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9-9-2014

### Statement by Anonymous collected by Charlotte Bacon on September 9, 2014

Anonymous

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### General Information

**Private or Public Statement?** - Private

**Statement Provider:** Anonymous

**Date:** September 9, 2014

**Location:** Bangor, Maine

**Previous Statement?** N/A

**Statement Gatherer:** Charlotte Bacon

**Support Person:** N/A

**Additional Individuals Present:** N/A

**Recording Format:** Audio

**Length of Recording:** 1:07:47

#### Transcriber's Note:

This is an anonymous statement. Any alternations to the recording or redactions in the text have been done at the request of the statement provider.

### Recording

**CB:** My name is Charlotte Bacon, and I'm here to gather an anonymous Statement. I'm the only person in the room, apart from the Statement Provider. The file number is: H-201409-00089-001. It's September 9, 2014, and we are in Maine. And, may I ask you if you've been informed, and understood and signed the consent form?

**A:** Yes.

**CB:** Um, I also need to advise you that, if any information that's disclosed in this Statement indicates a child or elder is at risk of harm, uh, there's imminent risk of death, uh, to an identifiable person or group, including yourself, that I may not be able to protect this information as confidential.

**A:** Agreed.

**CB:** We're going to get started with the Statement. The Statement Provider has indicated that she's read the questions that we have, and that she may want to, uh, try another approach to the questions. Focus on something that is more open-ended. Could you please tell me about your current and past employment in Tribal Child Welfare? Positions you've had, number of years working in Tribal Child Welfare, the total number of years working with children as an employee?

**A:** I've held the position of Indian Child Welfare Director for one Tribe and I've held the position of Director for DHS for another Tribe. A combination of at this point in time 15 years if not more than that. I also continue, after not having those positions, to be a consultant to the State in Indian Child Welfare.

**CB:** And can you tell us generally what your experience was like working with Tribal Child Welfare?

**A:** Yes. I would probably say to you that I would never work for another Tribe again. And I think that we're just too wounded to be able to do a good job. And that's my experience.

**CB:** Do you want to provide any more details about that or any other thoughts you have about what makes it so difficult or why you wouldn't do it again?

**A:** It's political. I think Tribes, we have to be political. There's got to be somebody running the show. And there needs to be some voting done. So I think it's very difficult for any Tribal leader that, or person that's working in an Indian Child Welfare department that in most times out of — most times you're not allowed to do the job you're supposed to do.

**CB:** And what prevents you from doing the job you're supposed to do? And were there experiences that were different in each situation that you were in?

**A:** I think it always comes down to that if people don't like what you do then they're allowed to go to the chief. That's what it's all about. And the chief will put pressure on the person who's doing the job. That happens. That's real.

**CB:** Um, hm. Does it happen to supervisors more or to other employees more? Does it depend on what position you're holding, the kind of pressure that you received?

**A:** I think no matter what the department is and whether it's state or Tribal — You know, if a constituent or a Tribal member, depending upon the environment you're in, makes a big enough noise, guess who takes the brunt of it?

**CB:** Right, the employee.

**A:** Yeah, yep.

**CB:** And when did you first learn about Maine's policies relating to Indian Child Welfare?

**A:** When did I first learn about it? The State of Maine?

**CB:** Yeah. And how were you made aware of the policies, and can you comment on any kind of training you received in relation to Indian Child Welfare? And I think really generally the question is, who told you about ICWA? How did you learn about ICWA? Were you the person actually informing other people about ICWA? And then, more generally, what was the response in the communities you worked with the ICWA? What did people think it meant? What were the obstacles?

**A:** Well, let's try to take this a little bit at a time. And I would say that I went to school to get a degree in social work, and there was also a grant program, an Indian Child Welfare grant that was provided to me when I got my undergrad and when I got my graduate degrees in social work. So, I learned through ICWA, because in order to sustain this grant, I also had to do my work with Tribes and with children. It wasn't something I thought at that time that I would ever be interested in. But it turned out to be a passion.

So I learned about it the hard way. You go to work for a Tribe and/or you intern for a Tribe, and, um, that's how it all unfolds, in my opinion. So what are the barriers of that? Is, *(pause)* so you're working in a reservation and my first experience was to be in a school setting and, um, working for a social worker in that department, and, um, *(pause)* she wasn't very nice. And what ended up happening was, *(pause)* I could no longer stay in that position 'cause it was that traumatic. We had a huge meeting on the reservation between the Tribe and the school board. The Indian representative was also there and, um, talked about what it was like for Native interns to work in a Tribe in the education department and being treated badly, not accepted, not getting the, um, experience that they needed. And what needed to change in that. And it was huge.

