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11-18-2014

### Statement by Fred Putnam collected by Marilyn Bronzi on November 18, 2014

Fred Putnam

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### General Information

**Private or Public Statement?** - Private

**Statement Provider:** Fred Putnam

**Date:** November 18, 2014

**Location:** Portland, Maine

**Previous Statement?** No

**Statement Gatherer:** Marilyn Bronzi

**Support Person:** N/A

**Additional Individuals Present:** Carol Wishcamper

**Recording Format:** Audio

**Length of Recording:** 1:01

### Recording

**MB:** I have to do that all over again. I'm very sorry. The names of the – Marilyn Bronzi is the statement gatherer. The statement provider is Fred Putnam. Could you please state your name?

**FP:** Fred Putnam.

**CW:** Carol Wishcamper, TRC Commissioner.

**MB:** The file number is ME-201411-00140-001. The date is 11/18/2014, and we are at the Universalist Church on Allen Avenue in Portland. And Fred, have you been informed and understand the consent form?

**FP:** I have.

**MB:** And have you been informed of confidentiality as well?

**FP:** Yes.

**MB:** Thank you very much. Now, we'll start. Could you please tell us your current and or past employment with state child welfare?

**FP:** Yes, I am currently retired and have been since 2002. I worked for the Department of Human Services for 30 years. I started in 1972 as a caseworker in child protection. And then it was called Substitute Care and Adoptions, a foster care program. And then I became a supervisor around 1979 probably. And then about 1982 or so, I became regional manager in what was called Region 5, which was Aroostook county.

**MB:** The total number of years that you worked in state welfare? Oh, you just told that to me. Total number of years working with children in a paid employment capacity?

**FP:** Well thirty years, some more directly than others. As regional manager, I was the manager of the caseworkers who worked directly with the children but I still interacted with them occasionally and was responsible for-- well I think when I left, we had about 300 children in foster care in Aroostook county that I was indirectly responsible for. Legally--totally responsible for. *[00:02:52.03]*

**CW:** So was 300 at that point in time higher than what you'd been – was there a shift or was that standard?

**FP:** It had been up and down. Probably I'd say that was one of the higher points because I remember there were about 3,000 in the state of Maine and it kind of stuck with me that we were like 10% of that, in Aroostook county.

**CW:** Yeah, and the population is – ten percent of the state of Maine in Aroostook county?

**FB:** No probably not.

**MB:** And do you have information that tells you how many involve working with Wabanaki children and families?

**FB:** Well, a lot. I don't have exact numbers but many of the children that I had in foster care were Wabanaki children. And a number of families that I did child protective with were Wabanaki as well. Exact numbers I couldn't tell you.

**MB:** Okay, would you say that it's like fifty percent, seventy-five percent, could you give me a...

**FB:** Probably thirty percent but that's just a real wild guess.

**MB:** When did you first learn about Maine's policies related to Indian child welfare? And how were you made aware of them?



**FB:** Well, strictly the child welfare policy of nineteen—I think 1978. Obviously in 1978. Prior to that, I guess it was more of sort of what had been passed down historically of the way we treated or related to the tribal members. How did I find out about it? You mean, 1978?

**MB:** Mmhmm.

**FB:** Probably a meeting.

**MB:** There will be other questions about training. So, in 78, you were still a caseworker?

**FB:** Yeah that was just about the time I transitioned out of being a caseworker.

**MB:** And could you comment on the type and amount of training that you received related to understanding the Indian child welfare policies?

**FB:** Well I don't really remember. I remember we did have training around that. What was the rest of it?

**MB:** The type of training and the amount of training you received?

**FB:** Well, I guess I couldn't say. I mean, the type would be like, we'd have a, like a regional managers meeting – no, not at that point, I was still a caseworker. We would have like meetings in like Augusta, say, and they would bring in speakers to tell us what the policy said and how they hoped it would be implemented. You know?

**MB:** And as the regional manager, if I could ask you, because there it's interesting to know how things carried on. So when you were the regional manager, how was that done?

**FB:** The training?

**MB:** Yeah.

**FB:** Uh, I think it was just part of the – well, they have a training unit at DHS that sort of was responsible for all our training and I think it was just incorporated into their curriculum.

