless as people are when they come up against the IRS, which you here in Congress have been criticizing for their arrogance and mistreatment of taxpayers.

I now want to close and offer to be of what help I can as an ordinary adoptee who was hurt and who is determined to do everything I can to be sure that nothing like what happened to me happens to anybody else - EVER! I hope you protect our privacy. I hope you prevent people like me and my Mom and Dad from having to cry at the mistreatment. I hope you keep people from having to spend their hard-earned money to hire lawyers to protect their privacy from the government.

Please do not pass Senator Levin's bill. In fact please keep the Federal government out of this altogether.

Thank you very much for allowing me to testify.

Sincerely,

Carol Sandusky,
Adoptee
