

General Information

Private or Public Statement? - Private

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Previous Statement? No

Statement Gatherer: Margot Milliken

Support Person: Rachel George

Additional Individuals Present: N/A

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Recording

MM: File # is S-201311-00005. Today is November 20, 2013. We are in Sipayik, Maine. Have you been informed, and do you understand, and have you signed the consent form?

A: I have.

MM: I need to tell you that any information disclosed that indicates a child or an elder is in need of protection, or if there is imminent risk of death or serious bodily injury to an identifiable person or group, including yourself, that information may not be protected as confidential. Do you understand that?

A: I do.

MM: Thank you. Please begin your statement.

A: Hmmm. I'm not really sure if I have a statement. I'm being told that I do. Um. So we'll find out.

Um. A lot of prayers went out today, I think. Starting with the sunrise ceremony. And then having to, not having but, going down to do the fire for Denise. I took Denise's turn. And as I was down there, I wondered whether or not I do have a story to tell. I've been in Child Welfare for 15 years as the director, and it was funny that Matt came down to relieve me so that I could come up and have lunch. And when I did, I sat with Mary Lou who has been my

caseworker since I've been the director of Child Welfare. And Mary Lou says, 'you know I was talking to Pen this morning, and maybe we should give a statement.' It was like 'Wow. Great minds think alike here' because while I was at the fire, I wondered the same thing. When it was time to get started again after lunch, Pen came down to the fire to find me again. I'd rather be down by the fire, than doing what you're all doing upstairs. *(Pause)*

I guess I'd just like to share the experience that I have had in working in child welfare, working with state DHS. Um, and probably even working with the families and children on the reservation. *(Pause)*

So I think that's where I'll go. I'm not really sure where I'm heading so you'll all have to bear with me. Okay?

MM: Yeah *(murmured quietly)*

A: I've worked in child welfare since 1998. When I first started working in child welfare, relationships between the tribe and the state was definitely rocky. Basically non-existent... *(Pause)*

In 1999, I want to say, Sandra Hodge made a phone call to the tribe. Sandra Hodge worked for DHS. She was one of those mucky-mucks in DHS. And said, 'I'd like you to come to the table with the state.' Well, Sandra Hodge had been going with a Passamaquoddy man who lived here on the reservation. I had seen them together, not really knowing who this lady was, but when she introduced herself on the phone, I recognized the name. And, I'm like well, you know, 'what is it you want us to come together for?' Like I said, our relationship with the state was basically non-existent. It was adversarial. I agreed. What the heck? Why not? I mean I had just started in child welfare, I was learning too, so it was a learning curve for me as well. So, Mary Lou and I – Mary Lou has been in child welfare for 30 plus years – she actually encouraged me to apply for the child welfare position. So when Sandi said, Come to our table, I said, "Mary Lou, you're coming with me. Sorry, but you are." *(light laughter)*. I mean Mary Lou knew so much more than I did. I'm just starting out, just learning. Just getting done with school, you know? So, anyway, we went to the table. I'm not sure if that was the . . . yeah, could've been. They brought the Muskie School with them and Penthea Burns was the mediator, is that what you would call her? The moderator? Whichever role that is? Just explaining why the State was asking the tribes to come together. I honestly don't know if Sandra had not been going with the Passamaquoddy man if we'd even be asked to come to the table, but it is what it is. We came to the table.

After they explained to us what they were looking to do was to improve relations between the State and the tribe. Mind you, I'm just coming out of college. I'm just learning about all these different things, you know, and what am I going to take from school and use in my community.

I'm being a radical, basically. I ask Penthea right out, I don't like beating around the bush. I'm very blunt, or I can be very blunt. One of the questions I asked Penthea was why should I trust you? What is there you have to say to me or to offer me that would make me want to come back to this table? Number 1. There's nothing that you can offer me. Fifteen years later,



what a bad statement to have made. You know? But it's taken that long. We heard Penthea out. We heard Sandra Hodge out. I can't remember the guy's name, but he's got the patch. I don't remember his name, but he was there as well. And they wanted to know, you know, how can we start developing a relationship?

So, over months, we started coming together. I figured I give Penthea a chance. You know, why not? Well, I think from me saying that to Penthea, to where we are today, is just unbelievable...

