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Statement by Anonymous collected by Marcie Lister on October 14, 2014

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General Information

Private or Public Statement? - Private

Statement Provider: Anonymous

Date: October 14, 2014

Location: Houlton, Maine

Previous Statement? No

Statement Gatherer: Marcie Lister

Support Person: N/A

Additional Individuals Present: Matt Dunlap and gkisedtanamoogk

Recording Format: Audio

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Transcriber's Note

This is an anonymous statement. Any redactions in the text and alternations to the audio have been done at the request of the statement provider in an effort to protect his/her identity.

Recording

ML: Today is October 14, 2014. And I'm in Houlton Maine with [NAME REDACTED] who is giving his—providing his statement today, and with two of the commissioners:

G: gkisedtanamoogk

MD: Matt Dunlap

ML: And my name is Marcie Lister and I am the statement gatherer. The case number is ME-201410-00101-004. As I've mentioned—you've gone over all the consent forms, do you understand everything?

A: I believe so, yes.



ML: And you've signed them and you do understand that if anything comes up in the course of your statement that indicates that a child is in any danger of being hurt or hurting her or himself or anyone else, that we can not keep that confidential.

A: Right. I understand.

ML: Right. Then I have a list of questions that were drawn up specifically for statements from DHHS staff and I will be going through those. Some may end up being redundant or you might give some of the same answers... so just, use the question if it is helpful and if not, just tell us what you want to tell us. So the first question is, can you please tell us about your current and/or past employment in State child welfare? What type of position, total number of years, total number of years working with children, paid employment, or how many cases involved with Wabanaki children and families? Those general things.

A: Um, I worked for initially the Maine Department of Health and Welfare, that's what it was called when I was hired in 1971. As a foster care caseworker. And I worked for—it became the Department of Human Services at some point along the way. I worked for the Department of Human Services until 1997. The department sent me to graduate school from 1972-1974, when I came back with an MSW I worked as a caseworker for probably another year. My territory really extended from the southern border of Aroostook county all the way up to Fort Kent. That was unusual but there was some gaps in service so I had some cases all the way to Van Buren, Fort Kent. I became a supervisor in the foster care program—I'm not a 100% sure, but it was probably '75 or '76. And remained a supervisor until probably the late 1980s, when I became an administrative case reviewer. I'm not even sure that exists anymore. But as a supervisor I supervised foster home licensing, workers that were the caseworkers for children in foster care and the adoption program. My memory – it's been many years - but I believe I supervised it for the entire county. That is the way I remember it.

That subsequently eventually changed and I believe there were then two supervisors, but at the time I think I supervised all the foster care program, adoption and foster home licensing. And at some point, maybe the late 1980s - I can't really remember exactly - I became an administrative case reviewer, which kept me in the foster care program. The purpose of it was multifold, but I think primarily to be sure that the department was doing what it was supposed to be doing: ensuring that the children were being moved towards permanent homes - either going back to their own families, being freed for adoption, and the last and least desirable long-term outcome for children was to stay in foster care. And that happened, too. A lot. I did that until 1997 - so it might have been ten to thirteen years, or so. As administrative case reviewer. And then I retired from DHS and went to work the very next day for Community Health and Counseling as a child and family therapist. And did that for nine years and eight months or something like that. So, through the course of that entire time I had the opportunity - maybe not every single day - but I worked with Native American children in each of those capacities. Of course, as I became a supervisor, and then a case reviewer it got more and more indirect,

but I still had some awareness. I don't know how much awareness I have anymore of what happened then, but your questions might trigger it. Essentially, that is my work history.

ML: Thank you. When did you first learn about Maine's policies related to Indian Child Welfare? How were you made aware of the Indian Child Welfare policies, and could you please comment on the type and amount of training you received relating to the Indian Child Welfare policies?

A: My sense is, in retrospect, that there was no policy that I am aware of knowing about until the Indian Child Welfare Act became—probably became law. I mean, we might have heard about it before it became law - but I'm guessing that it was probably pretty close to that time. And I did a little bit of a refresher online a couple of days ago, so I think that was about 1978 that the Indian Child Welfare Act went in to effect in the country. I wish I could tell you how much training we had. I feel as though we did have training—I can't remember whether we went to Augusta for training or Bangor for training, or to Presque Isle. But I'm sure there was a certain amount of group training. I honestly don't remember if it was just supervisors who got the initial training or... it probably was, but I don't know that. But prior to Indian Child Welfare Act, I don't believe that there was a policy. If there was a policy, it wasn't one that we were trained in. And I do believe that we had very few... when I was trying to think about this I could remember the name of one Native American woman who was a foster mother in the Houlton area. Um, I believe that I had at least one other family but I couldn't think of their name so I guess I can't say for sure (*laughing*) that that was really true. My memory is that most of the Native American children were not placed in Native American homes. In terms of the number of children, that also was elusive. But as near—from my own contacts, over the course of my career in child welfare, including in the private agency, I'm guessing that I may have...well, I may have worked directly with a dozen Native American children. Indirectly, as a supervisor, I could guess, but it would be totally a guess - if we had research that said how many Native American children were in foster care in Aroostook county, from 1975-87, I was indirectly responsible for probably most of them, until we had a second foster care supervisor.

ML: Could you describe a situation in which you or your staff felt very positive about your work with a Wabanaki child and family? Please describe in a general way so that we can't identify the family.

A: Meaning that we felt that our work was successful? That the family was successful, that perhaps it was...

ML: Any of those things. Yes.

A: I'm not sure that I can. I'm trying to - what I'm trying to remember is a Native American family where children were removed for whatever the reason was and that we were able to get the family reunited. I cannot remember a particular case where that happened, whereas I can



remember at least - I can remember more than one family where the reunification was probably not successful. Where we weren't successful, where the family wasn't successful. But, that doesn't mean there wasn't one, two, more... but I can't remember.

ML: What was your working relationship with the tribe?

A: The initial - we didn't have a working relationship with the tribe initially. With either tribe - it would be primarily Maliseet and Micmac in the Houlton/Presque Isle area. I do remember - the first time I remember working with Native American people, you know on some sort of a committee, was the Aroostook Association of Indians, AAI, which was made up as you probably well know of Micmac and Maliseet. Terry Polchies and Tom Batiste were I think the co-leaders at some point along the way. One of the foster mothers that I remember was on the board, and I didn't know that until I was doing some research online just to try to jog my memory... and, as I remember it, a primary subject was foster homes. And, trying to recruit from the Native American community - foster homes so that the children would be able to be in foster homes with people they were comfortable with and the same cultural background. And the other thing that I remember, and I hope I'm remembering this accurately, is that we were not very successful. I don't remember us being very successful at recruiting Native American families. I don't know whether my memory - for one of the reasons comes simply from being at the presentation at the hospital here (*laughing*) or from my own participation with that group, but my sense is that there was a fear of DHS. Who would want to get involved with us? We were involved in taking children away. Who wants to expose their family functioning to an organization which is going to examine your lives and you family to see if you meet a standard that allows you to have foster children in our care?