**MB:** Okay.

**FB:** That caseworkers and supervisors would get on a, kind of regular basis.

**MB:** Could you describe a situation in which you or your staff felt positive about your work with Wabanaki child and family?

**FB:** Oh probably hundreds of them. I mean I just, I became very close to all of the children that I had in foster care. And I, I was just thinking, when I came down here, the first case that I ever had was this lady who was a Maliseet and over the years it just had never occurred to me that she was or wasn't. Because that wasn't the way we thought of things in 1972, we just had children who came to our attention because of abuse or neglect. And it may have occurred to somebody that they were part of a tribe or not. I mean the Maliseets and the Micmacs had no tribal court at that point. They had no location where they particularly lived. There was no organization as such. So they were just part of the community like everybody else.

I mean, I had-- I went to high school and one of the boys that graduated with us was the first Maliseet to graduate from high school. And he was a classmate of mine. We were in homeroom together. In fact, it's sort of interesting in that it's sort of when I first became aware that people were treated differently. Because in this homeroom, my freshman year, all the desks—not all the desks -- two desks would be side by side – over here and over here. And I remember this person that sat with Terry asked to be moved. And so the teacher said, is anybody willing to change seats with this girl? So, Terry? So I said, sure I would do that. You may know him, he's been quite active in Indian stuff every since – Terry Polchies.

But, so , he and I became very good friends, played basketball together, and then he went on -- he was the first high school graduate. But that was the first time it had really occurred to me that everybody is not the same or some are treated differently. In fact this first client of mine had picked potatoes beside me back when we were kids, you know? And there were a number of Indians that picked potatoes right with me and associated with me and everything. So I don't know what got me off on that track except that it was kind of significant as an awakening for me.

But as far as having positive relationships, I mean, a number of kids were already in foster care when I came to work. And part of that, I don't know if you've heard of this or maybe you have over the time, but in Houlton, we sort of had this tragic event where a number of Indian adults had drank canned heat? And like seven of them died and it was just tragic. Well anyway all those families had [00:10:25.00] many children and a lot of those children came into foster care at that point. It was probably the late sixties I would say. And so that's sort of what I inherited because I didn't, as a child protective worker I didn't take a lot of children into custody who were Indians. But I had a lot on my caseload. And you know those are some of my best times at DHS because I would take these kids to see their parents, to see relatives. I had a girl that had tubes in her ears so we had to make a trip to Bangor like every couple of weeks--became very close to her. Um, this one boy was just a wonderful guy and I took him to the Maliseet trail over in Canada so just --he could touch base with his roots there. Another boy that I had in custody, you know in foster care and my wife tutored him. He had severe hearing loss and really struggled but we kind of took him under our wing. And he in fact came and stayed with us after he got out of foster care. So I became very close with him. Just a lot of good memories of those kids who were in foster care.



**MB:** So you mention that you were involved in bringing the children back to their cultural roots. Do you think that—do you know whether that is what you did or was that a general practice?

**FP:** Oh I think a general practice, probably. I mean, interestingly our unit was only about five people. And one of my coworkers was married to a Maliseet. And so we were sensitive to this whole thing. I don't know if you've heard of Tommy Batiste, but he was just a popular guy, good basketball player, went to college. And this girl married him and she was a social worker with us. So I'm sure that she would have been doing the same thing I was doing. Yeah I think it was kind of a gen—I mean, part of our mission was try to keep the connections with family [00:13:00.27] and I mean that particular boy I took to the Maliseet thing, I took him down because he had relatives in Fredericton and I think he was one of the kids whose parents may have died in that canned heat episode. And so I would take him down to Fredericton to visit them, you know, as often as I could.

**MB:** Okay. Can you describe a situation in which you or your staff felt less positive about your work with a Wabanaki child and family?

**FP:** Well, I don't think it was particularly because of being part of the Wabanaki or not. I remember there was sort of a phenomena in the St. John Valley that kids came into foster care and they would stay in foster care their whole lives and those people would become the grandparents to their children. There was a real cultural thing with foster care up there.

