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11-3-2014

### Statement by Esther Attean collected by Rachel George on November 3, 2014

Esther Attean

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### General Information

**Private or Public Statement?** - Private

**Statement Provider:** Esther Attean

**Date:** November 3, 2014

**Location:** Bangor, Maine

**Previous Statement?** No

**Statement Gatherer:** Rachel George

**Support Person:** N/A

**Additional Individuals Present:**

**Recording Format:** Audio

**Length of Recording:** 01:09:45

### Recording

**RG:** Alright, it is November 3, 2014. We're here in Bangor, Maine. My name is Rachel George, and I'm here today with—

**EA:** Esther Attean.

**RG:** Perfect, and the file number is S-201411-00122. Esther, have you been informed, understood and signed the consent form?

**EA:** Yes.

**RG:** Great, and I have to let you know that if at any point during this recording you indicate there is a child or an elder currently in need or protection, or that there is imminent risk of serious bodily harm or death to an identifiable person or group, including yourself, that that information may not be protected as confidential. Do you understand?

**EA:** Yes.

**RG:** Okay, you can start wherever you feel the most comfortable.

**EA:** How 'bout sitting right here. No (*small chuckle*). Alright, so, I was hoping you would have questions for me.

**RG:** I can ask questions.

**EA:** Yeah, too 'cause I can talk about things, you know, from a personal experience, and also from my work that I've been involved in.

**RG:** Can you start with talking about your personal experience as a foster parent and providing kinship care?

**EA:** Yeah. I was a foster parent mostly for Penobscot Nation when I lived there. Me and my girls were just talking about it actually. Not just foster parenting, but all the people I've let live with us over the years. *(laughs)* And it was... You couldn't count them on two hands. And they were remembering, "I remember when this person lived with us.." So sometimes it was foster care through the department, and other times, you know, just letting kids that needed a place to stay, live with us if they were having a hard time and no like extended family--having a hard time with their teenagers, so they would come stay with us for awhile, like I was any, like I could do any better. I had my own, but the girls were young then, but then, yeah, it was uh, you know, I worked for Penobscot nation for a long time prior, so actually, was it during too? Oh my god, my memory. Yeah, because we had somebody in the family with us when I was working for them, and then after I had left Penobscot nation, I was working at the Muskie School, we had at least one girl that needed a place to go. And it was, you know, it was... I had a big house and that's just... and it was just hard, and they knew it was hard for me to say no. *(laughs)* 'Cause they would ask me. And then there was an opportunity for us, they wanted us to consider adopting them, my husband's cousin's two children. But I had my girls and Joseph and I was pregnant, no I was pregnant with Joseph, I think. Oh my god, I feel old, Rachel. I can't even, I have to remember by what pregnancy, what child I was having, or where I was living...

And I remember saying, No, that there's no way that I could take care of --and there was... I think the girls were-- yeah because they are the same age as my boys. So I had either just had Louie or was pregnant with him, 'cause that girl was a bit older and she was just baby and her older sister was Joseph's age. And umm, I said no, I couldn't. But they got adopted by a Penobscot family, so I felt good about that.

The kinship care that I had, I had my niece, Danielle with me for the longest. She's my great niece. My niece, Elisha's daughter. And I had, me and Elisha had the same due date with Maya and Danielle, and they were born five days apart. I know.

You know Elisha was so young. She was a teenager. Seventeen maybe when she had her. So we, you know, she was with me because my sister passed away when she was 15 and her younger sister was 10. So we had Elisha after Paula died, and then she had Danielle and so we took--she was with us--it's--I think she went to--Elisha tried --that's right, she tried this program here in Bangor: St. Andre's Home, and it was just--it was horrible. She stayed there for a little bit. But they wouldn't let you. They had all these rules around how you can care for your baby. And I was like 'just come, come stay with me,' you know, because they wouldn't let her--you couldn't sleep with your baby, so it really is hard to nurse, if you can't sleep with



your baby and nurse your baby, you know when they wake up. It really interrupts that, if you have to get up. You know, no wonder women are so exhausted when they have to bottle feed, 'cause they have to get up and go. And it was just hard, and I said, no it's better if you can just sleep with the baby...

I don't know. My memory is so bad. I don't remember if she actually was there when she was pregnant. I don't think she brought Danielle home there. I think she was just, I think it was towards the end of her pregnancy that she was there and living there, and she had chores, and she had to cook dinners, and --but then she came to live with me for awhile and so I had Danielle, even when she was, you know, from when she was an infant--off and on--and she'd spend time with us, or they'd come together. And she came to live with me full time when she was in second grade, because that was right before I had Louis or right around the time I got pregnant with Louis. She came to live with us, so Joseph was little and he called Danielle, "ee-ee-Nell," (*phonetic*) "sissy-Nell," (*laughs*) 'cause he calls Nica and Maya his sisters, so that's all Louis ever knew, you know, is Danielle as his sister. And the girls call each other cou-sisters. (*laughs*) And you know it's, there's no real -- it's not, there's not these different labels. Like I said 'oh, I wonder', talking when having grandchildren, 'I wonder who will have kids and who won't, and like who will make me a grandmother,' and I was like, and I mention-I said well Danielle, too. And they're like 'Well, that wouldn't really be your grandbaby.' And I'm like, 'yes it would be.' It's like to me, its yeah, of course it would be my grandbaby. No different than Elisha's my baby too. Because when she was little, I was nine when she was born and I always... and she's was like I can... --You know what I mean?