That was the sense that I had, was that folks didn't want us peeking in to their lives and I can't say as I blame them. So, I'm trying to think of if later on, after AAI - because I think AAI sort of ceased to exist when the tribes sort of went their separate ways - and the Indian Claims Act - how involved I was with the Maliseets in particular, because they would be right here and this happened to be my base of operations. Pretty sure not with the Micmacs who got organized later, as I remember it. I know that as a therapist for Community Health and Counseling, I had at least one young man who was a Native American child who was with a Native American mother - she eventually adopted him. But, I went out to their house frequently to work with them in their homes and the housing was on Maliseet housing, so I was out there for that, but I don't recall much involvement, if any, with administrative folks. I'm not even sure they had the ICWA job - I'm not even sure that existed at the time I was a supervisor. I don't know. You guys probably have some idea about when the Maliseets actually had an ICWA person responsible for administrating the Indian Child Welfare Act. But, I don't remember somebody like that that I had talked to.

ML: Could you describe a situation in which you or your staff felt less positive about your work with a Wabanaki child and family? Again, please describe in a general way so the child



and family cannot be identified and just maybe - what we're trying to get at here, what contributed to this being less positive? Thinking back, do you wish it had been different? What was your working relationship with the tribe in this case? Did this relationship contribute to the less positive experience, and how so?

A: I see. My memories probably are more as a caseworker than as a supervisor but anyway, I remember an early case when a coworker and I were both involved - it may have been that he was working with one child and I was working with another - but we sometimes would go together to visit the young man, probably an adolescent at the time, in a non-Native foster home. The mother was—she was a real sharp cookie, except when she was using alcohol. And then she wasn't. And I think the factors that led to the children being in DHS custody were her functioning when she was drinking. And the kids loved her to death and my memory is that it was just extremely difficult for them to be separated from her. I can remember meeting her. I don't remember what we were doing. This is probably before the State was under - I'm guessing that there was federal pressure for permanency planning. Permanency planning was something that was not a phenomenon when I first came to work. At least, I don't remember it. In 1971 I don't remember that we were really urged and encouraged to get kids permanently placed. In fact, this is what I remember of case plans: case plans, written case plans were required. We did dictation, we did narrative dictation that described what we were seeing in the families and when we visited the children in their homes and stuff like that, or in their foster homes. And then, we'd have to write a case plan, for every three or six months, as caseworkers. And the case plan was foster care until age 18. That's what I remember until 1971 and 72 and probably when I got back from graduate school.

But, somewhere after I got back from graduate school, foster care until the age of 18 was not an acceptable case plan anymore. You know, we had to have ruled out more permanent options - like return to family, like adoption, before we could settle on a reality which might mean that this child doesn't seem to have prospects for anything but long term foster care, so. But, case planning became pages long instead of a line in a dictation that said 'foster care until age 18'. So, I guess in going back to the family that I was mentioning - I'm thinking that that was prior to the permanency planning process, which was very powerful for us. It was a powerful lot of training and a lot of pressure from the agency for kids to have permanent homes. And, that leads me to the thought - I believe that my mindset, at least in the early stages - before ICWA, my mindset was children need permanence. Period. If they can have - if they're Native kids and they can have it with a Native family, that is even better, but that is only frosting on the cake. The cake is a permanent home, whether it is a Caucasian family or whoever. I'm not sure that my mindset was the agency mindset but I wouldn't be surprised.

And I think that the Indian Child Welfare Act, which probably was the next big thing - because there were big things all along. You know, the agency would, periodically there would be a big change periodically. You know, there would be a big change or new personnel or something would come along from the feds and it would be the big focus and we'd have to have training



on it. Well, I think Indian Child Welfare was probably the next big thing after the permanency planning stuff. And, so, I'm sure we had training even though I can't specifically remember who or where or what. But, that shifted—I think by law, it shifted. It made it more difficult and I think probably in retrospect I can probably understand the reasons better than I understood them at the time. But, it became important. Preserving the tribes became important along with permanence for kids. And certainly, prior to the Indian Child Welfare Act, I was not thinking about preservation of tribes. I was thinking about permanence for kids. I had all I could handle to think about permanence for kids. So, I believe that the Indian Child Welfare Act clearly changed the focus of the agency. And, as I recall, it took a while to learn it. I mean, it's one thing to be trained. It's a whole other thing to have a real child and a real family in front of you and try to figure out - how does the act apply to this child? One of the things I think it required us to do, which we probably hadn't done before, was to determine what tribe a child belonged to. Because, we might or might not know, we might think we knew, I don't really remember us thinking a child might be Micmac or going to do the work of cracking that down and having it turn out to be somebody else, or another tribe. But, nonetheless, we had to do that in order to follow the act. We had to, you know—which tribe the child was a member of. And... I guess I've lost whatever train of thought I was on....

ML: That's fine (*laughing*). I guess this may be redundant but could you please describe your experiences working within Indian Child Welfare policies? There are many facets to working within the policies, some parts of ICWA policies may be familiar to you and which you've had experience with - other areas may not be as familiar or were not a part of your work and training. And so I'm going to ask you about these different areas. Please speak to any that you feel you have experienced. If you didn't, then we'll just move on. To be thinking about what were your experiences in and what challenges did you find in the following areas: first initial identification of a child as Native American?

A: I don't remember that as being extremely difficult. I mean, once we learned the procedure and who to contact. So I think that was not necessarily hard.

ML: Notification of children to Tribal Child Welfare?

MF: Um, I don't remember what the procedure was, I don't remember it being a difficult issue so we must have had contact people but I can't speak any more certainly than that.

ML: Who would you usually call within TCW?

A: That's a good question. Yep. I don't know. In fact, I'm thinking that - I was a supervisor by the time that happened and I'm guessing that the caseworkers did the calling and would have had firsthand knowledge of who they talked to. I can't believe I didn't have some opportunity - I mean, the Maliseets, I knew Clair Sabattis and if I had a Maliseet question I probably would

have gone to Claire, who was the Chief for quite a stretch of time while I worked for DHS. I don't know on that.