And I remember when we started having the effort at adoption, adoption or not, for you know, pushing to have these kids moved into adoptive placements. And I remember how difficult that was for those foster parents up there because I don't think they really understood what adoption meant. But they sort of had adopted these kids anyway and we were asking them to do something that was kind of strange to them. I remember meetings where they would just break down in tears where the Department of Human Services was suggesting that these kids would need to move from their home to an adoptive home and they'd have had the kids for ten years, you know. That was a difficult time for me and it didn't have – it had nothing to do with whether they were, you know, Indians or not. It was -- but I do remember there were a number of Indian children that were placed in the St. John Valley. Of course, that's the underlying thing of this -- if I could get anything across to everybody, the lack of foster homes was so critical that when we went to place a child in foster care, we had to struggle every single time - - all the times.

**CW:** Either a white or Native child?

**FP:** Right to find somebody. And so that's why we would have a child from Sherman – if you're geographically familiar -- over near Houlton -- that would have to be placed in Fort Kent or Madawaska or Saint Francis.

**CW:** That's a long way away.

**FP:** Yeah. A hundred miles away. Because that would be the only bed available. And so that -- it was just such a struggle all the time. Because our first, you know, in those years, it wasn't so much because there was an Indian law or anything--it was simply you didn't want to move the child out of their school. We did – we were required to try and have visitation with the parents so logistically, it made much more sense to have them close by. And as I say, the school situation, their friends, everything and that was the tragic thing about foster care all through --for thirty years for me -- is not having enough foster care placements. And so never being able to make a good choice. You had to make the only choice that showed up.

**MB:** Okay, could you describe your experiences in working with Maine's Indian child welfare policies and I have to explain this. There are many facets to working within the child welfare policies. Some parts of ICWA policies may be familiar or you've had experience and others may not be familiar as a part of your work or training. And so I'm going to ask about these different areas and speak to any that you feel you had experience with. If you didn't have experience, that's fine. So the question is: what were your experiences and what were your challenges? So the first would be initial identification of a child as Native American.

**FP:** Well, as I think I've sort of alluded to, through the early 70s, there was no distinction. A child was a child was a child. And if they were being abused or neglected was what you were looking for. But I do remember that, you know, that was part of the training after 1978 when the law came into effect that you did have to identify whether or not they were a tribal member and which tribe. Did that answer any?

**MB:** Yep. Yep. Notification of children to tribal child welfare?

**FP:** Well, the Maliseets and Micmacs didn't have a child welfare program at that point so there really wasn't anybody to report to particularly. *[00:18:40.25]* I think we noted it to ourselves.

**CW:** And when did they develop their own child welfare departments? Were you still working then or was that after you retired?

**FP:** Well, I don't even think to this day that they have a tribal court.

**CW:** No, they don't have a court.

**FP:** They -- I think they did have – they had a social worker and I know a lot activities would funnel those children into. So that was during the time that I worked that they had -- because I would meet with them to help set up their kind of social services program. Yeah, so.



**MB:** So a lot of these questions don't apply because they are determining jurisdiction or residence of Native American children or working with tribes to identify Native children or who would you call with tribal child welfare -- within tribal child welfare?

**FP:** Right.

**MB:** If you identified a child. You know I, I get that in general you didn't discriminate-- but if you did identify that the child was Native American, did you -- what did you do differently?

**FP:** Well I think after the law came into effect, we probably noted that in the record. And if there was an outreach to the tribe, we'd note that there. I don't particularly-- of course by then, I wasn't the caseworker anymore, you know, after 80 or so. Um, I just -- I don't recollect that we had a person that we would contact particularly. *[00:20:40.19]*

**MB:** Um and so here, what were your experiences and challenges in child custody hearings? And if, yeah – for Native American children.

**FP:** I guess no different than for any other child. I mean, the state had their case. The parents had their case. Every child had a guardian ad litem and so they were responsible for making sure that the best interests of the child were considered in the custody hearing. And, well I guess I shouldn't speculate but I think it sort of was assumed that you would try to have kinship care if possible or at least a geographically close placement. Yeah.

**MB:** You have eloquently described the challenges of arranging for foster care placement, is there anything you'd like to add to that?