**RG:** Absolutely.

**EA:** Anyway, it was...I remember when Danielle stayed wi- it came time for, we had to go to court for her come stay with us. It was tribal court by then. When she was little, she was taken into state custody because Elisha was living off of the reservation, and they placed her with her dad who really... you know, he didn't really... he was... Elisha was 16, I think, when she got pregnant and 17 when she had her, or something like that, around that age. You know, and this guy was 20, maybe 21 something like that. So he was older and he hadn't... you know, which was, to me, a big redmark. I mean, I'm protective anyway, but that was a big whatever, a check mark against him. Being so much older, and she was so young, although she didn't ever really act young. Elisha's always been old-headed. But they let Danielle go live with him. I think he was married or he had a girlfriend at the time... I think they were married because they ended up having two children together, Danielle's baby brother and sister. But she was just little, and they had her live with them and she...

So then, I think it ended up being no--there was no court order, court action--they had just given her to him, and then my mother went and got her. I remember her saying she was just going to take her, and--that's right, I forgot all about that! --because they were living in a

trailer up in Alton or something so when Elisha went to go visit her and Danielle and jumped in the car and my mother just drove away and took off with them... 'cause there was no court action. And then... I don't know how the hell that happened. I'm trying to think of those details. How could that have been? Maybe they had just given her, given Danielle to him.

Anyway, Elisha had Danielle for awhile and another time she went into care, she went to Pleasant Point 'cause she knew that things were getting bad, and that they would probably take Danielle from her so she went to Pleasant Point and Molly Newell was the caseworker then, and she took the kids into custody that way, so they could stay, Danielle could stay with us, because when she was in state care, they made me -- that's right! Oh my god! This is all coming back to me! -- they made me have supervised visits with her at an office in Bangor. (RG: *Wow*) Yeah. And I could, I brought Maya with me, because they were just little. They were like toddlers, two and a half maybe, little, little toddlers. And they just, I mean you know, they're five days apart, they're like sisters. And so happy to see each other and they ran into the bathroom, they were both potty-trained right, so they must have been at least 3. They went to the bathroom, and I followed them and that guy was freaking out. He didn't know what to do, and I'm like "They're not going to escape! They're fine." And I went in after them, and he was 'Oh my god, what do I do, code whatever,' and it was awful. We had to visit Danielle like that.

I think she was in another foster home for awhile in addition to being at her dad's. And I might be talking about two different, two different times. They might be melding into one. But, I definitely remember visiting her, and having to have supervised visits and being so freaking resentful for it. I was so pissed off because, you know, it's like, not only, there was no reason for it, before when she was in care, it might have been the same time, or another time. It was the same time because my mother had to go visit her, supervised visits too in the office in Calais and when Danielle was little she lived with my mother for a long time. Her first language was Passamaquoddy because my mother spoke nothing but Passamaquoddy to her, so when she would go visit her in those supervised visits, she would speak Passamaquoddy to her, and the caseworker forbid my mother to speak Passamaquoddy to her. Because, I don't know what their fear was, that she was tellin' -- oh I know what it was - They thought she was going to be telling Danielle to hate white people because Danielle's dad is white, and it was totally ridiculous, totally. [00:11:59.07] So that, and then I had to have supervised visits with her in Bangor. And it was the same time, I remember, and it was, it was awful, you know...

So, when the second time that Elisha, you know, she got her children back and then she was having a hard time again, she went to Pleasant Point with her kids and called Molly which was a way better choice and option rather than having them in state care. I think Jacob was a baby when that --when Danielle came to live with us, that time too, or she stayed with my mom. But she stayed with us when she was in second grade, so seven until she was a freshman in high school, and Elisha was living at Pleasant Point. She had her own place, and she was doing well, and Danielle wanted to go home, she wanted to go back to Pleasant Point. So, I didn't stop her. [00:13:00.23] And umm... Yeah...

Sometimes she would say she wishes she never, I mean a few times she's told me, I wish never left, but you know, what are you going to do? I would never have tried to stop her. I would



never say, no you're not leaving. Of course she wants to go. It's not like she--She left---but she didn't really go anywhere because she's still—you know, I mean, my girls, you know Maya and Danica are grown up and they don't live at the house anymore either, so they all grow up and... she just left a little earlier (*chuckles*) is how I look at it. **[RG: Yeah, absolutely]** But... yeah so that's my experience with state foster care and tribal welfare foster care. I'm sure there a lot more, I know there was a couple tense meetings that we had with caseworkers. And just, the racism and the classism was so hard, and when they find out that they are as educated, or more educated than they are--it's just, and it's so stupid you have to have a degree to get any kind of respect from people. You know, people should be treated with respect regardless, **[RG: Absolutely]** and they don't treat you with respect until you start speaking their language, and using their lingo...

So I can imagine how someone like my mother was feeling, although my mother is very articulate and educated in her own—you know, she knows, she has a command of the English language but, you know, it was, I remember it being a horrible time, a lot of fighting. (*chuckles*)... But Danielle lived with us all those years, and I remember when we had a chance in tribal court to continue as... we could be... get foster reimbursement, be long term foster parents. And I said, 'No, I didn't want her in the system at all. No, we'll just take her and take care of her,' so we got the court order gave me guardianship of her. Which was... I needed that piece of paper a lot, you know, in accessing resources or registering her for school, or whatever. But... I didn't want her in any system, state or tribal, I just, you know...to me that's the goal is to get people to be able to just absorb somebody into their family and not have to be a system behind it. **[00:15:41.15]**

**RG:** Why didn't you want her involved in the tribal welfare system?

**EA:** I just didn't want her involved in any system. I didn't want to have to have her think that she was any different. You know? I don't know, no particular reason, not anything bad but I just didn't want her to be involved in the child welfare system, and I knew that they have limited resources for our child welfare system and I had the resources to be able to provide support for her without having to get foster care reimbursement. So it was a no-brainer to me. That was the, to me, that was the goal, to just have her, just get that legal paper to have her with us.