ML: Okay. What were your experiences in working with tribes to identify Native children?

A: I don't have any specific memories but I don't remember that it was a difficulty.

ML: What about determining jurisdiction or residence of Native American children?

A: I don't know.

ML: Child custody hearings?

A: I guess I'm not sure what the question means.

ML: I'm not either (*laughing*). I guess did you - were you involved in going to custody hearing that involved Native American children?

A: I was never a child protective worker so I was never involved in the initial removal of kids from their families. I did at times go to subsequent hearings, like once the child was in the custody of the department and it was usually the foster care worker's responsibility to go to follow-up hearings and so forth. I'm trying to remember any particular cases of Micmac or Maliseet kids that I was at the hearing but I don't. This is one thing that I do remember though, at least for myself - and I think probably for colleagues - was that at first glance the Indian Child Welfare Act look like we might end up with kids that weren't being protected. Because it raised the standard, the legal standard for removal and then the standard of termination of parental rights which allowed us to move children in to more permanent families. So, that was certainly a concern we had at the time and it's clear that the federal law was designed to protect tribes and keep them intact but our primary responsibility as we had learned it over the years was to protect children. So it looked as though there was going to be a conflict between the two.

I would really like to be able to say to you that either I know there wasn't a conflict or that I know that there was. I don't remember it becoming the burden that I expected it would become. I don't know how many children ... I guess the worst-case scenario in our judgment was to be removed from family into foster care and then not have an exit. Couldn't go home, couldn't go in for adoption - they stay in foster care forever. Now that didn't seem like such a horrible thing in 1971-72 but once we had our training and experience in permanence planning, that seemed like a failure on our part. So I think we were afraid that that's what was going to happen. We might be able to prove by the new legal standard that kids should be in custody but we might never be able to prove that they should have their Native American parents' rights terminated and we might not be able to send them home because they might not be safe in our judgment or in the judgment of the court, for that matter. But I'm not sure how often that happened, quite

frankly. I am certainly aware of children who were adopted and I believe they were adopted after the Indian Child Welfare Act and probably some by non-Native people.

MD: That was the question I was going to ask—you talked about how it seemed to be far more common for Native children not be placed in Native homes and I guess—is that the general standards or is that peculiar to typical department actions prior to ICWA vs. post ICWA?

A: My sense is that children were—prior to ICWA, we had only a couple of Native American foster homes, which we generally used for Native American kids... though I do have in the back of my mind that I placed one non-Native American child with a Native family because it was a right match at that time. So, I took up a slot for a Native American kid with a Caucasian kid. But after ICWA, I'm sure that we would have—I mean the law essentially required us to make that placement. So, we would have if we had the families but I don't remember an influx of Native families. I can think of maybe four or five Native American families - a couple of whom I worked with after I went to work with CHCS. So, that would have been in 1992 I think. Or thereabouts. So they were therapeutic foster homes because that's—at the time I went to work for them—that's what they did for foster care, was therapeutic foster care. DHS essentially paid for it and we did the treatment with the families. So these were therapeutic foster homes. Okay, I'm at the end of that question.

ML: Okay, I'll move on. Experiences in arranging foster care placement?

MF: In terms of ICWA? Are we under a rubric of ICWA or Native children particularly?

ML: The frame for the question is about working within Indian Child Welfare policies -

A: Okay. Alright. I guess, as I've said, the difficulty in arranging for Native placement for Native kids is that there weren't enough to go around. I think we tried recruiting. Our attempts to recruit were usually done I think through AAI initially, or the bands themselves. We weren't successful. We may have gotten a few, I just can't remember. I wish I could. I dug through some old material I had—when I was between graduate school years - so that was the summer of '73 - I did a survey for the county of foster home availability and looked at all different criteria. And one of the things we wanted to look at was Native American families. But in the report that I had to do before I went back to graduate school, I wasn't able to address that. But I do think that somewhere in the bowels of DHS, if it hasn't been destroyed in the archives, there may be the raw data that I used to write the report. And that probably at least indicated how many Native homes we had in 1973. But, I don't have that raw data myself anymore, so I can't answer the question.

G: Juts for clarification - when the question was posed about Indian Welfare policy - do you interpret that as a State policy or an ICWA policy that state's working under?



A: Well, I don't think the state had a policy before ICWA. And after ICWA I believe that we were doing the best we could to follow ICWA policy.

G: So ICWA became the policy?

A: I think it became the policy. I mean, our consultant, our so-called consultant in the central office was Freda Plumley. Freda was so good at what she did in my judgment that she was more than a consultant. If she said this is the way we're going to do it or should do, that's the way we did it. And Freda was a stickler for following the rules and she was just very precise about language. It took me years and years and years for me to find out that I could get an exception from her on anything. But I had to ask and make it really clear how... and most people thought that when Freda says it, that's it, don't question it. I don't remember any exceptions to Indian Child Welfare Act.

G: So prior to ICWA the state policy was looking for permanency and it didn't matter what family it was, just availability. And then after ICWA it became...

A: Yeah. I think—it seems to me that we may have had some unofficial, social work inclined policies to try and find a Native family if we could. But I don't remember written policy. I don't have my old policy manual with the light blue cover anymore - to say whether there were any words to the effect that you should initially search for a Native American family for Native American kids. I don't remember. Freda probably would 'cause she probably knows that policy manual still by heart.

ML: I'm going to read the last four so you can comment on any of them, or actually last five: experiences with family team meetings, arranging family visitation, kinship care, termination of parental rights and adoption. You can speak to any or all of those.

A: Team meetings. When I worked for DHS until the administrative case review process became implemented, and I don't know when that was, it might have been in the 80s- there probably rarely were team meetings. If they happened they were ad hoc. Administrative case reviews implemented a requirement that we would regularly, every six months, have an administrative case review in-house and that we invite parents, guardians ad litem, parents would sometimes bring their attorneys, you know a caseworker would come, often a supervisor but a caseworker would attend. So when I became a case reviewer I think by that time we had started to look at the administrative case review as a sort of team meeting. I mean, the reviewers—the power the reviewer had was to make recommendations, not to order something done. But I think sometimes the recommendations were taken pretty seriously and attempted to follow up on. So that was as close as we came in DHS to what I would consider a team meeting. When I worked for CHCS we functioned with team meetings. I mean, team meetings might be every week. And the parents, if we were in a returned family mode and doing that on behalf of DHS, parents would be invited to come. The child might come for parts of it. It was



just a much more team-managed approach with any of the agencies, people that were involved with the child would be there. The DHS caseworker would be invited to be there and usually were. So, I'm trying to think whether we specifically invited people from the band and I don't remember that but I'm guessing that if the band was involved, they probably would have been notified. I'm guessing that maybe ICWA would have required us to notify, I don't know. Let's see.