We started off in training DHS personnel, caseworkers all over the state of Maine. We wanted to share with them how it is different being on an Indian reservation. How it is different working with native children. And how important it is for us as a tribe to be knowledgeable about tribal children that may be in the state of Maine somewhere. That we need to be made aware. The couple of times that children were taken, the tribe wasn't notified until it was near the adoption part. You know, by that time all of those cases, all those court proceedings had already taken place, and the tribe wasn't a party to any of that. And often times it was late in the game when we learned that there was a native child involved. But it is the belief of the tribe that our children are our future, and no matter where the child was, if we had to go get that child, that's exactly what we would do. And bring that child home.

So we did a bunch of trainings through the state of Maine. Presque Isle was really, what's the word? Racist, maybe ignorant, not open at all to wanting to hear about the Indian Child Welfare Act, if you will, because that's what we gave the training about – the Indian Child Welfare Act – and how important that act is for tribal communities. We went to, where? Bangor. We went to Portland. We went to Machias. We went to Presque Isle. There were 5 places... and Houlton. We did Houlton as well. And Presque Isle was the worst place. And these are DHS caseworkers that are coming to this training to hear about ICWA and how important it is for us. I think that we knew that as we were giving the training that they weren't receptive. After the training was over, we asked them to do an evaluation. After reading some of the comments that they made, we definitely knew that was a waste of time, basically. That they weren't going to change their outlook. That no matter what we said, it wasn't going to make any difference...

We did those trainings. Pen hung in there, God love her. And thought that, you know, yeah we're training DHS caseworkers. Maybe we have to go higher up. Sandra Hodge ended up retiring. So it was like, someone new came on board and it was like we had to start all over again. You know and it seems like that's what we've been doing. We tried to educate people about our culture, about our community, about our children, about our beliefs. And those people end up leaving. So somebody else comes on and it seems like, we start all over again, you know?

Pen has definitely been the constant. When Sandi Hodge left I think it was Martha Proulx who ended up coming on board for the State. She was the ICWA liaison, so any problems the tribes may have had, or had been experiencing with state DHS caseworkers, we could be calling Martha Proulx, and she would help us to navigate the DHS system...

I remember a court case in Calais. It involved, how many kids? 3 kids. It involved 3 kids. Mom was Passamaquoddy. Dad was non-native. Going into that courtroom and testifying... state DHS did not want a place, two of the kids got placed with an uncle who was also Passamaquoddy, and his wife who was also Passamaquoddy. So two of them went there. One of the boys was having a really hard time and ended up going in and out of residential treatment facilities. It was . . . that's the one that was hard. That's the one we went to court on. The grandparents of that young man were non-native. State DHS was fighting with the tribe because the tribe wanted that child to go with his non-native grandparents and the state could not understand why we would want that.

So the way that we solved that was that family is family. We have a very strong connection to family. It doesn't matter if that family is native or if that family is non-native. There were non-native grandparents, grandparents that wanted that child, and I had to literally fight in court to say, what is wrong with these grandparents? What do you see wrong with them? I mean it was an 18-month battle. And that's what it was, it was a battle to finally, for DHS to finally allow those non-native grandparents to take that child...To this day, I still don't understand why it took us 18 months. Why it took us that long time going back and forth to court. I think that they were worried that the Mom would have access to the child. Well, you know what, that's still her child. The tribe, my tribe, here at Pleasant Point, doesn't believe in terminating parental rights. It's not up to me to make that determination to terminate parental rights on anybody. A mom is still a mom and who am I to say you can't have anything to do with your kid? I'm not going to say that.

But we've never, the only way that we have terminated parental rights is if the parents are in agreement to an adoption, because when the children get adopted, parental rights have to be terminated. So that is the only way that we will terminate parental rights. But even then we encourage the adoptive parents to allow the biological parents to still have some type of relationship with the children.

It hasn't been until recently that, and when I say recently, maybe what, maybe seven years, maybe less? Five years? That the relationship with the state and tribal DHS has definitely done better. I mean better. We have come a long way. It has taken us umpteen years, but we have come a long way. I think after that first, what a way to come into child welfare, you know, with this first major case, only one of many. One of many. Usually I'm fighting for children to be placed in native homes. Not the other way around – for children to be placed in non-native homes. But that's family. You know, so . . .



Now today, if there is any inkling that DHS is going to be working or going to go out to do an assessment on a native family, we are called right off now. Which is a nice turn around, because my caseworker can go out with the DHS caseworker and do an assessment together.