Her brother was a baby and he ended up--his grandmother took care of him. His white grandmother because his dad is white: Jacob. So she took care of him, I think she took care of him the whole time, I don't think anyone else had him. Because I had Joseph, and Jacob were only 3 months apart and when Jacob was little Elisha went to Pleasant Point and needed to have her kids... you know, needed somebody to take care of her kids, and I was like no way, I couldn't do it, cause I had just had a baby and just, I mean I knew my limit. And so Shirley, his grandmother, took him which is well within the preferences for ICWA but the unfortunate

thing is when she, when I got guardianship of Danielle, she got guardianship of Jacob and she moved to Florida and we rarely see him, which is not what ICWA intended, you know?

**[00:17:40.16]** And I feel... I think I feel most--That breaks my heart most is Jacob, because he's going to have a hard time, you know, when he's older and if he wants to come home or, and I mean, it's -- he has family in that area too, his family lived near there. I think most of them live in Florida now. But, he's going to have a hard time trying to figure out who he is, you know? And that is... you know, and people always talk about the best interests--at the time, yeah it was in his best interest, to stay with his-- it was in his best interest to stay with his grandparents, I guess, because they're his grandparents and you know, that's family and he should be with family, but it wasn't in his best interest to take him so far away from the community. And people can't see, 'cause they're thinking now, they're hearing now --what is this baby's best interest and they're not thinking what's this 20 year-old man's best interest? What about when this baby's twenty or thirty? You know? What's in their best interest then, and they don't see that, so that's sad to me. You know, Danielle went back to Pleasant Point and she wanted to be with her family too, and that's where she wanted to be, and that's--of course--I mean, we're her family but I was living on Indian Island away from my family too, away from my community. So... You should move over Rachel, you've got the sun right in your eyes. I see you trying to--- like, right there maybe? How's that? **[RG: Thanks]** Is that better? **[RG: Thank is way better]** (*chuckles*)

**[00:19:29.22]** Umm... So, I don't know, it's just, I think about that. And we don't, I don't really have a relationship with him. I don't see him, you know?

**RG:** That's hard.

**EA:** Yeah, it is. And he's got two other siblings too. Elisha had two other kids too: Chet and Rhianna, and she does have a picture. I mean, they come up to visit every year in the summer because they come back to Maine to visit their family so she got to see them. There's a picture of all four of them and her. Her and her four kids which is nice, but it's gonna be hard for him if he comes back or... So... just, at least you know, he's safe and happy, and all those other things that we strive for, for kids. So and when I was a foster parent for Indian Island, that was--they were not real long term, real short term, you know.

**RG:** Was it short term because the kids were going back to their parents? Or they were placed into longer placements?

**EA:** I think in one... I think they went back to their parents. Yeah. I don't think anyone else went on to a different foster home, but I could be forgetting. My girls were remembering all kinds of people that came to live with us, and some of them, I don't even remember if it was really foster care. I know for one of my husband's relatives it was, and then this other girl that came to live with us who wasn't related to us, was regular foster care. I think the other one's were just, you know: "Can you help us out?" Like one of my husband's relatives had a teenager and I think it was her grandson she was raising, and I know --oh I remember--they had a big difference of religious beliefs. Oh, and I remember in particular, she, and I remember being appalled by it, she said 'I had to take this door off the hinges.' And it just, my gut just sunk, I



thought, I mean that's one thing that I've always respected--my kid's privacy. Always, always. Like I would never even look in their phones. If it was an emergency, like life or death, I would look in their phone. But I never would, and some of my friends would always look in their kid's phones and I'm like I wouldn't want them looking in my phone. It's like, I just, uhh. Anyway, I remember her saying I had to take his door off the hinges because she couldn't trust him and I thought 'man... he can come live with us for a little while, see how it works'. It was always hard saying no. I could never say no if kids needed a place to stay. I mean, Jeez. And I don't say no to anybody. Everybody needs a place to stay, 'yeah, you can stay with me.'

[00:22:48.29] I think I'm getting better at saying no though, the older I get. But it was no big deal, especially that young girl that was with us. She was in middle school. I think she was in eighth grade, and my girls were a little bit younger. I don't know, and nobody treated her badly. She was in foster care. And we just included her in everything we did. I remember having to, you know maybe she didn't go right home... or maybe she did, but I remember saying she can't stay here in anymore. It had been a few months and she...some of her things, things that had brought her into care were spilling over and having an impact on my kids and you know, it wasn't a dramatic, "get out of here" but it was just like, you guys gotta find a more permanent place for her because it wasn't going to work out long term. But the girls remember being at her birthday party so it must have been a few months anyway. Yeah, I always try to help people out. [00:23:57.27]

**RG:** That's a good thing.

**EA:** Yeah, somebody has to.

**RG:** Exactly. (*EA laughs*) Can you tell me about your professional experience like where you started and how you got to where you are now?