ML: Oh—arranging family visitation.

A: Arranging family visits. I don't remember that as being particularly difficult. I mean, I remember there were people I think that worked for Catholic charities. There was maybe a whole cadre of people trained to supervise visits—caseworks could occasionally supervise visits. When I worked for DHS if we were moving toward return to family there would be a time at which visits would be unsupervised, I'm speaking generically. That would be true for children, Native American kids in the foster care program too. So I don't remember particular problems in working with Native American families around arranging visits. I don't believe that they were more or less wanting visits. I do remember one mom who was adamant about the kids were going to forget the language. And she was a foster child herself whom, if I didn't work with her, one of my colleagues did and then her children came into foster care. And she was concerned about the language.

ML: Kinship care?

A: Kinship care, I think—we did placements with relatives from the time I started working for DHS. But I think we were also somewhere suspicious in the early stages because we had had some not good experiences. Sometimes the families were hostile to the department because - and I'm speaking again generally - because I think we looked pretty carefully at kinship placement and I think that is probably very different from the way things are now. As I was getting, probably getting ready to leave CHCS, I think there was a lot more proactive emphasis on kinship care. I know we did it. I'd say each caseload had 3 or 4 children who were placed with families. I don't remember Native American kids versus non-Native American kids and whether or not that was any more or less frequent.

ML: Termination of parental rights?

A: That was probably, for the foster care program that the hardest thing we did. For a couple of reasons. One is, in the process of working with the parents, I think we tended to develop a connection to them. Understood the limitations at times on their ability to do what they needed to do. So, going the—what was really the final step to terminate their relationship with their children so that their children could be placed in adoption was a difficult thing to do. But I think we saw it as critical. Or else, we were going to have a whole bunch of kids staying in

foster care and not really belonging to anybody. And I think we really learned well over the years that that was not a good thing for most kids.

MD: And that was a different line of thinking from what you came in to, as you said?

A: That's right. I think it was probably at the time I came to work it was probably evolving in some of the think tanks in the country, but it wasn't something that I remember us being asked to do, required to do, expected to do. But it certainly became that - I guess in the '70s.

MD: Can I ask a question? Having worked at both CHCS and DHHS, and I was just listening to what you're saying, is it fair say—is it fair for me to be impressed by the idea CHCS was perhaps a little bit more proactive and flexible in managing different approaches than perhaps DHHS was? Or is that overstating or oversimplifying?

A: I haven't ever really thought of it that way. I think we were probably a little lighter on our feet. The interesting thing is that most of the people that work for CHCS used to work for DHS. I mean, I did. There's people there now that did. There's some that didn't. But I think they probably had flexibility because even though they were part, you know, Bangor was the headquarters for Community Health and Counseling, the folks out here in the county were a little freer and maybe the central office was a little freer to do what they wanted because they were a private agency. That is possible. I guess that when I worked for DHS, one of the things that impressed me the most and I always remember is that everybody was extremely committed to what they were doing. We did have that policy manual that limited what we could do - but I guess I saw that as probably a pretty good thing. Because, even though I believe that intuition was important in social work, it had to be checked by knowledge and skills and rules and regulations because we all come with certain beliefs and I'm glad that the heavy policy manual was there. And it probably had an effect. The DHS policies and the laws under which DHS operates also had an effect on CHCS, at least indirectly because CHCS was taking—working with children, almost all of whom were in the custody of DHS. So we had limits to what we did, but within those limits we were more nimble, I think. I do think we were

MD: Going back to your time at human services, from when you first started to when you retired - especially in the early days, when you're in the field – you know, of course this is a while back – a little while.

A: Two thirds of my life back (*laughing*)!

MD: What would you say, 'cause I'm one of these narrow minded administrative types - but I'm fascinated by how these structures work. For somebody in the field what was your most reliable source of support and information?



A: That's is a really good question. Three things occur to me: colleagues, people that were—and when I first started we all sat in a room, probably bigger than this with clusters of desks and we all heard everybody's phone conversations and so we learned from each other just by knowing what everybody was doing. So, that was really important. I had a supervisor at the time, Jim Clark, who I think has passed away now. He was very good and very supportive. And, as I became a supervisor, Freda Plumley. As I said, she was just solid. I never doubted that if I had a question, a concern, a worry - if I went to Freda she would have an answer or a way to help me find the answer. She was very reliable. I experienced the agency as pretty consistently reliable and, you know, pretty much through the central office level. I don't know. Does that answer your question?

MD: It does. It does. You're taking the last step- working for CHCS vs. working at DHS, where you were probably working more directly with the people in leadership than in DHHS, did that help speed change, being able to have fewer layers of supervision. Versus Augusta. Did things change more quickly? Adapt more quickly?

A: Yeah, I see what you're saying, I'm not sure—I'm trying to think of maybe some examples. Because when I worked for DHS, once I learned - once Freda had to take care of her niece. That's what happened, her sister died and she became an actual mother - she was unmarried, probably in her 40s and 50s while I worked there. She softened and she was accessible and we could get some flexibility in the policy. Now, in terms of—if you're thinking about agency change, I'm not sure. I think CHCS has changed when it had to. DHS has changed a lot, too. It's DHHS now! I don't have a lot of conversation with people are still working in the business but my sense is that things are very different—not necessarily for the better, from what I hear. There are things I hear that...

MD: This is very helpful comparative analysis. Thank you.

A: I wish I could be more helpful but unfortunately my memory is a little foggy. If I could be sure of more things I'd feel better about it.

MD: No, no. Well, my memory of 1971 is a little dim too (*laughing*).

ML: Don't rub it in (*laughing*)!

MD: It's not that long ago! That's the scary thing. But it's also, what, 43 years ago.

G: Let me put this in reference in to your sense of things (*laughing*) - post ICWA adoptions. Was there any effort that you might have a sense of where there was a focus on ensuring that Native American children who were placed in non-Native American homes had access to their culture?



A: Yeah - I'm thinking of that, probably especially with CHCS, when I worked there. 'Cause I know that we had families who were taking children to the band for celebratory activities, drumming and so forth. In fact, what you made me think of was a family related - a kinship care placement - while I was at CHCS but it was a DHS placement, they made the placement - the children were all Maliseet kids. But I don't believe the mother and father—the foster parents, the aunt and uncle, were not Native American but they were very active in making sure the kids got to the Maliseet activities. And that's one example, there are others.