**FP:** Well, it was so -- I mean there was also more institutional--if you had a child who had, you know, severe psychological or emotional problems—I mean, you just, to get a child into Sweetser, you know any place was just such a struggle. Well, I will say I mean, I think we did - -I used to meet with the tribal chief, the Maliseet chief, on a regular basis to try to promote foster care for Indian children. Because we didn't--that was the problem, we didn't have any foster parents who were Native Americans. We had one and I won't say who it is, but I mean we-- and she-- we had so many complaints about her from the children. And she got investigated and they had to close her. I mean, she was threatening them and putting them down the cellar and it was bad. But you know, she was the one we had been going to to place Indian children if we could and realized that it was horrible mistake.

And, but our main foster care recruiter in Aroostook county, and our foster care licensing person is married to a Maliseet and has a Maliseet child. And so Linda Polchies worked with me and other staff members trying to encourage the Native American --the Maliseets particularly – and I don't know why I didn't seem to have more contact with the Micmacs--they



were more located at Presque Isle area and didn't seem as active maybe as the Maliseets? Um, but I mean, that was on the, I mean, one of the last things I was doing -- 2002 -- was meeting with Brenda Commander to figure out a way to make fostering more attractive to their tribe members, you know. Um, but we didn't--hopefully that has improved and I don't know, since I left, if there's been more foster parents from that community or not but that was a struggle, just... [00:24:24.03]

**MB:** How about experiences and challenges in family team meetings?

**FP:** Well, I did have some experience with that in that I was--between when I was a caseworker and supervisor, I was a case reviewer. You know, case review program. So I did that for like three or four years in those early eighty years. And so that was a team meeting where everybody came in and had their advocates and everything. To tell you the truth, I can't remember any particular. I remember there was a lady who was the -- not substance abuse -- family violence worker for the Maliseets. And she would come to some of those meetings, I think as an advocate for the parents, you know? I'm not sure what the question was again. The dynamics or something?

**MB:** The challenges did you find, and what kind of challenges did you find? I guess that would be working cross-cultural.

**FP:** Yeah, I mean we tried to--we did develop case plans there and the case plan supposedly returned--reunification with the parents or go to adoption. Because this is when -- get the kid out of foster care and into permanency --and I totally agree --but that hadn't been the focus in the seventies as much.

And I think it was just setting these parents up with services so that they could, you know, become adequate parents. That was the challenge. I guess I can't say that it was a particular difference between whether they were Indian parents or not Indian parents. The challenges were the same across the board, you know. You know, getting them into counseling, following up. We'd return children home, things would dissolve and they would have to come back into custody, which, you know, is even worse for the child.

Um, and you know, it's always hard to have to tell parents that you're going to have to go towards termination of parental rights and adoption. You know, if I was going to say--if they've tried and you know, if they're trying I don't think we gave up on them easily. But there was a lot of pressure that kids did not remain in foster care. And then when we had the Adoption and Safe Families Act, which was 97 or so. I mean then there was really a federal push and losing money and everything else if you didn't get a child moved through the system expeditiously.

**MB:** So you covered most of these others--arranging family visitation. Did you have -- what were your experiences trying to do that? I'll give you: Family visitation, kinship care, you just talked about termination of parental rights and adoption so --



**FP:** Well, kinship care was not too big until the very end of my time there--really making a push towards kinship care. And I think, quite honestly, there was a philosophy of the apple doesn't fall far from the tree sort of thing, you know, these were family dynamics that went to the aunts and uncles and grandparents. And there again, it wasn't particular to the Indians any more than the white people. I think there was the feeling that kinship care wasn't always the right answer. But I think that the department has moved on from that now and I think it's more of a realistic alternative.

**MB:** Um, what would you consider active efforts to prevent the break up of an American Indian family? And please describe how the state conducts active, remedial, and rehabilitation efforts to prevent the break up of the family before ordering an out-of-home placement. Maybe we'll take those separately. What do you consider active efforts to prevent the break up of *[00:29:30.11]* the Indian family?