**EA:** Oh my god. Oh my god, oh my god! How I started? ... I started when I was working for Penobscot nation. It was my -- I actually got the job in February of '97 because I was to graduate that May and I was doing an internship at Pleasant Point, Beatrice Rafferty School... and I had this opportunity for this job and they were going to let me count the job as my internship hours or something like that so it would be like a paid internship. So I switched and I went to Penobscot nation, and then I graduated that May. And what I did there was work with families, prevention--more around prevention--early intervention like if they got a report of somebody and it wasn't like a jeopardy and they wanted services, voluntary, totally voluntary. People would call me and I'd just try to help them however --however then, I mean, there was no, there was a limit to things I would do but sometimes it meant helping people get furniture. Sometimes it meant sitting there and really, not counseling, but listening to them, helping them go to court, helping them... but always with the understanding that there was a lot of transparency between the child welfare and me. So it was, it was cool. And I



would also do, the best part of the job is I had to do Community Program Development, so I started a --oh, the school asked me, the guidance counselor at the school said, you know 'is there anything you could do with fifth and sixth grade girls or middle school girls because we um,...' They saw that there was a need for them, for something for them to do after school. I don't know if they were having behavioral problems or whatever.

So I started a, I said 'Yeah' and I started a girls group and that ran for years. It was fun. We had money to support it, which is number 1, and we always did—I don't know, we just, we did all kinds of things. We'd always have crafts or go on field trips and just do fun things. They planned what they wanted to do. They had their own rules, within reason, you know? (*laughs*) So that was a lot of fun. I loved that. We did a lot of stuff in the community. Like child abuse prevention month and all summer we had a youth activities program. I had a few Vista volunteers that came and went, and then in '99, so I had been there a couple years when the state participated in that pilot review with ACF and reached out to the tribes for help, and they so there was me and Erlene Paul, she was the Director at the time, my boss, although she hated to be called the boss, and John Silvernail was the child welfare person. I remember when we got that letter and we thought, 'oh yeah, they need something now and they're asking for our help,' but that's when I started really having more to do with State Child Welfare. I remember, though, I don't know if it was before this or around the same time, when I was doing—I was working with a young girl who was, she was a teenager and she was gonna have a baby, and I remember John and I--he got invited to a meeting down in Bangor at the hospital with the social worker (what was her name? Pat Philips, maybe. I could be wrong. Pat, I think her name was Pat). Anyway, she was social worker at Eastern Maine Medical Center and she had been there for a long, long time. And actually when she retired I applied for and was offered her position and I turned it down. (*chuckle*)

Anyway, they asked us to go to a meeting there and there was a Black social worker, Black guy that was a social worker, what was his name? He was working with her too, or maybe he was working for DHS. Anyway, they invited us down there for a meeting to talk about, you know, I thought we were going to talk about the care for this girl, right? To help her because she was going to have her baby in the hospital. And when we got down there, they just started right in for a plan of how to remove the baby after she gives birth and we were just like--  
[00:29:00.26] and I remember John Silvernail was like, "I don't..." He goes "No." I mean thank god, they didn't even have the jurisdiction. They were -- I don't know if they were assuming they had jurisdiction? Because this girl lived on Indian Island so they did not have jurisdiction over her girl or that baby. Or if they thought that that's what we wanted to do so that they were going to facilitate this.

I just remember being horrified and John just, you know, he was an awesome child welfare person anyway, but him saying, "No, I don't think so (*laughing*). You're not touching that baby." Like, where is this coming from? Why? It was just horrible, I was like matter of fact you know, okay, so this is what we figured we would do, you know, after she gives birth, and we just got horrified. We were like "No." First of all, it's not within your right or your jurisdiction to be cooperating with the State Department of Human Services because this is the hospital social worker and the one that worked with the hospital, and they coordinate with child welfare, probably on both sides I guess, tribal and state. [00:30:07] He said, "But neither



is there any reason, you know just because she's young. You know, she's young, so obviously..." We said, "No, that baby is going to be fine. That baby has a lot of support. That mother is going to be fine." And, you know, as if we weren't paying attention to this, as if we weren't aware and helping her along with her pregnancy to get ready to welcome this baby.

It was just – on so many levels it was racist and it was classist and it was disrespectful of the integrity and the capacity and the authority of the Penobscot Nation Department of Human Services. It was totally disregarding. I know! I just remember that, too, that's funny (*laughing*)... So we... So I was involved from the very beginning in helping train caseworkers to comply with ICWA, and I've never been a child welfare investigator. I've never been an ICWA coordinator (*laughing*). I've never done child welfare/ICWA case work. I worked alongside – when I was at Penobscot Nation, it was prevention, but I was part of the Child Protective Team. You know I've helped contribute in decision-making. But it's funny.

And I didn't think I would ever want to do it. I don't think I could do it. It's a hard job. And, you know, some of the caseworkers that (*clearing throat*) I have seen that can do that job well, it's just it's a gift really. There's a lot of skill and you can definitely develop the skill but there's something you have to have to be able to do that job, and do it well—to care enough and to be distant enough. And like me, I can't say no. That's why I couldn't do it. I did – when I got my undergrad, I did an internship at the Child Protective Unit in Bangor and I went around on investigations with caseworkers and that's when I knew I couldn't do it (*laughing*). So I like the policy – to take a step back with the policy piece.

**RG:** What did those early trainings—like how did it get to that point where they wanted to talk about trainings? How did you guys construct those trainings?

**EA:** Well when they sent the letter and asked us to join this meeting that was being facilitated by the Muskie school, which – and it was Penthea. It was like her first, one of her first tasks and she got hired at the Muskie school. We all had our "Yeah, whatever, we'll go and see what they have to say." But, when we got there—I remember anyway, feeling just in awe of the fact that all the tribes were there and we had never communicated. I didn't know who was working for child welfare in the other tribes and we had never even talked to each other. That's—I remember feeling that a lot. I was thinking, "Wow man, we gotta get on the same page." [00:33:37.27] Because if it was going to be us against the state then we have to get "us". That was my mentality of that time, and it was adversarial in 1999 between the tribes and the state.