**CB:** And approximately what year was this?

**A:** Oh, probably 1997-1998. Along those lines. And so what came out of that was I, the second part of that year, I was able to negotiate internships for future Native people to be able to comfortably and safely intern. Actually, the social worker was not rehired and neither was the principal of the school. And, the next incoming principal made a really big difference, so that Native people could go in and be safe, and be able to get the experience that they needed. There were so many barriers with ourselves, and within our own Tribal. Um, I would have to say the person that sponsored me, the group that sponsored me was an Indian Child Welfare department, and they really backed me up. I couldn't have done it without them. It was horrible.

**CB:** And was that a Maine Indian Child Welfare Department? It was the State of Maine?

**A:** Yes. So that's how it kind of like started off, and I would have to say, I was very, very supported by my department on campus. We all sat in that meeting. We all had a toe to toe, and as I said, that social worker was not hired back, neither was the principal. It was all based on that.

**CB:** Right. And then what else, how else did ICWA affect the work that you were doing throughout the course of your career? That's the beginning piece of things, it's what you do and have done.

**A:** I think that I was very, very lucky. When I went back to school, I was older. I was an older student. Very older. And all my kids had graduated from high school and college. And, um, again, it wasn't something I thought that I would be interested in. In giving you all this information really identifies who I am. Anybody that listens to it's going to know exactly who I am. And, um, I was really lucky to discover a passion. Don't we always grow up and say what is it that I want to be?

**CB:** And that feeling of something connecting with your marrow that wakes up your whole spirit, your mind and your body.

**A:** You don't have to tell me how to do it. I know how to do it. I didn't have to wonder about anything. I knew what I was doing. I don't know how to say it any more than that, and I'm not a kids person. I'm an observer, and that's my talent. And I don't mind going to bat for issues. That was huge. Um. That was really, really huge.

**CB:** And what was the passion? Was the passion seeing Tribal children stay within the Tribe? Was the passion about keeping kids safe? Was the passion —?

**A:** It was being — discovering — I never grew up on a reservation. So I don't have those ties. And it's very, very difficult, I believe, when you come back and try to establish. It never really worked well for me. There were people that were certainly there for me, but I was not from a reservation. And, um —

**CB:** We've heard that over and over again.

**A:** It's, you have no idea. Even today, why am I up here if I didn't grow up here, and I'm not welcomed here. And most of my family that I could count on, my aunts that have obviously passed, and there's some cousins that are really, really close. But we don't live here. So there's hideous — not incredible — hideous barriers when you work with, work in that situation.

I don't know. What makes a difference? I think I discovered what it was to be Indian. It was always, um, the different prism. Did they make fun of me where I came from? Absolutely. Did they make it uncomfortable? Of course. I'm different from everybody else where I was. And I thought, oh I'll come back up here and I'll be with people that will look like me. I think I'd rather go down and be in the other area than (*laugh*) to be with people that look like me. It was not, it was not inviting. But it was discovering and really listening to and I don't know, was there a miracle? Probably. What happened? What really did happen? What is happening? What



is racism? Oh my God, this feels awful now that I understand it, and (*sigh*) I don't know how things unfolded. I think that I was given situations and able to work through them. Were they done well? No. I just think that I was a pain in the ass and stuck to it. I guess that's what it was all about. Just couldn't sit back once I knew.

So, I had different internships after that, but it always had to be in the Native area. And, uh, one of my biggest internships was to be a Morris Udall Native American Intern in Washington. And so I did. I served in there and got tons of pieces of enrichments. And one of them was to go to the Carlisle School. And I can't begin to tell you what that was all about. There was under 12 of us that day that went. And, the impact will never leave me. And we walked the grounds. When we ended up in the gazebo afterwards to talk it all out, we had a guide whose name was Barbara. She was really a nice person — she was not Native — and she was really from the point of view of being excited to tell us what happened and how all of this was so grand. 'Look at what we did for Indian kids.'

**CB:** Oh, my gosh.

And so, there came a time when I said, 'Barbara, you've got to stop, because we're all crying.' It wasn't good. And I said, 'When I see this area,' I said, 'where are the kids? Where is anything that tells me? Do you realize that there were 10,000 kids that walked through those doors and 1,000 of them died?' I know you've heard all this, because it's been my rant. This is what I put together. This is where it all came from. And I said, 'Where's the signs? Where are the markers?' I said, 'You know what I see, I see this beautiful campus. We are the walk colleges right now. Look at those houses. They're gorgeous.' I said, 'What about the kids?' I said, 'You see that Jim Thorpe gymnasium over there? From what you've told us and what we know now, the bodies of those kids were dug up so that you could build this gymnasium.'

I said, 'But the cemetery down by the street, there's no thousand kids in there. Where are the rest?' And I said, 'And I know that you've talked and talked about the programs that were offered, how cool it was that our Indian kids could come and learn how to be carpenters so that — And they made toys. And the teachers' families' kids got the toys.'