**FP:** Well, I think you know, it depends -- we get a referral from the school, clinician, whoever, it may be -- if it's immediate risk of serious harm, you go get an order and remove the child before there's harm, or before there's future harm. But in most cases, that's not the issue, I mean I think it's sometimes, there's intervention before it's an immediate risk. And here again, I'm not sure there was a lot of difference. We had Aroostook Mental Health Clinic was our primary provider of mental health services. And very often a referral was made to them and they had like parenting classes. If there were substance abuses issues, they had a substance abuse specialist. Marital counseling. They kind of had everything that we were looking for.

**MB:** And did you stay connected with the child while that was happening?

**FP:** Oh yeah, that's all a part of the team kind of tries to hold this together without removing the child. If it's housing, I mean, if I were the caseworker, I'd be out there and I did this many times, you know, working with landlords, trying to find a place where they can live, work out a payment mechanism. If it's transportation, try to --whether to get to a job, get the kids to school, getting, you know, whatever, to services--we had our own people who did transportation. I drove people all over Aroostook county to do this sort of this thing. So I think just general common sense needs of a family to be able to stay together and parent, we would do. And only-- and this would all be part of a written case plan. And then if things, if things fell apart and the case plan wasn't being followed then you know, it might get to the point where you'd have to go to court. But, you know, even then, you had to have a -- you had to have a case that would hold up in court that the child would be at risk of serious harm if not removed so, you know, you really had to try everything you could to hold the family together.

**MB:** You answered that whole question. Thank you. *[00:32:18.04]* Is the "active efforts" standard used in cases involving Indian children different than the "reasonable efforts" standard applied in cases involving non-Indian children?

**FP:** I don't think so. I mean it would be different in the sense that like they did have like after school programs -- or at least the Maliseets, I remember, where kids would have these activities where you would refer the child to. But obviously not the non-Indian children, so -- it would be somewhat different in that case but not a lot different.

**MB:** So if I understand what you just said, active efforts would be to get the child into a program that was in the Maliseet community?

**FP:** Right.

**MB:** Ok. So how are tribal child welfare staff included in the development of family case plan involving an Indian child?

**FP:** The, well the parents would be involved in the case plan effort and as I said, occasionally there would be at least a Maliseet social worker type person there in the case plan.

**MB:** And did that change after they -- well, what did they establish when they might have had their own child welfare staff? Did they get their own child welfare staff?

**FP:** Well sort of. I mean they had a... social services part of their tribe. I'm not sure I could tell you when that really came into being. See they --when was it--they got their own land, they built their own housing, and they had an administration building and all that. In, geez, late 80s, early 90s, in there probably. I wish I could remember--it just kind of all blends together I guess.

**MB:** So by that time, would the ...let me just take the narrative and say when we started, there was, you had practices that were similar for all children and by this time, there are now tribal welfare staff and so they were included with you, I guess. Is that what you are saying?

**FP:** Mmhmm. Yeah.

**MB:** So before they wouldn't have been there, you'd include who you could, but it was--

**FP:** Yeah, right, they wouldn't have a designated person or anything. That would be...

**MB:** Ok. To the best of your knowledge, if a tribe declines to intervene in a child custody proceeding covered by ICWA, what other reasons for this decision? If a tribe declines to intervene in a child custody proceeding. Why would they do that?

**FP:** Well, I'm not sure is that--

**MB:** I guess I first have to ask you, if you ever encountered a tribe declining...

**FP:** I don't think I have.

**CW:** Because the question is moot if there's no experience.

**FP:** Right, and I'm only wondering if--does that only apply to, you know the Penobscots--- when there's a court because if there is no court there, there's no probably intervention mechanism maybe.

**MB:** Yeah, ok, so that's not applicable. Um, to the best of your knowledge when the state declines to transfer a child custody proceeding covered by ICWA policies to tribal court --what are the reasons for that decision?

**FP:** Yeah, and that's not applicable.

**CW:** Again it would be not applicable.

**MB:** Have you had experience in working with expert witnesses for child, Indian child welfare?

**FP:** No, I can't say that I have. *[00:36:54.05]*

**MB:** And do you know what criteria the state uses to establish a qualified expert witness in Indian child welfare?

**FP:** No, I don't.

**MB:** What state child welfare policies, practices, and events influenced your work with Wabanaki children and families?