I remember being in '98—I say this because I was pregnant with Joseph. It was August '98 and he was born in September—being at representative Penobscot, not representing there but I was working there—and I went to this meeting that the Maine Tribal State Commission put on, and I think it was around, something around child welfare issues, or at least child welfare issues were on the agenda for what we were talking about because a lot of people—and I remember

Sandi Hodge, who worked for state DHHS, saying something—and I just remember talking about racism and people getting all, like, riled up. And I just remember this because my family and anybody that knows me, I don't remember details as well as I remember the feeling of things and I remember the feeling being real—everybody was just charged up and fired up and it was adversarial. And it was a year before this thing happened, so that's kinda what the tension was like.

But we all stuck together because I know that we all had a commitment to the children and to our families but I think we all were like, wanted to prove something to each other on some level. Like, “Yeah they think we're gonna—we'll do it, we'll show them,” (*laughs*) kind of, and you know, that's what was going through some of our minds at the time because I remember feeling that way a bit. So we just said, “Ok let's assess what's going on, like what do they get for training now? Why aren't they following the law? What are they doing that is not following the law?” And try to like, that big word, deconstruct it, or unpack it, or just clean it all out and figure out what's on the bottom. And we decided that they would be more apt to follow it—we all decided it—the whole benefit of the doubt—we started giving caseworkers the benefit of the doubt. [00:35:59.14]

We know they care about families because that is why they are in these positions. So we're going to start with that assumption and it wasn't as articulate and succinct as I'm putting it now. This was like wading through mud for a little while. But we said if they could feel it, and they could really understand why the Indian Child Welfare Act was important and why it's necessary then maybe they would be more apt to follow it. So that's where we started, history, them hearing stories of other people, their experiences with their department, pre-ICWA. And then the legal stuff. It was a daylong training. We did a lot of interactive things with them. We showed them a film that we made when we interviewed people that were in care prior to ICWA. We went—the first one was in Presque Isle and I had to take Joseph with me, he was still nursing. This was May 2000. He was born September 1998. He was still nursing. He wasn't too young. I nursed my kids a long time (*laughing*). And I remember the evaluations, and I gave them to you, right? I gave you all of the evaluations or copies of them for the TRC archive, for the TRC research. But one of the evaluations made a comment about that crying baby. And I thought, “Man oh man, if that doesn't say so much about the values of children.”

This is a child welfare training and somebody brought a child. Yeah, he was crying. He must have felt the friggin' tension. I felt it. Uh, that was Aroostook County. Oooh. Oh my god, it was just like, it was like you weren't welcome. You weren't welcomed, wanted there, and they were there because they had to be, and they were pissed off that they were there because they had to be there and they didn't want to learn this stuff. I mean that's the feeling I got from people. I'm sure that's not representative of everybody that was there, but there was enough of them to—ugh. And so we had to—I remember it was like layers. I had to first get over the fact that here I was, I wasn't like this wicked awesome facilitator. I didn't have this, you know, I was just—I had only been on this job for three years and I had worked with children mostly, you know (*laughing*). I had facilitated meetings of course when I had to, but nothing like training a group of professionals that...



So anyway, I was [00:38:49.08] trying to figure that out, like how I'm going to build my skills, and I'm not used to doing this, and then trying to assert my authority as a Native person knowing this material and having this experience. And that was really hard, that asserting my, or recognizing and then asserting my authority, that I clearly recognize I have now, but when I was, it was in 2000, ok so I wasn't that young but I was young in my profession I would say, at least with this stuff. But we had worked together so long, that group. We started November—December, January, February, March, April, May—so we had been together like six months and we met a lot, pretty frequently so we could get this training done and off the ground so we were really comfortable with each other, and Sandi Hodges was there in the group. And she was the one I told you I had met at that MITSC, she you know, the way the structure was, hierarchically, she was the boss. So that made us, I remember that making me feel a little like, “Ok we do have some authority,” but I don't think they resented her any less than they resented us when I think about it. They probably resented her more (*laughing*). It was awful. I just remember it being awful.

Some of them wouldn't—which is ok to not participate in smudge—but to do it and be like real blatant about being a jerk about it was hard. It was just hard. The whole thing was hard. We went: Presque Isle, Machias, Bangor, Augusta, Portland. Those are the five areas. And but Portland was just a different kind of—I remember people just being more numb, not stupid numb, but they weren't overtly hostile, but they weren't real warm, they were kind of just like, closed. Machias was probably the most open group, from what I remember. Maybe that's because I'm biased and it's Downeast and it's near home. I don't know but I remember them participating at a different level than the other groups.

**RG:** You mentioned that before starting these trainings, you were deconstructing what was happening. What were some of the things that you remember hearing about why caseworkers weren't following ICWA?

**EA:** Why should Indians get special treatment? All children deserve equal protection. So they (*clears throat*) [00:41:57.29] – the law, there was a different level, standard of evidence for ICWA. But in their thinking, they thought Native children weren't being protected as well, that ICWA was making them be less protected. Because there's that piece of ICWA where they need to be returned. After jeopardy is gone, they're supposed to be returned to their parents. That's in ICWA. And that wasn't happening because they thought they could do a better job. It was that paternalistic kind of, you know, savior kind of stuff. But they're not being as protected if the tribe asserts jurisdiction. And as we—I remember Martha Proulx talks about this a lot, she's like, “As I look around the room, I hear the sentiment is coming from the state that they don't know what they're doing and the tribal Child Welfare staff have advanced degrees and most of our staff don't.”