G: So there was some awareness about the importance of keeping cultural—

A: Yeah, certainly CHCS. I say certainly CHCS - we must have had some DHS encouragement, I'm not something it is specifically aware of but I know that that went on. Prior to ICWA, I'm not even sure that there were activities – the whole structure of when the Maliseets gained recognition and had their own land and you know, had Maliseet housing and a building and all that... because I think before that, Maliseet folks were scattered around Houlton and vicinity and there was no central location so I don't think there were activities. But I think once there were activities, that happened... I'm sure that there were some non-Native people who were a little skeptical about it, didn't know what might happen, whether they would (*sighs*)... whether they would feel like they were on the hot seat. But I think once it happened they were willing to do that and may have seen the importance to the kids.

G: I guess that brings up a question about the era - the timeframe of the Aroostook Association, was it?

A: AAI? It was the Association of Aroostook Indians, yeah.

G: Do you recall the timeframe of that?

A: I think it may have gone in to existence before I got there.. it may have been '69 or '70. I think I saw this online, last night actually - that they disbanded around maybe 1978. I don't know when the Maliseets gained federal recognition but it was right around that time. And then the mutual aims, 'cause I think that was one of the reasons they organized. They were going to work together to try to get recognition. And then Micmacs, for whatever technical, legal reasons, weren't able to do it as soon. And I think the separation... I don't remember that. I know it from reading online. I don't remember being firsthand aware of it.

G: I'm just wondering, what capacity AAI would have in terms of community functions or what kind of a cultural...

A: That's a good question. I don't know. You know, I remember meeting with them around the subject of finding foster homes for Native kids that were part of the Native community. Beyond that they may have had cultural functions too that I just don't know about. I mean, at

least—they had a building. In fact, I live right in the neighborhood. It was the old Bowdoin Street School in Houlton, was right across the street from where I live. That was where I remember going for meetings. So that might have been the initial cultural center for the Native community in Houlton, for both tribes. I don't remember knowing that specifically at the time.

G: I'm just kind of recalling... Most of the organizations that I'm familiar with had some kind of a cultural function at sometime prior to ICWA so I'm just kind of trying to ...

A: Yep. Well, it may very well have. And that...

G: But we have no way of telling - you know, because that's more of an in-house, cultural, internal functioning type thing that maybe you wouldn't have been aware of.

A: Well, there was more online about AAI than I expected. I mean, I just stumbled on it. I was looking up Maliseets and discovered the existence and saw Tom Batiste's name there and you know, it was interesting.

G: Thank you [NAME REDACTED].

ML: I don't know whether this would apply to what you did and are not doing now, but here's the next question. What do you consider active efforts to prevent the breakup of an American Indian family? Please describe how the state conducts quote, "active, rehabilitative and remedial efforts to prevent the breakup of the American Indian family" before ordering the out of home placement of an Indian child?

A: Well, I don't remember that the specific efforts would be any different, except that it would be possible to involve the band in helping. But, efforts would - for all children, including Native American children, and families - would include providing—if there was a parent education problem that seemed to be at the root of whatever abuse or neglect or jeopardy existed - then there would be parent training available. There was a program that actually my wife worked in at some stage in the 1970s, and I'm trying to remember what it was - it was a little different from parent education. It wasn't a group parent education, it was like, almost like hand over hand work in the home. It was more of a—it wasn't a caseworker, it was somebody that was a regular community person going in. And I think maybe we hoped it would have been less threatening and more supportive. That would have been available for Native American families as well.

But, I don't recall other than involving the band, once, you know, post ICWA - and maybe involving AAI in some way, but I don't really remember doing that. I don't remember that necessarily being their function or how we viewed them, having that function. But it would be what I consider to be the full bore, expected preventive service. Before we could remove you. Of course, there was an emergency status. If kids were in serious jeopardy the caseworker

could get what was an ex parte order from a judge, wake them up at night and say, “Look, this is what's going on,” and the judge would say, “Okay, you've got custody until such and such a date and then we'll have a hearing.” But, short of that, there would be preventive work. Mental health services, alcoholism counseling, whatever seemed to fit the needs of the family.

ML: Is the active efforts standard used different in cases involving Native American children, more than the reasonable efforts standard applied in cases not involving Native children?

A: So, active efforts must be words from ICWA, which I have certainly forgotten.

ML: Right. I presumed that might ... 'active' and 'reasonable' are in quotes here....

A: I guess I wasn't aware there were reasonable efforts either but it might have been in the law that governed what we did in Maine. I don't remember a distinction when I was a caseworker or supervisor, so it would have been, probably - I was a supervisor when ICWA went in to effect. So I don't remember. That would probably be—we probably would have seen that—the judge would have to decide if we had made active efforts or only reasonable efforts. And I'm not recalling cases being rejected on that basis. Could very well have been. Because I didn't read whatever the orders were, necessarily in great detail, until I was a case reviewer and then I probably read most of them.

ML: How are Tribal Child Welfare staff included in the development of a family case plan when a Native American child is involved?

A: I don't know what the situation is now... I don't believe that there was, that those staff existed when I was working for DHS. They may have and it's probably a sad commentary on where I was at the time if I don't remember it... but I don't remember that they existed at the time. That would have been until 199- when did I go to work for CHCS? Well, 1997 CHCS - I don't remember when I became a case reviewer – it might have been 88 or something like that. So, prior to '88 I don't remember there being that staff.

ML: To the best of your knowledge, when the state declines to transfer a child custody proceeding covered by Maine's ICW policies to tribal court, what are the reasons for this decision?

A: There was no tribal court that I was involved in, at least not in Aroostook county. The Penobscot's may have—they may have had the earliest tribal court, I'm not sure. But anyways, I can't answer that.

ML: Wow, there are a lot of questions.

A: Yeah (laughing). My memory is - when somebody sent me the list, I realized that there is a lot that I couldn't answer. But that doesn't mean I won't have some time consuming opinion that I'd like to try and spread!

ML: You consume as much time as you need. Have you had experience working with expert witnesses for ICW?

A: I don't think so. I'm trying to remember... I can't remember anybody in particular, I don't think.

ML: This may be irrelevant then, but in your experience, what criteria does the state use to establish a qualified expert witness in ICW?

A: I don't remember. I don't know.

ML: What State Child Welfare policies, practices and events influenced your work with Wabanaki children and families?

A: Would you repeat that please?