**FP:** Well, I think when the law was passed in 78, I think it did influence in the sense that you pay more attention to identifying who was that was a tribal member and who wasn't I guess. And I think that, you know, as it became more, as they became more organized, I think we saw that as another service available to them. You know, and hopefully maybe some foster care availability too. And so, well I guess it influenced us in just a kind of a way of thinking about children maybe differently than we had before.

**MB:** Ok.

**FP:** You know. Certainly through most of my casework time, there was no distinguishing whether they were Indians or not Indians, you know? Just... they're part of the community. So, yeah, I'd say there was a change after that law.

**MB:** So, this question is how did the state child welfare policy, practices change during your employment and how did this impact your work with Wabanaki children and families?

**FP:** Well it changed a lot, from basically, no entity out there that was part of the child's life or the families. And then, to becoming very involved and having their own organization. I'm sure they'd like to have a tribal court but that hasn't come to fruition. But, up to that. And I mean, I worked much more with them as regional manager. Basically, I represented the state of Maine and I would meet with the chief to try to make things happen for those kids. Which yeah, I think was very much different than how I had started if that's what you're getting at—is the transition.

**CW:** What was that relationship like between you as a representative of the state and the tribal chief? Was it mostly amicable or adversarial or did it shift from time to time depending on what was going on?

**FP:** Well, I, I don't know this is one of those things that maybe I-- shouldn't be public, I don't know. I would say generally amicable. Brenda and I got along fine. She was the chief most of the time when I was regional manager but then, I did have experiences where --geez--I would meet with her on like a Tuesday. And then I'd hear that she was in Augusta two days later saying that she never got to meet with DHS. And I'd be like, What? I just sat down with her two days ago. And I met with her on a regular basis. And she was sort of portraying that she was having a difficult time meeting with DHS. And so I got to say, I lost some trust in her at that point--that she wasn't being honest with what was actually going on. And so I don't like to put her down because I think she tries hard and she wants what's best for the tribe but I don't know -- that was a little disconcerting. *[00:41:11.23]*

**CW:** And did that ever get resolved in a way between the two of you? Or did it get...

**FP:** No, I don't think so. It's probably my fault as much as anybody. I don't know as I ever confronted her about it. I'm just a little more circumspect about dealing with her maybe. But, I mean, most of my, I mean one guy that was challenging her for chief -- is my -- has been for years, my Sunday morning golfing partner for years ..Mike Galley and I have been partners for years, and he's a Maliseet and so I do get some insight into the political goings-on in the tribe. And he, I know he was running for the chief, a couple of years ago but... he didn't make it. Anyway, I think generally a good relationship and everybody else I had a good relationship. Jane Root was their social worker and sexual assault person, I guess you would call her. And she and I got along great. So.

**CW:** And in your time as regional manager, there was no one ever dedicated as the child welfare worker specifically--it was more a generalized function within the social services department?

**FP:** Yeah, I think so. At least, I'm not recollecting anybody in particular.

**CW:** I imagine you would recollect if there had been somebody.

**MB:** Do you know if there's someone now, Carol?

**CW:** I think the position--I'm not sure if there's anybody there now. Not an active part of REACH in any case. Somebody else from Maliseet comes down who works in housing.

**MB:** Over the course of your work in state child welfare, where did you see --what did you see as barriers to the successful implementation of Maine Indian child welfare policies?

**FP:** I think lack of Indian foster homes is the major... barrier.

**MB:** And what strengths does state child welfare possess in ensuring compliance with Maine's Indian child welfare policies?

**FP:** Well, of course I've been gone for 12 years but. I mean I think DHS does have a good system for training people on expectations and, I don't know what the word is but, I think the strength is that we do have a good organization that functions well together and communication is usually pretty strong, I think.

**MB:** Were there procedures that were put in place to promote compliance to the law? Wait a minute, what effective procedures or practice does the state have in place for promoting compliance? So I would question, I would ask that question as: Are people held responsible or accountable for compliance?