So it's not a rational thing that they were feeling. They thought it didn't give children enough protection. You know and then in '99, the state passed the law that they would provide foster care reimbursement to tribally approved foster homes. And that was a hard one for people to grasp. Because they didn't have any control over evaluating that foster home. The tribe would say, yes or no. Yes, they're approved or no, they're not. And that was hard for them to let go of. So that was the feeling: that we didn't know what we were doing, and we're not protecting children as well. And why does the, like [00:43:46.29] –why is the tribe the third parent—that was something we were always driving home to them because a lot of times they would think the tribe is like an agency, just like an outside agency. And it's like, "no." And to get them to get past that, we tried to show them how it's a necessary and even that's a hard sell because there's still so much racism, that people, like, “So what? Get over it.” Like now with the Redskins. So I think—why are you trying to hang on to being who you are? Basically, is what they are saying to us (*laughing*). Get over it, assimilate. It's too late, what's the big deal, why can't you just be like us?

(*Door opens, someone enters the room*) Hey baby! Come in. Do we have to say who entered the room?

**RG:** Yes.

**EA:** Louis, you have to say your name.

**LA:** Louis Attean.

**EA:** Okay, sit down. So, yeah, I think that was the issue and when you look, when you or your research staff go over all of those evaluations, you'll probably see a lot more things there that I'm not articulating but that special treatment and, “Why are they so special?” And, you know, but I remember, back then, my thinking has changed a lot obviously over the years. But I remember back then not—just having a feeling of why we're so special but really not being able to articulate a good reply or a good response to that. And it wasn't until I learned more about the dynamics of oppression and genocide and more about our history.

Because I never knew a lot because I didn't know too much about boarding schools but Betsy Tannian who was interning with us at Penobscot at the time, was the one that really made the connection for us and how important this history was. [00:45:42.19] And I learned, when she went, she was a U-Dal fellow and she went and visited it and when she came back, and I had heard about boarding schools but nothing like that. So my thinking has changed and now I totally can articulate a very thorough response to that question of why we're so special. And it has to do with territory and it has to do with genocide and it has to do with people benefiting from that. That's why we're so special, and I couldn't do that then. Like, and even as I started thinking that way and having my mind go that way, I don't think it was until I hit forty that I could really say it with any conviction because it just happens with age I think.

But also it's like I know, I'm not distracted (*laughing*). I'm not wavered or whatever by people thinking I don't know what I'm talking about (*laughs*). So, but I'm interested to see what—if my memories of things—how they compare to the actual data, like those evaluations. I



remember us, 'cause I remember all of us after each training, we'd sit there and we'd look at them and we'd get so upset, just so disheartened. We'd really have to make ourselves—but "Look at this one!" And Sandi Hodge would say, "If people aren't agitated, they aren't going to change. This is what they need to do. This is how they need to feel right now so that they'll change." And we felt disheartened a lot. I felt like giving up a lot. That's for sure. And I just think about my poor baby Joseph. What he went through—that must have been traumatic for him. If everybody else was feeling that then a baby—babies pick everything up—then people are mad at him because he's crying. I remember trying to get him to be quiet. It was awful. Anyway, we did those trainings and we held a couple ICWA summits.

**RG:** Tell me about these ICWA summits.

**EA:** The ICWA summits brought together people, like a larger circle than we had. So people, especially people in the state and different levels, so we had more administrators there, more judges, more judicial people. I think we had—the AG's office was there. And they were primarily for the program administrators and supervisors. It wasn't a lot of caseworker level. And at one of them, we had a panel of—there was at least two people, maybe three. I remember two in particular—adults, Native adults who had been in care after ICWA. So it wasn't pre. And one of them was in tribal care and she never even knew she was in foster care. Which was—and they learned a lot from that, from her experience. And the other was in state care. And he spent a lot of time in group homes. And you know, there's a lot of group homes, but that's changed too. They've really taken measures so that children don't go to group homes anymore, like they don't even have group homes anymore I don't think, or at least not very many. [00:49:15.25]

Um, so he spent a lot of time in group homes and never made any connections to his family and his tribal community. And not that he didn't make connections—the state didn't make those connections for him so there was no plan for permanency. And permanency is, like, wasn't even a thing then. Because children could, you know, used to stay in long term foster care, so he didn't have a plan to be reunited. He didn't have an adopted family. He didn't have anywhere to go, so when he turned 18 they brought him to Wabanaki Health and Wellness with his possessions, and Sharon took care of him. The way Sharon knows how (*laughing*). I mean, the way only Sharon knows how. I don't know how she did it, what she figured out, I mean. But she took care of him.

And he was on that panel and he was talking about his experience and his caseworker had since become an administrator and she was in the audience and he said, "All I want is an apology." And my memory of it is that he never got one. But, Martha, her and I were just talking, and she said, "Yes, that woman did apologize to him." So that makes me feel better, although I don't remember that happening or maybe I wasn't privy to it at the time. Maybe she did it privately. But, it was awful hearing his story about how he wasn't connected and how—and that's not to

say that only happened to Native children because I think the state had issues, with you know, with finding—that's why this Muskie School is so good—extending care to 21. I think it's even further, to 24 if they're in school. Which is just wonderful because these kids, they're 18--they're not adults, I mean they are, but they're not.

