



March 12, 2023

The Honorable Beverly Gossage
Chair, Senate Committee on Public Health and Welfare
Kansas State Legislature
6425 SW 6th Avenue
Topeka, KS 66615-1099

RE: OPPOSITION TO HB2024: BABY BOXES

Dear Madam Chair and Members of the Committee:

I am an attorney who represents adult adopted people in Minnesota and throughout the United States. I am considered a national expert on issues related to adoptee rights, whether those relate to identity documents, sealed records, birth certificates, or to adult intercountry adoptees who have been denied U.S. citizenship despite being adopted by U.S. citizen parents. I write to oppose HB2024 and its effort to extend the state safe haven law to include abandonment of infants in baby boxes, which are more formally called “newborn safety devices.”

I take no specific position on the overall merits of Kansas’s current newborn safe haven law, other than to note that, as stated in the recent article from experts on this issue, “safe havens operate not as a system for protecting newborns but rather as a tool for separating vulnerable parents from their children.” I specifically oppose, however, the creation of a new process in Kansas to allow legal and anonymous abandonment of infants through baby boxes, which are electrically-powered incubators built into the exterior walls of public buildings. While anonymous infant abandonment is exceedingly rare, with an average of one per year in Kansas since 2008, baby boxes have managed to be successful in doing one thing: dramatically increasing the anonymous abandonment of infants while failing to address any of the root causes of those abandonments.

Baby boxes are unnecessary, will no doubt lead to corruption within the adoption industry, pervert the purpose of child welfare laws, and ultimately work to take further advantage of vulnerable women. Because baby box abandonment under this bill does

not require face-to-face relinquishment under current safe haven laws, these impersonal and anonymous boxes—which are medieval in origin—will contribute to corrupt adoption practices. Unlicensed facilitators and even corrupt adoption agencies will no doubt put undue pressure on young women to skip the legal and social protections available to them, for the sole financial benefit of others. Corruption in adoption occurs because of the secrecy that surrounds the entire process. Making it even more secretive through anonymous box drops will not improve child welfare in Kansas, nor in any other state. There is zero evidence that it does.

This bill continues a systemic failure to address the root causes of a problem: the lack of adequate prenatal and postnatal healthcare, inadequate income support for pregnant women, and lack of resources for women in crisis. For all of these reasons, baby boxes do not have the support of the adoptee community nor the support of national advocates who are committed to maintaining current safe haven laws in all fifty states, without adding anonymous baby boxes to that mix.

I ask that you vote DO NOT PASS on HB2024. While the bill may be a popular “quick fix” proposal, it is a political gimmick and not a child welfare solution. Further, the installation of baby boxes will arrive in communities as an announcement of a broken and corrupt system that will continue to prey on vulnerable women for the financial gain of others.

Please vote no on this bill.

Best regards,

ADOPTEE RIGHTS LAW CENTER PLLC



Gregory D. Luce