I think that we have resources that we can provide to that native family, that native child that DHS may have but are not able to access them so quickly. Whatever that might be. So for us, just making that phone call if that's what it takes, you know, we're able to do that. DHS has policies and bureaucracies, all the things they have to abide by. We're not so regimented, I guess, in the way we work with children and families as the way that DHS is. I'm not saying that doesn't work for them. I imagine dealing with a bigger population that you have to have those. We just have a smaller community where we're able to be more flexible. So, yeah... We're able now to get on MACWIS. So if there is a tribal child in state custody, we're able to track them. We have never been able to do that before. We're able to do that now. We're able to access guardianship subsidy. We're able to access adoption subsidy. All of those things that the state has been privy to and gets funding for, that we have never been able to access, we are now able to access. So when I say we've come a long way in those 15 years. It's unfortunate, I guess, that it's taken us that long, you know. Building a relationship, I guess, takes a while...

Coming together and... when we were working with, when Pen thought we needed to go higher up than the caseworkers we went to the PA's, the program administrators. Cause we figured, okay, so knowledge goes from the top down. It's gotta trickle down. Because, for some reason caseworkers weren't hearing us. You know, it didn't matter. And there again, the bureaucracy. So we felt if we went to the program administrators then maybe we 'd have a different, a different audience, an audience that could help make that difference. I think that by making that decision and doing the training with program administrators, and attorneys, and judges, and caseworkers, I think that's where we started the turn-around. Making sure that we were being heard from top people. And I think that Deb Despar was really instrumental in hearing us. There were some really good people who actually heard us. Martha Proulx, she became the ICWA liaison, and I think with her help we were being heard. I don't know, when they would leave us, I don't know what the conversations would be, you know, back in Augusta. All I do know is they kept coming back to that damn table. Which I mean, look at where we are today.

Doing the mandate and the whole thing for the TRC was in and of itself a journey, even though we'd stated that we have developed this relationship with the state, one of the things we did was that we wrote the mandate without the state. And I think that the reason we did that was, our mandate was like 14 pages long. And I think it was getting all that garbage, all that oppression, all that . . . (*sigh*,) where we've been, all the hurts. All that had to be put into that document. And then we invited the state back to the table and said, "Okay, here's our document." Like they're going to accept that? No. We finally realized that we had to start

from scratch, you know, and do it together, and it's made for a better, it has definitely made for a better... what's the word I'm looking for a better relationship. You know, by sitting together and hashing it out, and putting words in that were both agreeable to . . . It's been a heck of a journey, you know, and when I was sitting at that fire, how many of those kids lives may have I wrongfully affected? (*murmur from statement gatherer and background voices including children*). Some tribal children went into state care and we couldn't touch them. And I say we couldn't touch them because (*pause*) we didn't have the resources to. So we would have to have intervenor status and just watch to see what happens. Rather than taking them. I think that's the hardest part of this whole TRC, is wondering that. Am I responsible for some of these kids that may be so fucked up because I didn't bring them home? You know? I have to stop and think about that...

I have a nephew. His dad, obviously, is my brother. He's lived in Bangor all his life. Umm. My brother and I have the same father, but we don't have the same mother. So he's never lived here on Sipayik. He was not brought up knowing his culture, knowing any of that...

His children were removed from him several times. I think that the first time that I got Joey was when he was 9, maybe 8, right around there. I had him for almost 2 years and I pleaded with DHS not to send him back because I knew that his mom and his dad were not in a good place to take those kids back. I pleaded with them. I didn't want to see Joey leave. I didn't. Umm... But DHS knows better than I do, so they ended up taking him back... That was, Joey was 11 then.

Joey came back into my home when he was 13, right about then, Joey came back into my home. So he was with his parents for about 18 months, I guess, and I had him probably a year, and he ended up going back. Again. I didn't plead that time. I just said, "I'll see you again." You'll be coming back. You know?

So yeah, Joey went back. In 2011, nope 12, 2012, I got a phone call from Joey. "You need to get me out of here." I said, "okay, I'll be right down." Well, being right down, that's like 2 hours away. He called me like at 8 o'clock at night. I went right down. Picked him up. Brought him back home.

This time I told DHS (*chuckles*), I told DHS, I said, you know what, you've got to do something different. This is now, the what? The 3rd time, 4th time I've had Joey? Joey's now 16, you know. You shouldn't have taken him out of my home the first time he came. Um, so it just kind of makes you wonder, the type of system, you know that kids in foster care have to deal with. I know the type of system that we have here, and it's definitely not like the type of system that DHS has... Not saying that it's better. I'm just saying that it's different. Uh, hopefully with Joey the right decision has been made, you know? It makes me wonder that when he turns 18, when he's a young adult, is he going to go back to his parents? Or will he feel secure enough here, where he has now grown roots, and he has learned that he has a culture that he can be proud of, and that there are beliefs and a different language...Joey has been given something that his dad wasn't given, and that was the opportunity to be here and to live here among his family.