So we held two of those ICWA summits and we did a lot of real good work and I believe I shared that stuff with you already. We identified all these strengths, and then we identified challenges and a lot of solutions. And one thing I remember which has come up many other times is the need for an ICWA specialist or somebody in each district office that is familiar with and versed in and experienced with ICWA cases that can be a support person for the caseworkers. Because what we found out in all of these years of work is that relationships really matter and developing those relationships can—does make a big difference in the work—the level and the quality of work. **[00:52:13.11]**

So, and the answer all the time was lack of resources: "We can't do that because we don't have any resources." You know, and there were some things that would take time as resources, more time than money. Like we had this plan to do these brown bag lunches where we would have at least, I remember from the Penobscot Nation, the tribal folks who go to the local child welfare. So Indian Island would go to Bangor, Pleasant Point would go to Calais, or—and then they would come to our community every now and then, a group of people. To get together and just, you know, see the community, connect with each other, talk about things. We really wanted that on a bigger scale. What I think those ICWA summits did was—you had these administrators really talking about this stuff, maybe the supervisors. But when the caseworker is in supervision is where things needed to happen that weren't happening. Which is, of course, when you're thinking about the supervision they need—they get an hour a week or whatever. And all the cases they have and so (*sighs*), I guess that's always been the challenge. To figure out how to build the capacity of all the supervisors to be able to provide the supervision of the caseworkers, instead of relying on the—because it's caseworkers, supervisors, program administrators—instead of relying on them, that's always been the challenge.

And I think that we're—the key is in teaching about the history and teaching about trauma and intergenerational trauma, that is the key. And not only will it help them with following ICWA cases, you know, following ICWA, but it's also going to be best Child Welfare practice for all kids. 'Cause when you think about it, when you pull ICWA apart, basically, the basic foundation is that children need to have family and community. I mean, 'cause if you substitute 'tribe' and 'federally recognized tribe' for community, it could apply to every child. You know, so the placement preference for the kid, extended family, within the community. I mean really if they value **[00:54:49.11]**, if they get that basic value for children that they deserve community and they approached it more as trying to figure out how to keep that child in their community or in their big family. I don't know. That's always—sometimes it seems simple but it's not because of the structure and because of the time constraints.

And there is a lack of resources at DHHS anyway, so that's why it's real important for us to maintain this level of participation we have at the pre-service training, three hours, we get those caseworkers for three hours and can start talking about some of this. And they see faces and you know, it makes a big difference when they see faces, when they can see a face and be

able to ask questions and really try to open up. I mean, not that all the caseworkers in the trainings that we do are totally open and willing. I mean, you still feel, like my racism-dar, my ray, race-dar, I don't know how to say it, but I can tell, but it's alright, the ones that get agitated and upset about stuff are the ones that will remember it a lot more.

**RG:** Absolutely. So from those ICWA summits to the creation of the TRC? What happened in between?

**EA:** Oh god, Rachel (*laughing*) The tribes, ok we had this meeting called the ICWA workgroup to plan these trainings and after the initial trainings, we stayed together to work on developing policies. To work on impacting, doing more in-service trainings and continue with the pre-service trainings. And we also developed, later on, we also did a review tool together where we assessed all the ICWA cases at two points, 2009 and 2011. On basis of ICWA compliance and we looked for evidence of white privilege and things like that in the case notes. So, the tribal folks, we loved them, we called them our Penthea meetings because it was all the tribal folks, all the state folks, and Penthea would facilitate them from the Muskie school.

And we decided to get together, just the tribes. We called ourselves the Maine-Wabanaki-Indian Child Welfare Coalition. And we'd get together on a monthly basis at each one of the tribal—you know, we'd rotate where we met so we had that meeting and then we had our Penthea meeting—it was us plus the state and Penthea. So we had these ICWA meetings and these coalition meetings [00:57:41.23]. And in the coalition meetings, it was a lot of support for caseworkers, a lot of like—sort of like supervision. You know they'd be like, "I have this case, I'm working with the state, this and this, and can you help me?" And it was a good, good support network for the child welfare workers. And we started, and Betsy Tannian again, she was part of the—she was in intern, or maybe she was working—I can't remember. But she was part of the coalition and she was said, "Why can't we get these independent living monies?" I think it was Betsy, yeah.

We knew the state got money from these Chafee independent living funds and they would give it to the tribe and say, "Oh yeah, we have this money to spend," so we started to get this money directly from Chafee. And each of the pots of money—we'd put together and we started doing independent living, youth-gathering every summer. And that was a big part of my job too; and every summer I would get to fund, plan, and facilitate this awesome gathering for young people. We'd teach them independent living skills, and we talked about spirituality, and we'd just have fun. We do all kinds of stuff. And so the Coalition started, you know, they met together, and it was their unified voice that was able to access these funds without having to go in through the state. So Betsy used to really get us thinking towards that, the power of that, us being together, and having a more powerful voice.



And then we in 2008—and we had met regularly all the time, the ICWA work group didn't meet monthly anymore. It was slowing down. We were doing a PQI. We developed an online ICWA training [00:59:41.13] together which is somewhere. When the new administration, governor LePage restructured and he eliminated the Child Welfare Training Institute which was run by the Muskie school with grant—contracts from the state to train their caseworkers. He restructured everything and that's where that training was, and I don't know where that online ICWA training went. It was good. We worked hard on that thing, and we never got to implement it with caseworkers because it was right when he came on.

So anyway, in 2008, we had this idea to do the TRC and that's really where the Coalition and the ICWA work group—we ended up being the TRC convening group. We kind of didn't put things totally on hold so we still got some of our tasks done, but the Coalition, and that support piece really just being with the tribes—we let go of that. Because we were focused—we didn't have time to tack on another meeting. So within that TRC convening group we still did ICWA work group, like that PQI that we did and developing that online training, but really the stuff that the Coalition did on their own was gone, and kind of fell by the wayside. And as we're talking about work moving forward after the TRC, because now we're called Maine-Wabanaki-REACH, we're really thinking about those things that are needed and how REACH can continue on.