I said, 'What the hell did our kids play with? Where were their toys?' I said, 'This is just so awful.' I said, 'There's nothing nice about this. Nothing nice about it.' Long story short, it impacted all of us horrifically that were able to attend. I mean, there were really young kids that just graduated from college that were impacted. They did have another story to help me see differently today about, um, schools like that, but, um, eventually what happened was that — There's a poster, there's a sign down there now. It took a year, year-and-a-half, and Barbara and I kept in touch, and there was this big movement and they finally got something up in the street that talked about, 'This is what happened.' Real stuff.

But when I think about that, and when I remember the experience that I had with my fellow Udalls, you can't describe it because you felt it. Those kids were there with us that day. I don't know how else to say it. And, um, what is the excuse for taking young children 1,000 miles away?

**CB:** (*overlaps*) There is none. There is none.

**A:** And what was the excuse, of one day they looked one way and another day they looked another. There isn't any?

**CB:** There's none.

**A:** Well I wasn't really in touch with all of that before, but I'm glad that I had that awakening. Now some of my Udalls, because they live in Arizona, 'specially like big Tribes like the Navajos that are all spread out. And having been there myself, and driven through some of these parts it's like, does it ever stop? Ten miles between each home. You know, Geez.

They really appreciated going to school. It was after the fact, after, 'Let's kill the Indians and save the child.' He really said, 'Let's kill the Indian and save the man.' And they changed that to, 'Let's kill the Indian and save the child.' It was different for them. They weren't hauled out of their homes and taken 2,000 miles away, and there they stayed with no connection. They really count on their school because it's too far everybody to try to get them there. And they can come back and forth at the end of the week or at the end of the day.

**CB:** Right. And then when you finished your time as Udall Fellow, did you come back up to this part of the world? Did you start – ?

**A:** That wasn't, that wasn't the only thing that happened. In the meantime, I was really fortunate to work with the Tohono O'odham Tribe. And, at that point in time, what they were working on — And this got real political. What they were working on, was, um, being able to have like a dual citizenship situation, however that looked. They really wanted to use their cards, their Tribal cards to be a dual. Because in 1850 — a long time ago when they arbitrarily did the border — they cut right through their reservation. And so, people in Mexico need to come back for ceremonies or for treatment, medical treatment, dental treatment, bonding with their families, having their ceremony. It's next of impossible to go through this. Now the Kickapoo from Texas did end up getting a ten-year agreement, but it wasn't for forever. Tohono O'odham were looking for forever. Let's not fight this battle. Let's just do it. It was a huge, huge movement. They were so organized, and I got to meet the attorney. And so every month, every 30 days, it would be a different group of elders that would come up to fight the battle. It was astonishing.

And I worked for Frank — I shouldn't be saying this — Frank Pallone was the Democrat from Pennsylvania. He was really in touch with them and agreed to fight this battle. But, you know, I was so freakin' naïve. No matter how I was at that point in time. I thought that everybody in Washington did things because they believed in the movement. I didn't realize it was how big



of a cash settlement you get from the — (*brief laugh*) Talk about being naive. I mean, it was unbelievable to work through all that.

And, um, having been in the office and watching how things go, bills come up, it wasn't, it isn't the person that gets the phone calls, it's his team that gets the phone calls and they make the decision. And so, you sign on the bill if you're a Democrat because this is something that you would sponsor, this is something that you would do. Well, guess who, guess who wouldn't sign on the bill? That was Baldacci. And he has four Tribes. And his head team person that I contacted when I came back home that time talked to me. And he said, 'You're one person fighting for the cause.' Darrell. I'll never forget. And I said, 'Darrell, I'm going to be your worst enemy. You're going to get a freakin' call in the middle of the night. You'll get a call early in the morning.' I said, 'You get the damn representative to sign on. He's a Democrat. He's got four Tribes.' And he signed on the week after that.

**CB:** Fantastic.

**A:** But with a lot of fight like that and eye openers for me to think that what the heck is going on? What is going on? I know I can walk in the store and I'm going to be followed, and I am followed. And I know I'm followed because I'm different, and I'm dark, and I might be taking something. But what did that look for every day in — And when you try and push something through, what was that like? You know, my kids today, my eldest son, we come in colors light, medium and dark. We always made a joke about that. They don't want to have anything to do with what I do. They just don't. My youngest son did. Unfortunately, at 33, he died. He would have been the Pied Piper to bring everybody along. He had that. What the hell is that burden left on me for? I don't have the kind of personality that he had.