ML: State Child Welfare policies, practices and events influenced your work with Wabanaki children and families?

MF: I guess I would have to say that ICWA and the training around that was probably the biggest influence. Prior to ICWA, I'm thinking that it would have been the sense of rightness that I had as a caseworker or supervisor, or that my supervisor had. You know, I'm not sure—in those days I don't know the extent to which respect for cultural identity and so forth, how important that was. But, it would have had to have been a sort of an unofficial decision that we're going to find a Native American home for this child. As opposed to one that we were getting from on high. Whereas after 1978 it was an expectation from Freda and probably the Commissioner through Freda and right on down. Freda Plumley would have been the enforcer on that.

ML: How did State Child Welfare policies and practices change during your employment? And you've certainly addressed this. And, how did this impact you work with Wabanaki children and families?

A: Well, you know, it changed the legal standards and that meant we had to work probably longer and harder with Native American kids to achieve permanence. That would have been the impact on our practice, I guess.



ML: Over the course of your work in State Child Welfare, what did you see as barriers to the implementation of Maine's Indian Child Welfare policies? And please describe these.

A: Well, part of it may have been that the - as I described - what I think was probably the fear on the part of the member of the Native American community to become involved in DHS. I didn't appreciate the historical extent of that fear until the meeting that I went to at the hospital where Barbara carried us through the history all the way back to Pope Gregory or Pope Alexander or somebody. But I think that was one thing (*sighs*). I think probably—as is probably the case for non-Native people too—but the resources needed are always a little bit too short. It's like having a sheet for a bed that is undersized- you're trying to help everybody, keep everybody warm but it doesn't cover everybody. You don't have enough time or money to do everything that needs to be done. So, implementing the ICWA policies - there just weren't enough families to have every child in our care who is Native American have a Native American adoptive home. I don't know how many did. I do remember us, probably with one or two families that I can remember - there may have been more - but people would be looking back in their history, people that didn't really think of themselves as Native American as near as we could tell – “Well, I think I have an Apache grandmother or something,” tribes outside of the State of Maine. You know, they would try to come up with anything. Foster care was the way that people adopted. It wasn't the only way... but for older kids, the kids for whom the permanency planning was really about... kids that weren't little babies that everyone wanted to adopt, but kids that maybe not everyone wanted to adopt—but people who were foster parents would fall in love with the child that was placed with them temporarily and if they couldn't go back home again they might want to be the ones to adopt.

Well, I think ICWA meant that that was going to be harder. And I'm sure that that was a concern. I'm sure that I had that concern. They formed this relationship, we think it's an excellent foster placement, that it would be an excellent adoptive placement but they're not Native American and ICWA says that they have to find a Native American home so we might have to move this child. If you want to think of it as a barrier to implementing ICWA. Probably our heartfelt belief that it might not be the best for this child to be removed from a family that he or she had been in for three or four years and is feeling comfortable there and we've gone through all these behavioral problems and now they're functioning well, they're doing well in school, and now we might have to move the child because of the federal law. That was probably a barrier in making it hard to do a 100% heartfelt work. It's the balancing of what's important in this child's life. And when you've got an individual child before you and probably weren't super well educated in the idea of preserving the culture and the tribal existence - that wasn't as important to those of us who worked for the department that weren't Native people. And I don't know that we had any people working for us who were Native people, in foster care. So, I would say that would be a barrier or sorts. A bit of a drag on the process.

G: Theoretically - and probably we're talking about ICWA and its initial emphasis with the State - at what point, and this is all conjecture on your part, sure... but, the sense of ICWA was

to at least have a discussion with the community, to bring the community to it. So you have a scenario like you were just describing, where everything seems to be working well, and you still have this overlapping issue of great concern about removing children from, you know. So it maybe didn't come in to the minds of DHS at the time to – 'cause we're working with the interests of this child kind of thing, you know - to begin to outreach with the community and find some way of at least having some involvement from the community and particularly the cultural matters kinds of thing... and that probably would come later, rather than sooner. You know?

A: Yeah, that's a good point. I think that it probably would have been possible. Maybe to find solutions with the tribes -

G: As partners.

A: Yeah, as partners. Exactly. I don't believe that during my time with DHS, I don't remember really feeling like we were partnering with the tribes. I think we were still probably trying to figure out how we're going to deal with this particular child or this particular child, and may not have even been thinking in terms of embracing a partnership.

G: You know, a little while ago Marcie was talking about jurisdiction and it seemed that, post ICWA, in its infancy you were still thinking about jurisdiction. So, it would probably preclude partnering with the tribe. So, I think that is one probable cause but I'm kind of interested in at what point does that change (*phone buzzes*) where we're starting to actually reach out to start partnering with the communities.

A: That's my phone that's buzzing.

ML: Okay good. I wanted to make sure that it wasn't the recorder!

MD: I know I turned that thing off (*laughing*).

A: No, its mine. Vibrating loudly.

G: Anyways, that's why I'm kind of thinking that. The sense of ICWA was to at the very least to begin this partnering with the communities.

A: Yeah. And I don't remember being aware that that was the sense of ICWA. It may very well have been. But I do have a question for you and that is, is it your sense that there is a partnering going on now? Beyond the TRC?

G: Well, I think the presence of the TRC is sort of suggestive. 'Cause Maine, the State, or at least at one point, embraced the idea of working with the Wabanaki on this particular, specific

event. This kind of challenge. So there is some opening and then given the nature of both the TRC and REACH where we have key elements of the State and Wabanaki people (*coughing*). So there seems to be a real movement towards that. So, I would say yes. There is that kind of a movement. And then, post TRC I think... this is kind of our focus, what is the best practices now?

A: Right. So, it's been an evolutionary process.

G: Absolutely.

MD: I think too, what this whole discussion too has peeled away a little bit is a better understanding of the role that historic trauma plays in these communities. I don't think any of us come in to this understanding fully. You know, speaking for myself, from the white community - it runs far, far deeper than I think we even imagined. And so, seeing how the child welfare practices have evolved and changed and then before, during and after the implementation of ICWA—and understanding what people went through in the tribal communities, it gives us sort of a real cross section, if you will, of just how devastated these communities have been over the last however many years.

A: Well it occurred to me, during that presentation that that would have been real helpful to have back in 1971 when I first started. Or, 1978 as part of the ICWA training that we would have gotten with DHS but I don't remember ever having heard any of that. Well, much of that history. Some of it I was aware of. But certainly not in detail.

MD: Yeah. We we'd only been allowing Natives to vote in state elections for a few years at that point!

A: Yeah.