I guess it just kind of makes, you know, I wonder if I have a story. I think that Pen's right. I probably have 35 stories. And I think that I've woven those stories, or those experiences into having this conversation, or one-sided conversation as it is. But I think the hardest thing for me is wonderin', you know, there's a young lady upstairs who, it's a whole family actually, who had a hard time while in care. And I was the director then and I see her pain. They weren't brought back home until they were teenagers. But I see the way that some of them live. And could I have made a difference? I can't help but think that had I done something, if it would have made a difference? *(silence, sigh)*...

I've heard stories about how bad, how bad placements are off reservation, how kids are treated. And sitting at that fire today made me think of that...I guess I'll never know. Unless they come and face me or tell me, I guess I won't know. *(silence)*

I'm totally glad that we're doing this for this community though, and every other tribal community in the state of Maine. We definitely need something here. We are hurting. We need to heal. It's crazy. *(silence)*.

Some people are just so angry. And lash out. It's like we're fighting against each other rather than working together. I don't get it. I don't get it. *(silence)*

So I think that's my story because I'm starting to get emotional. I think I want to leave it at that. I don't know if you can use my story. I don't know if it has any, what's the word, significance to anything the commissioners are looking for...*(silence)*...

Yeah... I'm good... Thank you for listening... I appreciate it... I need to go to the fire.

MM: May I say something? Should I turn this off?

RG: So, first we have two questions we have to ask, and I promise they're going to be easier.

A: Sure

RG: So the first is what does reconciliation mean to you? *(Laughter)*. I know I shouldn't have promised . . .

MM: I know. It's hard to add at the end, isn't it?

A: I think the way that reconciliation for me is that how do we reconcile our hurts, how do we reconcile the hurts that we've committed on each other, that people have committed on us. Just the history . . . I think just, I don't know, being able to accept maybe...*(silence)*...

I don't know, Rachel. When I went to the University of Maine . . . it's like, I would take what they taught me with a grain of salt. If something made sense to me, then I would take that information. So I don't know how to answer that question.

RG: That's ok.

A: You know? Umm...What's your second question?

(laughter)

RG: What do you want people to know about your experiences?

A: Holy

RG: Maybe I should say they're not easy questions.

A: No, they're not. *(silence)*

You know we have removed a lot of children in the past 15 years from families. That is not an easy job to do. But we've done it. Cause we're thinking that we're doing it in the best interest of that child. And for some of those kids, it was absolutely needed. *(silence)*. From the state of Maine, how many kids did we save or bring back home? You know I wish I had kept track. I really do. How much of those kids did we leave in the state system because we couldn't afford to bring them home? That's the part that pisses me off. We did not have the financial resources for some of those kids. And because we didn't have those financial resources, we had to leave those kids in state custody. *(long silence)*

What was your question? I got too far, I went too deep. What was your last question, Rachel?

RG: What would you want people to know about your experiences?

A: Oh God, right. That's a hard question.

RG: If you don't feel you can answer it, you don't have to.

A: That's a really hard question. *(silence)*...I don't know how to answer that, Rachel, I really don't.

RG: That's okay.

A: I really don't. What do I want people to know? Hmmm. I don't know. *(silence)*

I would say that . . .if children are taken into the DHS system, no matter what, NO MATTER WHAT, we have to find a way to bring those kids home. NO MATTER WHAT.



There are so many times I've had to say to DHS, I can't, I cannot transfer the case to the tribe. I can't. I don't have the resources.

So if that's the one thing that people need to know . . . it would be to bring everybody home.

I've heard Didi's story too many times I think, bits and pieces of Didi's story. I see my nephew who's not known his culture, or his language but he's learning it now. He's never too old to learn. That's the good thing. And for the first time in his life where he can say, "I have roots." You know? We think that we're doing the best thing, the best interest of the kids... (*silence*). I think for their best interests, bring them here...

That's it! I'm done! You made me cry.

MM: You made me cry too. May I say something? May I say something? I don't want to...

A: Absolutely

RG: Do you want me to stop this?

A: Sure, it don't matter.

[END OF RECORDING]