But my other kids — And that's their choice. They don't want to get into that stuff. And sometimes I'm so sorry that I did. But it's like sometimes you can't stop. So, um, ... where was I? So anyway, when I came home from that, three weeks later was 9/11. It never got pushed through. It never happened. It was getting there pretty well, but we did get Baldacci to sign on it. And I'm not sure what happened to them afterwards. But I know that also they were working with the president of Mexico to try to make the borders more safe, but after that everything feel through. There's a lot of drugs that really that are going back and forth. You know the situation that's going on down there. Pitiful. The Native Americans. To not be able to access their health care, their families, their Tribal ceremonies. And because a lot of them are born in their homes, there isn't any legal documents to say. I have to show you the book that I got from them because it was so awesome. Oh! And this is the basket that they made for me.

**CB:** Oh, how beautiful.

**A:** Isn't it gorgeous?



**CB:** Yeah, that's amazing. Oh, that's incredible.

*(sound of A. moving around in the space and opening something) (long pause)*

**A:** Anyway.

**CB:** No worries.

**A:** Anyway. Can't find it. It was their story and it was incredible. So then, I came home. Then afterwards I did one more internship. What is that group of Maine politicians and Indian chiefs? I forget the name of it.

**CB:** I think I know what you're talking about. The Maine Inter-Tribal State Commission? The MITSC?

**A:** Thank you.

**CB:** Maine Indian.

**A:** Yeah. And then during that time there was a recorder, a secretary who was awesome. And I interned with her and nothing really big significant came from that. Then I graduated, thank God. Get me out of there. And went to work for a Native Tribe up in Aroostook county. And that's when a lot of the stuff started happening. It was being able to be up front. There was no doubt about that there were children being removed from their Tribe arbitrarily. And just turned back to before the ICWA with little to no reunification and being put in Native homes mostly. And being adopted. And, um, it was a very small Tribe, it was a very small Tribe. And so we went to work on it. And eventually we, um, won — Have it on this. *(shuffling papers)* That was in California. It's a member of the other Tribe, but we did.

**CB:** And what's the award for? What does it say? I can't read it, unfortunately.

**A:** Yeah, well, the Harvard Honors is — You have to go through hoops in the application process to *(shuffling papers)* talk about what you've done that may be of significance. So. I'm not a writer. I put down all the information on paper, and threw it at somebody who is an awesome writer and they put it together for me.

**CB:** I love it. That's great.

**A:** Well, I know that —

**CB:** It's a beautiful picture of you. It's a beautiful picture. Let me see.

**A:** And this is what we won Harvard Honors from.

**CB:** Are you going to give this to me to take?

**A:** (*simultaneously*) No.

**CB:** You're going to take it back. Okay.

**A:** You're a writer. You'd be able to talk more about it than I can.

**CB:** So, this looks like one of the things you were most proud of. One of these questions is exactly that. Situations that you and your staff or you personally felt really positive about in the work that you did on behalf of a Wabanaki child or family. And you can describe in a general way so families and children can't be identified. What were the positive outcomes in the work that you did? And, were there any positive elements to the relationship to the State that you —

**A:** Absolutely. I mean they, they were in process of an intergovernmental agreement, which they did get set in place. But you know what? It was the, you can have all of the written freakin' papers in the whole wide world, but you have to make it work. And so, we had an awesome attorney, an attorney, um, Greg Dorr, I don't know if you've heard that name?

**CB:** No. The name isn't familiar.

**A:** (*simultaneously*) Phenomenal. Fought many legal battles for this Tribe and, um, was the attorney for Indian Child Welfare and, um, battled for the right words in their intergovernmental agreement. I believe on page four — I'll never forget it — it states that the people that are working in Indian Child Welfare will have, um, equal representation in any sit down at the table. You can shake your head, but there isn't another Tribe that has that.

**CB:** Had that. It's really interesting —

**A:** (*simultaneously*) And guess what? The work that I'm doing now is for another different Tribe; I can't take the benefits of that. One time they allowed the benefits of that one intergovernmental agreement to suffice for the Tribes in the state of Maine —

**CB:** (*simultaneously*) That's no longer the case.

**A:** That's right. I cannot go back and use that. But it came down to is, I always said, 'Don't make a decision without me. Because if you do, it's going to get undone just because, until you realize that we need to be included.' So it was, it was unheard of. I think that particular chief accomplished a lot of stuff. I'm just sorry that she had chief stuff, too. Where ... it was political. And I couldn't stay there. And those that did, I don't know how they did it 'cause I know I couldn't have. Anyway, that is huge to have all of that work recognized.

**CB:** Yeah. No kidding. That's fantastic. That's really fantastic.

**A:** And I'm sure that you guys know at this point in time, I'm sure Brenda probably has, um, given that up, and I hope she has a copy of that. Too bad if she doesn't.

