

Rudy Owens, MA, MPH

1208 SE Nehalem St., Portland, OR 97202; home: 503-232-3170; cell: 206 696-3740

www.rudyowens.com | tdfuega@yahoo.com | rudysdownens@gmail.com

Michigan Department of Health and Human Services
Attn: Glenn Copeland, State Registrar
Capitol View Building, 201 Townsend Street
Lansing, Michigan 48913

June 3, 2016

In the matter regarding active and ongoing request for original birth certificate record:

- Rudolf Scott-Douglas Owens (myself/petitioner)
- Name at Birth: Scott Douglas Owens
- Name on Amended Birth Certificate: Martin Rudolf Brueggemann (the one given to me after I was adopted)
- Birth Mother: EDITED OUT
- Birth Father: EDITED OUT
- Date and Place of Birth: EDITED OUT

Dear Mr. Copeland:

I am writing to you concerning your letter to me dated on March 29, 2016 (see attached copy). In that letter, you failed to mention and acknowledge factually relevant information that should have lead to a fair and reasonable decision to release my original birth certificate, which bears my birth name of Scott Douglas Owens, born in Detroit, on EDITED OUT.

First, your letter was dated March 29, 2016. That would have been just one day after my request via certified mail to DHSS director Nick Lyon was received and signed for (see copy showing date of arrival of documentation). I have a copy of that signed original receipt. It would have been logistically impossible for you to have been forwarded the original request and to have reviewed the evidence I presented making it clear the state no longer had any legal justification to continue holding my original birth certificate.

Given the date of your signed letter, that must logically mean you were sent a copy of my email I sent to Gov. Snyder's office, to his media team on March 20, 2016 (see copy of that email communication). That email to the Michigan media and Gov. Snyder's office did not contain all of the information that would have enabled you to make a fair assessment of factual findings. **This shows your communication was done prematurely and did not allow for a thorough review of all of the evidence, so it needs to be reconsidered.**

Also, in my certified letter package to Director Lyon, I provided incontrovertible evidence that I already know my birth name, Scott Douglas Owens, and that I have documentation that shows my birth mother signed the required state waiver waiving all rights to privacy that allowed me to have all birth records but my certificate in April 1989. I provided copies of letters from my adoption agency, Wayne County Probate Court, and even your office, the Office of Vital Statistics, each acknowledging in 1989 that all rights to any form of privacy had been waived. The full contents of that package to Director Lyon included:

- My revised Michigan birth certificate issued to me after I legally changed my name in 2009 (that includes part of my original birth name—and yes that was intentional).
- My court order, which changed my legal name from my old adopted name of Martin Rudolf Brueggemann to Rudolf Scott-Douglas Owens.
- Copy of my amended birth certificate showing my adopted name.

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- Copy of Notice of Release of Identifying Information, from Lutheran Child and Family Services to the Michigan Department of Public Health, Office of Vital and Health Statistics, **acknowledging that identifying information can be released to me** (at the time when I had the legal name Martin Rudolf Brueggemann), signed by Jean Creech, April 20, 1989.
- Copy of State of Michigan, Wayne County Probate Court, Adoption Decree, showing birth name of Scott Douglas Owens.
- Copy of Letter from Probate Court, Wayne County, acknowledging receipt of notice from the Adoption Central Registry regarding consent to release identifying birth information filed by my birth mother on April 21, 1989.

A reasonable and prudent review of the evidence would conclude there is no compelling legal rationale to continue hiding my birth record, when all of the facts are public and have been for nearly three decades concerning my original birth name. I have had a relation with all sides of my birth family for nearly three decades.

These essential and critical facts to make a fair determination were not even mentioned or acknowledged in your written letter—this represents either intentional oversight or an effort to create a legal record that does not reflect matters of fact. This communication to you corrects this gross oversight.

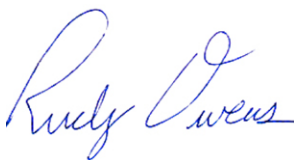
As you well know, a common practice with all agencies at the state and federal level is to have a wide latitude of decision-making in interpreting laws and rules. This is in fact one of the core legal principles taught in every law school in the country and a barometer by which courts review agency enforcement of laws. Your pronouncement appears not to understand that you and your agency can use good judgment to determine that the purported and long proven misguided reasons to enforce secrecy for birth records of adult adoptees have no rationale in cases where secrecy is no longer reflected by the reality of my records being open for decades and my relation with my birth family.

That you have copies of all the aforementioned records, including my original adoption decree with my birth name of Scott Douglas Owen (of which I have a copy), renders moot your alleged justification to continue denying me a copy of my original birth certificate.

Given these clear facts, I am asking your office to make another review of my request for my original birth certificate. This time, I am asking you to actually review the evidence submitted, of which I have legal documentation that your state agency has received and has in its possession.

I would be happy to discuss this with you and answer any question. If I have presented any factually incorrect information concerning this case, I welcome your input showing that.

Sincerely,



Rudy Owens, MA, MPH

CC: Legal Records (Birth Certificate Request)