And I would like, you know, the state—they still, they contract with Muskie for a very small part of my of time to continue doing ICWA trainings with the caseworkers but I really want—and I don't really know who they're going to be, because there's an election coming up. But I would like to sit down with them in the near future to see or show them what the needs are. And go back to those ICWA summits and look at those solutions that were presented and think about—evaluate the work we've been doing and what we know is needed, and get them really to commit more resources to it. I mean, it's something like, it's just a small amount. I think it's like 5% of my time which is really nothing, but really to support that work. Because we just did a presentation in Aroostook County which is the first time I was up there presenting since 2000 and it was a lot different—a lot different atmosphere. You know there was still a few folded arms people but most of the caseworkers, they were defensive because of what they saw on the film, "Belonging." They were like, "It's not like that. We're not like that anymore."

And it was good, I was like, "right on." And they really are invested in trying to help Micmacs and Maliseets get—develop their foster homes. So I see a lot of potential for more work between the tribes and the state—not just ICWA compliance but all of this capacity building work. But the state needs to—they need to support it by giving it the resources that it needs. It's not going to happen with tacking it on to, you know—a very small piece of Martha's job is to be the ICWA liaison, and it can't happen. I mean, she's also an assistant program administrator. You know, it's not going to happen that way and it's not going to be effective [01:03:14.19] unless it really has the resources to back it up.

So, I'm hoping that will come out of the TRC after the report is done, and the recommendations come out. My hope is that the—all the government signatories—maybe even, I mean the tribes do contribute a lot of their staff time. The folks that sit on REACH from the tribes, you know, they're not just an administrator or a caseworker, they're everything. They do everything



(*laughing*). So when they come to donate two or three days a month of their time, that's a significant contribution, the work that they do. And I think the state could match that somehow. (*Whispering, inaudible*) So, I don't know. What else do we talk about? I'm sure you get a lot more out of me at the focus groups too. That will jog more information, and I don't want to say everything, other people can say stuff too (*laughing*).

**RG:** It's good to hear from everyone.

**EA:** It is, it is.

**RG:** What are some of the other things—actually let me start with this one: Do you think that the Indian Child Welfare Act does enough to protect the rights of Native kids and families?

**EA:** Umm. I think it does enough to protect, ICWA—children who are eligible for ICWA. And I think the policy that we developed as part of our work together with the ICWA work group that the state has—goes a long way to the best interests of children who are in our communities but are not ICWA cases. You know, we have a lot of children that are—they're not enrolled or eligible to be enrolled in our census but they're still Native children that live in our communities. And you know, they could even be siblings. And this policy that [01:05:41.25] we wrote with the state really takes that into consideration.

**RG:** When did you guys write that policy?

**EA:** 2011...2012 maybe.

**RG:** Do you have a copy of it by chance?

**EA:** I think I already gave it to you, didn't I? But I have it and can give it to you. Martha, we all have it. Because what we were doing was realizing that we were developing these little pieces of policy here—"Oh we need a policy for that, Oh we need a policy for that." So we said, let's just do a comprehensive one that covers all of the pieces—follows the case all the way though. And we worked on that for a long time and I think it was—yeah, I remember it being stalled because we were working on developing the TRC and we kept saying, "We've got to finish that policy." Yeah, I can get you a copy of it.

**RG:** That would be great.

**EA:** Martha would. I think I have it as a Word document. Because if you go on the state website, it probably wouldn't be as easy [01:06:43.28]—I'll just find it. It might even be in the Dropbox, Rachel.

**RG:** Ok.

**EA:** But yeah, for sure. So that policy talks about the need to really treat the child and meet their cultural needs, even if they are not ICWA cases, but they are in our communities, and that cooperation exists there. Because you know, its not in a kids best interest you know, that's... the state has, and they do—they have jurisdiction because the child lives there so it makes so much more sense to involve tribal welfare. *[01:07:23.15]* So I think the law—I never thought about how the law could be changed to better protect Native children. I think more resources will better protect Native children, definitely. Yeah, I think ICWA—I mean, I get scared when it's always getting—I mean, as it's written and as I think it should be followed, it protects them, but the way caseworkers and courts sometimes interpret it, you know, look at what just happened in Alaska for crying out loud. I mean, how more blatant can you be?

You know, I can say nothing like that would happen in Maine. I just know it would never ever happen because Maine's a small state, you know geographically. I mean not geographically, but population-wise, and we all—it's just that relationship. I'm just thinking, what kind of relationship did that tribal community have that they don't regard them—to just disregard that grandmother like that? And even the tribe? When they try to help her and advocate—thinking they had ICWA on their side and then it gets totally disregarded, that's horrible. And I know nothing like would ever happen in Maine; there's just there's no way it would ever get that far. Which is good, and I know it's not just because we're small, it's because we did a lot of work to get to that point.

**RG:** Yeah. Is there anything else you would like to add to this specific statement?

**EA:** Anything else I should ad? You want to say anything? *(To Louis)* Louis wants to adopt when he gets older. Right?

**RG.** Yeah?

**EA:** He said just wants to—he soul mates sound like too much trouble. Too much *(laughing)*. He said, "I don't want to go through all that. I'd rather just want to adopt a baby." I said, "No problem" *(laughing)*. Alright, well if there's anything else I think of, I'm sure I'll see you again.

**RG:** Yes. Thank you so much.

**[END OF RECORDING]**