G: And then we have the back drop of the Indian Land Claims which created a lot of hysteria -

A: Animosity. Yeah. That's right.

G: But, here we are now (*laughing*).

ML: Yes, here we are.

G: Okay. We move on.

ML: Shall we move on to the last 400 questions? What strengths does State Child Welfare possess in terms of Maine's Indian Child Welfare policies? What effective procedures or practice does the state have in place for promoting compliance?

A: I think probably the policy manual has been amended to take in to consideration the law. I think that the State respects the law. DHS used to be - may still be - made up of social workers and as a profession, social workers I think—certainly get educated in being accepting of many different cultures and values and affirming that. So, you know, you've got a bunch of people working - if they've had education - then they're going to be inclined to want to do the right thing to support the cultures and multicultural situations.

ML: Now, are you speaking—I know you have your Masters. I have a Masters in social work too, so I agree with you that that is part of the training. But my understanding, and please correct this if it's wrong, is that many of the sort of boots on the ground were people with far less education. Certainly not with Masters degrees.

A: Yeah, certainly. I mean, when I started I had a college degree. I majored in government and minored in sociology and went to work as a caseworker. And in a year the State was paying to send me to graduate school back in the early '70s which was a really nice thing. And no, you're right. At that time, I think only the supervisors had been to graduate school. Because that was the practice of the State, to try to get its supervisory staff Masters level people. Now, I think, the boots on the ground are supposed to have a BSW. A Bachelor's. I'm not sure that is required but in the back of my head I think that's—can be an important...

ML: What weaknesses does State have in insuring compliance with Maine's ICW policies? What could the state do to promote compliance?

A: I don't know. Currently I don't know. I mean, it's been quite a while since I retired from CHCS so I don't know what's going on now. I think the weaknesses are probably always short staff, education... I think—you go to training but sometimes you go to training but the follow-up after training is not there because other issues arise that take over. So, probably training and implementation of training for the people that are doing the work and making sure that that's always in the forefront. But, I don't know right now. In 2014, I don't know.

ML: What strengths do Wabanaki tribes posses in working with the State for ICWA compliance? What procedures or practices does the tribe have in place that helps facilitate state ICWA compliance?

A: I don't know, although I believe that the Maliseets and maybe Micmacs have an ICWA person. I don't know what the role is called but somebody who specializes in making sure the department is following the rules and regulations. Plus, the tribes - since the land claims - have developed health bureaus and I think probably behavioral health. They have family support teams. I think that the resource—the tribes have developed resources that will help their own members function better as parents, precluding the need for DHS to become involved. And

once that happens the resources are there. I'm presuming but not knowing for sure that DHS reaches out and uses the resources that the bands now have.

ML: What weaknesses do Wabanaki tribes possess in working with the State for ICWA compliance? What more could tribes do to ensure ICWA is followed?

A: I don't know. It is that simple.

ML: That is a perfectly acceptable answer. Please talk about - and I think you have but if you want to add anything - please talk about the importance of caseworkers learning about and having knowledge of American Indian family structure and culture.

A: Extremely important. And I wouldn't have known that until about two or three weeks ago. But it's critical.

ML: Please talk about the importance for an Indian child who is placed in out of home care to be placed within reasonable proximity to his or her birth family and or community.

A: I think the historical trauma that we've talked about is probably, it's magnified I think for children. I don't think we realize the extent to which we traumatize kids by removing them from families, even when they are in jeopardy. I don't know. Some kids, the older the child is, the more they are going to realize that something bad is going on and mom and dad just aren't doing what they're supposed to. But the younger the child, I think all they know is that the only person that they know that cares about them and that they care about, they're being ripped away from. So the more—when you take that child out, the degree to which you can keep the child within familiar surroundings helps to lessen the trauma. I guess that's my belief about it. So, it is very important. Unfortunate that it can't always happen but, important.

ML: And this basically get at some of the same things, but can you comment on the importance for an Indian child who is placed in out of home care to participate in traditional tribal events, spiritual customs and social activities.

A: Yeah, especially if that is something they've been involved in with their own families. It would be important to keep that to mitigate the trauma of being removed from their families. And I guess, under the rubric of ICWA, it's important for the tribes for them to continue that connection so that they don't lose that, get lost out in white society.

ML: In what ways do you see Maine's ICW policies and the Adoption and Safe Families Act working together? In what ways do you see these two policies as not working together?

A: I don't know about the safe families act - that was a new phrase for me, so I don't know what that is and how it integrates with ICWA. I don't know.



ML: Three more. If you could change anything or make anything happen at the tribal, state, or federal level to improve the lives of children touched by ICWA, what would you do?

A: Um. First thing comes to mind is, and I'm biased because my wife was a teacher and my daughter is a teacher - is to pay teachers more. But, I guess what I really mean is to give more emphasis to children and to the people that take care of children. You know... I think the phrase make services available - but when services are available what it means to me is something in—when you have to make services available, it means that something in the natural environment isn't working right. So, I think we really need to bolster the natural environment for Native American kids and for all children so that the children are valued, the workers taking care of them is valued. And, by valued I mean paying for it. More than we pay for athletes and CEO's who make 400 times what their average worker makes - don't get me started (*laughter*). So that there is a natural system of support. I guess, you know, probably the difficulty that Native families have is related to how we've all - we all just go away. My children live away from here - so if I want to see them I have to travel 250-500 miles. And if they need to come and take care of me... And that's not an easy solution to that, but I'm guessing that Native families—kids did a lot better when grandpa was next door and you know, mom and dad were right here all the time and dad didn't have to travel 50-100 miles to work or something. I guess I'm saying, come back and focus on families and make sure the environment, the social environment supports healthy parenting and healthy children. It's not asking much, is it?

ML: Gotta start somewhere. How could the state Child Welfare system improve in terms of- is that the one I just asked? Some of them sound so similar...

A: I don't think that is the one you just asked...

ML: Ok, it is different. How could the state Child Welfare system improve in terms of Indian Child Welfare policies and practice?

A: I don't know where those policies and practices are at now. But, I think that I'll take your suggestion that the working together, the actual attempt at partnering, partnerships to solve problems - wouldn't make sense to me.

ML: And this is my last official question, is there anything else you'd like the Maine Wabanaki TRC to know about your experiences working with DHHS and child welfare cases with Native American children?