**CB:** She has proved very elusive.

**A:** Because she doesn't have the knowledge I do.

**CB:** And we're learning that silence is a finding.

**A:** And I hate to sound terrible about it, but she's got a little — She wasn't even going to let me go out there and receive that award. And finally, at the last minute Amy Besov and Harvard helped us out on that. There's a, I wanted to show, where the heck is that piece in here that we all sat down afterwards. I don't know if it's in here or where I put it. And Amy called her and said, 'Brenda.' She allowed Susie and I to go out last minute to go out and receive the award. Brought it back. As you can see, we received it. I, Susie wouldn't come up on the stage with me. I received that award. You go back and if you read in our little case, you'll see there's a, that little Indian. This is what Brenda Commander received. She did not. But this is the stuff that goes on inside Tribes because we're so — I did want to show you this because I think it's significant. That's your stuff right?

**CB:** Yeah. And this is yours here if you want. This is your beautiful basket. It's gorgeous.

**A:** So cool. I wanted to show you the picture of the guy who did it. That's what I was trying to look for. I mean, I had to get up in front of all those people that were so knowledgeable even though they were Natives. And, yeah, you had to support why you were doing all this stuff. And, I'm not going to say, "Wah, wah, poor me." It was huge. It was a huge thing that we accomplished, and where is that — ?

**CB:** That kind of recognition, that kind of visibility. Take your time.

**A:** I am. I'm trying to, but where the heck did I put it? It was so cool.

**CB:** I don't have it.

**A:** I thought I had everything out here. But what happened afterwards was, (*lots of shuffling papers*) during this process of application, we in the state of Maine up there in Aroostook County had already gone through all the battles. So when we came — I found it why it happened afterwards, 'cause in my little cocoon world that I live in I suppose for protection, was like, 'Oh this AG was so good and so kind to me, did all this, and he's great.' It wasn't like that at all. It was simply because Maine was, um, out of compliance with the ICWA. And I think it was —

**CB:** (*simultaneously*) Right. After '99.

**A:** I forget what his name was, but we did sit down at a table with AAGs. One from, that I'm really good friends with today. We sat down at the table and we talked about it. And he said,

'There's something wrong and we're going to fix it.' And I think we all — I was crying. I remember. We fought too long to get to this point to say that there was something wrong. We'll fix it. Well, damn he did. And he started the process, but because they were so out of compliance, I didn't realize it at the time — I think I'm, I'm aggravated now.

**CB:** I know. Do you want to stop for a second? We can —

**A:** Yeah, let me just, I want to find those pictures because it was so significant. What the heck did I do with them?

**CB:** Are they in the back of the folder?

**A:** No. Let's, what I'm getting at is that when we, there were different pieces of the application, and I (*lots of papers shuffling*) took my file and I know what I'm talking about.

**CB:** Ah, there you go.

**A:** There they are. There was different pieces of the application that we had to come through. And one of them was getting us all together after all that hard work was done. This is done up to Maliseets — Brenda even had her arm around me, I don't know how that happened. (*laughs*) But I'm sure you —

**CB:** There's Martha?

**A:** Yeah. I'm aggravated with her.

**CB:** Can you talk more about that?

**A:** Yeah. I will. Am I on this thing? We all sat at this table. There were DHHS people. There were Natives from that area. There were service providers that were there. Amy Besov, these guys were from Harvard that were coming in to evaluate this. And it was like I don't think we can see Heidi Silver here, but Heidi probably said the most significant thing. We all had to eat afterwards. I mean you don't have to eat at — I know you'll recognize her. Yeah, I don't know if —

**CB:** I don't know her.

**A:** Yeah. She's, she's my friend. I love her. I think she's my friend. Service providers. He was a former attorney, he was a former Attorney General, he is now an, uh —

**CB:** What's his name?

**A:** Mike Carpenter.

**CB:** Mike Carpenter.

**A:** And he-, here's where Brenda sat. In the back. She wouldn't sit with us. We invited her to the table. There she is in the back.

**CB:** How long has she been chief?

**A:** Too long. I think she just got, she just has a difficult time with somebody else that may be — somebody else. Anybody else. I need to go off record.

**- END OF FIRST RECORDING SESSION -**

**CB:** We're resuming the Statement with the Anonymous provider in Bangor on September 9, 2014. I said Bangor. Do you want me to stop that and pause it again? Okay.

The file number is H-201409-00089.

**A:** Somewhere in all this time too, came the bid for the casinos. And, um, again you know what? I can't remember — I know where I was living. So I guess I must have had my Master's degree at this point and was working. And that first bid for the casinos was a huge effort from the Penobscots. And if anybody remembers correctly, when the voting was all in and we lost, and we could not have that right. This was the first time there was a picture in the paper — and I know some of the Natives have kept that — there was a picture in the paper where Angus King, who was the prior Governor, and Baldacci doing a high five. I was so stunned and I don't know why I had that — I didn't want to go out of the house because they made it so racist. *(sighs)* I don't know. I have to speak for myself and say there was — It just felt like so much shame. And I don't even know why. Why should we feel so shameful?