**FP:** [00:44:53.13] Well, of course we--your cases are audited by the feds, the federal government--every once in awhile and so that's what they're looking for: are you in compliance with the Indian Child Welfare Act or not? And, if you're not, your case fails and if a certain percentage fails then you don't get reimbursement for the federal government so there's--I assume that's still in effect. They are looking for compliance.

**MB:** And so were there practices within DHS that assured that? Like, I'll explain or maybe you know what I'm asking?

**FP:** The case review is one forum for that and then just the supervisory-caseworker relationship and your performance standards, it would be another level of that.

**MB:** Ok. Do you have any questions? What weaknesses does state child welfare possess in ensuring compliance with Maine's Indian child welfare policies and what could they do to promote compliance?

**FP:** Well, I've probably been away too long to say what those are now. I mean, I think as aggressive as DHS could be about promoting-- developing foster care, foster homes for the

Indian, for tribal members would be the best thing they could do--or the best thing that could happen would be to have enough services to keep the children from having to come into foster care--to try to strengthen the families first.

**MB:** Strengthen the families. Okay.

**FP:** That's the number one priority.

**MB:** And what strengths do the Wabanaki tribes possess in working with the state for ICWA compliance--what procedures or practices does the tribe have in place that helps facilitate the compliance?

**FP:** There again, I'm just not sure now. I mean, I've been away for 12 years so whatever I said probably is not applicable now.

**CW:** And at the time that you were still in the job?

**FP:** Yeah. Well, um I mean I think there has become a much stronger pride and identity, you know, in trying to-- I mean, they have a real positive effort I think to become a stronger force in the community and provide services for their own members. I mean they're building beautiful community centers and athletic fields and all the stuff that, you know, and that I think they have access to quite a bit of money to help them do this. And so I think they're making great strides and, kind of becoming a force within the community. You know, the members can all be proud of and feel good about. I mean, I know this guy I play golf with, he's very active within the Maliseet community.

**MB:** What more could tribes do to ensure ICWA is followed in every case?

**FP:** There again, I'm not sure what they're doing now so I don't know quite what needs to happen. I mean I think, I mean my feeling is that if they did have a tribal court and had their own child welfare system, that would be great for everybody. So, uh, I'd like to see that happen.

**MB:** So, please talk about the importance of caseworkers learning about and having knowledge of American Indian family structure and culture?

**FP:** Well, I think it's very important and it's not just DHS. My wife is a teacher. And she would often remark about how talented some of those--she was a fourth grade teacher--and... those Indian kids would be great artists you know, and they could just focus on that be lost in it and do great work but the structure of the school system would move them on: now you've had your ten minutes of that, now you gotta go be in math or now you gotta do this. It was not supportive of the Indian culture, of you know. They're not as time bound as school systems are or all white people, I guess. But, you know, I think it's all across society of just being -- appreciating the strengths that they have and the culture there. And, yeah, the more DHS can learn about it the better. I think I was very fortunate that I worked side by side with this lady who was married to a Maliseet, understood him, he was a friend of mine, Gary Polchies -- a



friend of mine. When you develop those friendships, you understand better what their culture means to them. [00:50:44.00] And the strengths of it, you know? So.

**MB:** I think you just did this, some of this. Please talk about the importance for an Indian child who is placed in out-of-home care to be placed with reasonable proximity to his or her birth family or community.

**FP:** Well, it's very important for everybody, for every child that has to be placed. Yeah.

**MB:** Well, you know I think I have a question and I'm not sure what it is--it's very important and ---what would you say, say comes of that. What would say, say is the outcome of a child being within reasonable proximity to the community?

**FP:** Well the efforts at reunification are much greater if they can, you know, have more visit, more visitation and not damaged by moving to a different school, maintain their friendships. I guess, if that's what you're getting at.

**MB:** Okay. Please talk about the importance for an Indian child who is placed in out-of-home care to participate in her traditional tribal events, spiritual customs, and social activities?

**FP:** Well that was much better towards the end of my career there. Yeah, that they were involved in outside events, you know, go to some of their spiritual events. So I assume that's getting better and better and better.

**MB:** So, you, in the beginning when you talked about the impact to moving children out, it was their loss of identity and I don't want to lead you--that's not good research but do you, did you notice anything? You -- well actually you've also said that, you now feel that the tribes have greater sense of identity and they're making a greater impact.