A: The only thing that I'm thinking of - and this must have been a story that you guys have heard before from either Native people or from DHS people... but, when I came to work for DHS, there were quite a number - I don't know how many, quite a number might mean a dozen



- a dozen kids from the Houlton area who had to be placed outside of Houlton. I mean as far away as Ashland and probably Fort Kent and Van Buren because their families—their parents were involved in drinking 'canned heat' that was a form of alcohol that they were using and got sick and a number died. I don't know the details of that story because it happened before I arrived, but I know that all those kids were kind of scattered all over the county because of a lack of sufficient foster homes in the Houlton area. And I'm guessing that for the traumatic tribal history - I don't know how the tribes look at that. I don't know what the truth of that incident was, but I wanted to mention it because it seemed so significant to me somewhere along the line. You know, that we had Maliseet kids in an Ashland foster home - they'd been there for 10 years and I don't know what has happened to them. I mean, these kids are in their fifties now! I have to remember that somebody that was 16 when I started out is you know, this is almost 50, 45 years later. So, kids aren't kids anymore. But it's got to be part of the historical trauma for the Maliseet tribes. There may have been Micmac kids involved. I don't know. Now the unofficial questions?

MD: I asked mine... (*Everyone talking, joking about a long round of unofficial questions, laughs*)

G: I'm particularly talking interested in the category of expert witnesses and I think it's really true that because it's not the policy landscape to think outside of DHS scenarios kind of thing—so probably wouldn't recognize experts in that sense, unless they're coming from DHS. Just the basic scenario... I'm reasonably sure maybe that particular scenario is changing, because we're dealing with tribal court systems and so forth. But at least theoretically, in your opinion - I'm thinking about the international law of genocide. It's very clear about what constitutes genocide, I'm thinking about treaties... and maybe even a little bit of Maine's history, about how they dealt with Wabanaki people before and really there is a huge degree of invisibility. And I think all of these particulars kind of come to bear on what, prior to ICWA was state policy and that kind of thing. I don't know how much of a working knowledge you have on the international law of genocide.

A: Probably most of the education that I got was at the presentation.

G: Was at the presentation? And I think that's kind of crucial. I think you had the state, did a little more - how would I put that? You know, understanding what brought ICWA to bear - and this is my own conjecture - that the United States government had a policy that was in violation of the genocide convention. Most of its policies were genocidal. You know, when you think about forced sterilizations, removal of Indian children and that kind of qualifiers. Had the - well, maybe even now, not too sure - well, I think now some of the training does include some of those snippets of what you were learning from Barb and that, talking about Pope Nicholas for instance and the doctrine of discovery kind of thing. In your opinion, if acquiring knowledge is part of the training, is a reflection on the historic policy of the State, and the historic policy of the United States Indian policy... that brief jaunt in Wabanaki treaties



is essentially what we're talking about. An already existing relationship, a partnering by virtue of those treaties, you know? Nation to nation and how does this play out in communities? And genocide. You know, having, really an understanding of the nature of genocide. As part of the training, you know? What would be your opinion on those particulars?

A: You mean, whether those particular pieces of training would be important?

G: Right...

A: I think it should. I think that it can change people's feelings, I think. I mean, through the mind, some people will be able to change their feelings about how hard to pursue something... like, finding a Native American family for this child, because maybe it's even more important for this child than we realized, because of this history. Or, even to the point of being able to think beyond the child to the welfare of the tribe, which certainly was not your average caseworker's concern. It was the child, only. But, to see the child as part of the tribe and the essential nature, for the welfare of that child to have a healthy, well-functioning tribal community, I could see that as being grounded in that kind of information. I think that it was, as the presentation evolved, I started realizing, "Oh my god! What this is saying is that I've been an agent - among other things - I've been an agent of genocide." And of course, the word 'genocide' means to me killing people, but it means more than that - it means killing a culture. And I don't think I ever thought of any of our practices as killing a culture. But, I think that was the implication of the presentation, at least as I saw it. It was that...

MD: I think that's very perceptive. That is how I've learned, and you know, in some of the discussions that we've had out in the world, you use the word genocide and everybody, their hands tighten up. You know? I think that is going to be part of the longer-term discussion that we have. With all these communities... and what genocide really means. It's not just mass graves and gas chambers. It is erasing a culture. Erasing the evidence of a people... and you know, whether we've been witting or not, we've been accomplices to that. Historically. And that's part of what this whole process begins to change. So, it's really very valuable.

G: And, as a footnote to Matt's comment: one of the criterias genocide is just simply leading to the conditions that would lead create that scenario, just the conditions of it itself. Not going out and killing but just creating the conditions itself. So, it is, as I see it being played out - you have a community who is historically traumatized. You have a reasonable indication of community dysfunction, family dysfunction kind of thing... all those have some linkage, for instance— tribal economies for instance, trying to rebuild themselves. There is a difference between the model of a self-sufficient tribal economy that existed to one that's— the entire economy being based on what they get from Washington. A controlled economy kind of thing. Or, where we've even heard from you that there is a lack of resources available. So that, you know, and then, another - I think obvious link - is that when we're in communities that I'm aware of and from, you have a sense of being stuck. No hope. You have all of these pressures

that leads to alcoholism. And the incident that you were talking about. You know, so it's that kind of internal state of hopelessness...

And you know, those are all concrete linkages - unintentional, I mean - people in the community don't know why they have a prejudice against Maliseets or Micmac, they don't even know where that comes from. But it's there, you know? And I think those are really morbid contributions to the whole picture. That's what I'm kind of thinking about having this as part of the training. The ICWA training.

A: Yeah and I think it should be. As I look back to the early '70s and on, it was never my sense that there was any intentional discrimination against Native families or Native kids, I think probably there was a de facto discrimination based on the fact that we were looking at children and families and not at cultures, and not - we weren't cutting anybody any slack because they had—that their whole tribal history was one of persecution. That wasn't a factor that we would consider on a given day when a given child, you know, was found to be abandoned in his home, when his mom was out drinking... you know, even though social workers try to be really understanding and accepting and cut people slack, but essentially we tried to look at the facts.

G: Right there.

A: Yes, right there and not in the middle of it. And not in the historical precedence.

G: Or even the scenarios that contribute to that. Because that is not the function of DHS state policy. That's something different.

A: Yeah. Really, it's bigger. We were involved in microcosms and not macrocosms. I mean, there are social workers involved in macro social work, but caseworkers and supervisors were really more finely focused.

G: So that's my theoretical landscape.

ML: Anything you would like to add at this point?

A: I don't think so, no.

MD: Well, it's been awesome.

G: Thank you. And we can chat later.

ML: Thank you very, very much. Yes, you can add, subtract or multiply in the future. Thank you so much.

[END OF RECORDING]