**CB:** This is one of the effects of intergenerational trauma.

**A:** Mm, hmm. It is.

**CB:** It's what you were talking about in terms of feeling safe. How impossible it is to feel safe.

**A:** Mm, hmm. I can't feel safe with — I don't feel safe with my own. I don't feel safe — I feel probably more safe with white people now. And I'm wondering why that. And maybe it's just because I don't have to be who I am. But I, anyway. I don't want to go into that. Anyway, that was huge. That was racism across the State. Nasty things were being said in the newspaper. For me — I don't know how anybody else felt about it — did I as a social worker necessarily want to have a right to casinos? I wanted us to be able to have the chance of the choice if we wanted to. I understand that there's a lot of stuff. We don't even have an opportunity. It's so shameful in the State of Maine. So if it was that huge, you can image what it was like going into a court



system all the time. When especially having gone around the State of Maine in hoping that the judge would be on track. There were places that were nasty.

Hoping the judges would be on track and be respectful of the ICWA. Hoping that you would be able to do what you knew that you had the right to do. And sometimes that worked, and sometimes it didn't. And it meant that you had to go back and rework it. Even up in Aroostook County there was a judge — And for all intents and purposes, he really was a nice guy. But we went into that courtroom, and if you've ever been in a courtroom, often enough what happens is that you have to go around and state your name and why you're there, especially in child welfare. And, um, when it came to us, it was like, and his, our attorney was Greg Dorr. The statement was, 'And here's Greg Dorr and his entourage.' And the whole courtroom started laughing. You know, like — Well, long story short, Greg wouldn't come in with me, but I went to my representative at the time who was Donna Loring, and I told her what happened, and I told Brenda at the time what happened. And I said, 'I want you to get us an appointment with the chief judge,' who was Saufley. And I said, 'She needs to know this.' We're not going to go through family shamed in freakin' courtroom anymore up there. Already it was bad enough. If you ever go into the courtrooms, by the way, for Indian Child Welfare in Aroostook County even till today, I don't see it throughout the rest of the states, but in Aroostook county, all DHHS and all their people all go in and they sit there —ba ba ba ba ba ba — and they laugh and talk. And that's where your freakin' decisions are made, in those rooms. You have to have access even if it's just for fun. Won most of my battles in those rooms.

**CB:** Did you get the appointment with Saufley?

**A:** We had the appointment with Saufley.

**CB:** And what was the reaction?

**A:** (*simultaneously*) And what I said to her, I said, 'Your Honor, I'm not going to describe to you what happened. Here's the docket number, here's the time, it was recorded. I'm pleading with you to listen to the tapes so that you have your own take on it.' The judge was severely reprimanded, and he did not get rehired back after that. So, it was stuff like that. Today, in telling you, shit, I didn't even feel bad. Should I have done something like that? I mean this guy was a good guy. Could we have done it different? I don't know. But I think that there had to be messages I guess, sent down the line to say, 'You just can't do these things.'

There is a judge today in Bangor, Judge Jordan, that recently shamed me in court when I came in as an expert witness. And, the AAG who invited me to sit up front, wouldn't stick up for me when he told me to sit back. And I said, 'I didn't understand that I couldn't sit here. I was invited to sit here.' And the AAG put his head down like this. Left me hanging. This just happened. This just happened within six months, maybe give or take, six to nine months ago.

With the same AAG who knew better, did not follow the Indian Child Welfare Act. Nor did he use the standard that we're supposed to have.

**CB:** So, in your assessment, where is Maine with ICWA now? What's your sense of what's either blocking it, making it possible for it to be implemented? Do you think it's working anywhere? Or are these, are these — ?

**A:** I think it's out there and now I can argue, well, DHHS you have an Indian Child Welfare policy. So, on page 12, this is what you got to look at. That, but why am I saying this? Why am I telling the caseworkers this? We go into the field. Why am I telling the AAGs, 'You know better. Don't write this paper like this with this standard.' You know we have a higher standard. Go back into the ICWA and change that statement. You cannot — This is not okay. Because it might be higher, and you might not have the rights after we go to this higher standard. Do I think it's out there? Yeah. I don't think people want to do it. I just don't think that they want to do it. So what are we dealing with? There is no sustainability in whatever agreements we come down to, whether it's in the AAG arena, whether it's in the judge arena, there's, everything is constantly changing.