**FP:** Yep. Yeah. But when I had those kids in foster care too, I mean like taking them to their relatives because you know the Maliseets were back -- dual citizenship thing -- so they were back and forth across the border a lot. And, I mean I just--it was like, almost selfish of me trying to learn for my own edification you know, the Indian ways, you know? And I remember some of those kids, you know, they had a lot to teach me too. And, you know.

**MB:** Cross cultural benefits.

**FP:** Yeah, I guess that -- like taking that kid to the Maliseet trail. I guess you would say. I knew that that -- I wanted that to be important to him. I don't know if you know about this, but anyway, it's like this trail through the woods just south of Woodstock, New Brunswick and it goes across Maine. You know I think it was one of their thoroughfares back before horse and



buggy probably. Anyway, and so I know that just because that was on my mind, I felt that it was important for him to identify as Maliseet or Micmac and learn their own cultural ways. *[00:54:35.10]* I mean, you know, I didn't want them to be homogenized into, you know, no identity--just – you know I thought it was important to be proud of who you were and what your culture was.

**MB:** In what ways do you see Maine's Indian child welfare policies and the Adoption and Safe Family Act working together?

**FP:** Well, uh yeah I think that the focus is the same: kinship care, moving kids out of foster care and into adoption quickly if possible. But there again, the problem being I'm not sure there are -- there weren't at least when I was there--many Indian members looking to be adoptive parents. You know.

**MB:** So if there, when there were adoptive parents or because this question now says, “In what ways do you see these two policies not working together”?

**FP:** Well, unless there's that resource out there of adoptive parents, I don't think it can work very well. You've got to have the resource to-- and they may be doing better now, I'm not sure.

**MB:** 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?

**FP:** Oh dear. Well I think we do have to get to the basis of why these children have to come into foster care in the first place. So the strengthening of families. And I think, probably having even more pride and ownership in their ethnicity can help that along--I mean, I think for years, I mean, some of these substance abuse problems were just a kind of hopelessness that maybe we could get behind us now, and give them some hope and reason to be successful and keeping your family together and, you know, strengthening those family ties. And then, if that can't happen, I guess having the resource of Indian foster families out there so that the child can remain close to their families. I don't want to sound too hopeless. The things I could do. I just don't know how much, you know, of our staff really have -- I mean, a lot of the state DHS people, probably never come across an Indian child. I mean, Houlton and Aroostook county, we did that a lot. So I think more of a general understanding of their culture and the strengths of that culture and like I was saying about me, how much we can all learn from that *[00:58:41.23]* would be good.

**MB:** And how could the state child welfare system improve in terms of Indian child welfare policies and practice?

**FP:** Well maybe that is what I was just talking about: better training of, and understanding of that culture. Maybe more aggressive recruiting of foster homes and institutionally, I mean I...

**MB:** Do you ever dream about something in between foster homes and..? Is there any kind of -do you ever remember driving down the road and saying, I wish that this existed?



**FP:** I guess that's what they wanted to do with kinship care. The aunt and uncle that we never heard of before—that they hadn't heard of -- is just perfect for this child. That would be sort of the intermediate step to still be part of that family but not your own mother and father. And not foster care. But you know, it would be nice to be with your grandparents. That would salvage some of that identity.

**MB:** Okay, so then is there anything else you want the Maine Wabanaki TRC to know about your experience working at DHHS and the child welfare cases?

**FP:** Uh, no I guess not. I mean, I will say as I said originally, I mean, I just enjoyed working with those children so much -- through thick and thin. I mean, there weren't always wonderful times but for the most part, they were just such great kids and, you know, I felt a warmth towards them. You know, I'll always treasure.

**CW:** Well your dedication is obvious by the fact that you're willing to drive two and a half hours to talk to us. We really appreciate your being willing to be part of the record and the narrative that we're trying to understand.

**FP:** Well I mean I support what the efforts are and I, you know, I did have a quite a bit of experience through the years so if I can help, that's great.

**CW:** Thank you for coming today, it's a big help and we appreciate it. Thank you.

**[END OF RECORDING]**