**A:** DHHS — I have lovely people there, but I want to say it's a freakin' joke now. With all of the restraints that's been put onto them by the governor, and the cutbacks. These women, men included, that are the caseworkers are strangulated, as far as I'm concerned. They can't even breathe. Leave alone let's now do the ICWA, which takes a lot of time. Even though there's training, they don't do it. And then we come up to, you know, if I say this, they're certainly going to know. I've always argued, you've got to have a trickle down effect. You have to have it. If it doesn't come from the top, it isn't going to work. We've got nobody else to go back to, which really, really is aggravating for me at this point in time. Maybe you know, maybe you don't know. Who is the ICWA liaison for the DHHS?

**CB:** The ICWA liaison right now for DHHS?

**A:** Yeah.

**CB:** I thought it was Martha Proulx.

**A:** Yeah. Well I thought so too. But nobody else knows that, which brings me down to, (*shuffling paper*) and can I have a copy of this? Because going from an economic standpoint. So what happens, they were not getting notices out in time, which means you go into court, you waste a court, because the notice wasn't served. So what do we get? We get the opportunity to say, oop, ten, 20 more days. Waste of money, time after time after time. Sat down, brought it up to ... hmmm. (*sigh*) 'Why am I even doing this?' Brought it up to, the awareness of other state people, 'Why are we doing this?' It's a lot in your area. But it's throughout the state of Maine. Tried to make — I've had two or three phone calls. I've known her, obviously you can see, I've known Martha for a long time. She's not returning my phone calls. When I say to the caseworker, you know, you can always call Martha Proulx. She is the ICWA liaison. They don't even know who she is. They don't know where she is. They don't know who she is. She doesn't respond to my phone calls. And now this has been sitting on her



desk, which is an answer to how you can get the caseworker to follow it step by step. This is not anything I've written 'cause I don't know how to do this. This was an AAG up in the Aroostook area, a PA in the Aroostook area, and a training for a Native Tribe, and myself. We all sat down and put a great deal of time into writing up this document, and guess whose desk it's sitting on? And maybe has sat there for the past two or three months. Now, if not longer. Before Nora came in, the new chief — Who was the one before that?

**CB:** Nora Sosnoff and she just got appointed by Janet Mills. And what was the name of the person before?

**A:** Um. I loved her. And she knew a lot about ICWA. It got passed to her. She approved it. It's now sitting and sitting and sitting. Why is that sitting? Who? Who are we for? How can you have somebody that's working for — and this is an explanation I don't know, but this is — today this morning, I put a phone call in and had a conversation with Nora, and said we need to talk about this. And she will call me back. And I know she will. Why do I have to do this? Why? When there's already something in place to make it all work.

**CB:** Why do you think? 'Cause that's part of — We've got all these —

**A:** (*simultaneously*) I don't know. This is my thoughts. This is what I want to say to you. Martha wrote, with our help, certainly not all from me, but from the powers to be in the Indian Nations that can speak and write, the policy, the ICWA policy for DHHS. I can't begin to tell you how many times I have said to her, 'Martha, you haven't made any mention about having to have in the court process the expert witness. It needs to be inserted.'

This is not done, has never been done. Part of the issue why this has been done is because they will move the kid, going into the first process, put them in a foster home, and then I come along and say, or the Band finally says, 'Did you have an expert witness?' 'No.' Guess what? During that time frame, we could take that right back into court and have it all washed away. That's the risk they're taking. I don't understand why Martha has not made an effort to change this or why there has not been an effort to change it. If Martha's not the change agent here, pass it on to somebody who is. Because guess what this does? More economics that they're paying out in the court to start almost all over again.

**CB:** Right.

**A:** I don't understand. So I would want to see to you in philosophy, in basic philosophy, a truth that you may believe in. You can't have a belief over here and a disbelief there. So you can't be sitting on truth and reconciliation and all, 'Ha ha ha,' and 'Ho ho ho' with all the ones that are there, and sit on a piece of ICWA that needs to be dealt with. You can't have it. It doesn't work in my mind. So, I don't know what the answer is. Except ... I don't know. Can't work with



these kinds of people that — I can't. I don't care what kind of good they're doing. I don't care. 'Cause I know what's going on over here, and I'm trying to fight for this.

**CB:** Have you seen it change through time? Was it better or worse at certain periods of time and in certain places?

**A:** Yeah. I think when, um ... yeah. I think when I had better — I felt that I had better standing with other Tribal people, that it worked better. But there was always something that was going on. I mean, unfortunately, I had access to emails that said differently by different people. Do I, I think DHHS has rules and regulations and they have to. And, I don't think it's always, always supportive from good, from good of the Natives. I don't. And I've seen it.

**CB:** If you could change something in the system, to protect Wabanaki kids? If kids are, if the system is corrupt, perhaps at the Tribal level, perhaps at the —

**A:** It's corrupt at both sides — *(simultaneously)*

**CB:** — at the DHHS level—

**A:** So we can only talk about one level at a time.

**CB:** Okay.

**A:** So, if we talked about the State level in that everybody would follow the ICWA because there's a policy. I think that it has to be written in a sustainable way, which it is not. And it has to come from the top down. It just has to. And it apparently is not — If Martha who, by the way, Nora called, I'm to understand, and she said, 'I just haven't gotten around to it. Give it to someone else.' What the hell is that? I haven't gotten around to it? Costing the state money. Not following the ICWA of which we were on television for, and doing all this other stuff. What the hell? Why isn't she returning my phone calls?

**CB:** Yeah. So it has to come from the top down at the DHHS level.

**A:** It's got to come from the —

**CB:** The judicial level —

**A:** But it's more than just coming from — I don't know where Mary Mayhew stands. I don't know where Therese Cahill-Low, stands, really. I have not had interaction with them. They're Big Time Charlie people. You know? What is ICWA to them? I don't know. And that's not fair. I'm just saying I don't know. It isn't about them. What's missing that needs to be sustainable? So that no matter who is in Mary Mayhew's place or Therese's place, it will always be sustainable. So there needs to be a piece of sustainability. There's so much turnover. You know it, I know it, and DHHS. People are just not hanging around anymore. They can't. It's horrendous. If you saw some of these caseworkers, and what they have to do. God bless them. What do you do about the sustainability when somebody maybe just got out of class and has



two months on the job, and they're a supervisor? There needs to be, and it's beyond me what it is, there needs to be a piece that's sustainable that will go on and on and on. It won't have to be [NAME REDACTED] that says, 'Remember back then? How come you don't —?'

And it's sustainable across the board. In the legal realm, too. Why are AAGs still writing their briefs or their statements incorrectly? Why is it allowed by the judges? What don't the judges know? As much effort that's being put out there, it's not sustainable. It's not sticking.

That's the shame of it. With as much that has been done and wasn't done before. In DHHS arena we need something, a document that is so sustainable, there's no question. Why is ASFA revered and kept to. So what makes that sustainable? I don't know. Take a piece of it. I don't have the answer for that. I just think I know what's wrong. And they have gone to training. Why hasn't their training stuck? I used to do that training, and —

**CB:** Were you part of the ICWA work group?

**A:** Oh, yeah. Not for this movement.

**CB:** No.

**A:** I was not treated well by my people. And fought and put together that presentation. And we'd go out and train, and nobody — I'm telling you now — nobody wanted to do the training. They all fell off. I'm not a trainer. I am not a speaker. It took everything out of me to stand up there and do that training. I was never late. I was always there. And that was taken away. And, um, I don't care what their thoughts were. That's what my people did to me.

I fought for getting paid for it, and I got paid. They wanted to come and help me, they could have gotten paid, but somewhere along the line, people are aggravated about that. Too bad. Too bad. The best of the people that are working on this thing walked off and wouldn't continue to teach. That's why I canceled with them. And one of them made it public with this working group that included the people from the State that I couldn't — I could not — I couldn't do it anymore either as far as she was concerned. And I couldn't use any of the documentation, 'cause it didn't belong to me. It turned out to be it was Wabanaki Coalition's stuff. And nobody like then what I was doing. Everything was wrong then. But nobody would've gotten that — Nobody was getting up at seven o'clock in the morning trying to be down in Augusta. Rain, shine, snow before to do this. And then I know it was given over to someone else. And I don't know if she's still doing it. Who knows? I don't care. So it's all this shit that comes down from everything. And I will never sit at a table with this person again. And she's up there in this movement.

**CB:** Yeah. Can I stop for a second and ask you a question?

A: Yep.

**- END OF SECOND RECORDING -**

**CB:** We're resuming the statement right now with my anonymous Statement Provider. The file number is H-201409-00089. And, it is September 9, 2014.

**A:** You know, I think the State has made really great strides. There's no ifs, ands, or buts about it. There's great literature; there's great written pieces that are out there. The issue is there's no sustainability so that doesn't keep on going. And there isn't anybody that likes to remember or likes to look at the written word whether it's a policy or not. And I think we, as Natives, have issues. I think that, with all of the pain and with all of the trauma whether it happened 200 years ago or whether it happened yesterday. We are so hurt, we are so traumatized. That just because there's an ICWA out there doesn't mean that a child should remain in an Indian family if they're not safe. People need to get better. They need to stay connected to the Bands in the Tribes, but that doesn't mean that they have to stay in the house if the parents can't get better enough to keep them safe. And not have them hurt all the time. And you know that follows through with foster homes, too. We just aren't safe enough to be able to put a kid in there and keep them safe. And you know what? A lot of our families don't want to do it either. They have to have the training. We need to have training, and we need to want to do this so bad. But it's not all there yet.

**[END OF RECORDING]**