

Tribes, state ink truth and reconciliation agreement

Wabanaki Chiefs, Governor Paul LePage and MITSC Commissioner Denise Yarmal signed a Declaration of Intent last Tuesday, May 24 that commits those entities to conduct a collaborative Truth and Reconciliation Process examining what has happened, what is happening, and what needs to happen regarding Maine child welfare practices with Wabanaki people.

The public signing ceremony, which took place at Indian Island, represents a historic agreement between Wabanaki Tribal Governments, the State of Maine, and MITSC to uncover and acknowledge the truth, creating opportunities to heal and learn from the truth, and collaborate to operate the best child welfare system possible for Wabanaki children, a goal shared by all the signatories to the Declaration of Intent.

"This is truly a historic event," said Penobscot Chief Kirk Francis. "This TRC process is unique in that parties on both sides have come together with the best interest of Wabanaki children and families at heart. It is a model of collaboration that can be replicated in other areas of tribal-state relations in Maine and has the potential to be a model for other states as well."

The Maine Tribal-State Child Welfare Truth and Reconciliation Commission (TRC) Process represents the first truth and reconciliation effort within US territory that has been collaboratively developed between Indian nations and a state government. The idea for the Tribal-State TRC originated within a Truth and Reconciliation Convening Group, individuals representing Maine Tribal Child Welfare, Maine State DHHS Office of Child and Family Services, and staff from the Muskie School of Public Service, American Friends Service Committee, and Wabanaki Mental Health Associates. All five Wabanaki Tribal Governments, Governor LePage and MITSC have endorsed this process.



Penobscot Indian Nation Chief Kirk Francis (right) and Reuben Clayton Cleaves, chief of the Passamaquoddy Tribe at Sipayik, look on last week as Governor Paul LePage signs a Declaration of Intent for a first-in-the-nation truth and reconciliation process examining the history of state child welfare practices with Wabanaki peoples.

Tribal declaration signed

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"Many people have worked over a long period of time to help us reach this point, and I am pleased we are now able to move the process forward," said the governor. "It is worthwhile to consider how our child welfare system has failed in the past so we can continue to improve the system. I see this process as a way to continue the strong working relationship that has developed in recent years between the Tribes and the Department of Health and Human Services. I hope this is another step in strengthening state-tribal relations."

Wabanaki and state representatives have been collaborating for more than a decade, which has and will continue to improve the child welfare system for Wabanaki children. In spite of this progress,

Maine's child welfare history continues to impact Wabanaki children and families today. The governments have come to realize that they must unearth the story of Wabanaki people's experiences in order to fully uphold the spirit, letter and intent of the Indian Child Welfare

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Act (ICWA) in a way that is consistent with the law and promotes healing.

"I am proud of the work we have done over the years to improve child welfare practice and realize it has only been possible because of the energy we've put into developing and strengthening relationships," said Molly Newell, a member of the TRC Convening Group who has been a part of this change process for over a decade. "We hold ourselves and each other accountable, asking tough questions and sharing difficult thoughts, feelings and opinions. Although at first I wasn't sold on this idea of opening old wounds, I now realize it is necessary to look back at the truth before we can heal and move forward. I am optimistic and hopeful - I know we can do this."

The impetus for the TRC comprises three key purposes: to create a common understanding between the Wabanaki and the State of Maine concerning what happened and is happening to Wabanaki children in the child welfare system; to

act on the information revealed during the TRC to implement systems change to improve the system and to better support the children and families served; and to promote healing both among Wabanaki children and their families and the people who administered a widely acknowledged less than ideal system.

In 1978, the U.S. Congress passed the Indian Child Welfare Act (ICWA), which codified higher standards of protection for the rights of Native children, their families and their Tribal communities. Within the ICWA, Congress stated that, "No resource is more vital to the continued existence and integrity of Indian tribes than their children" and that "Child welfare agencies had failed to recognize the essential tribal relations of Indian people and the culture and social

standards prevailing in Indian communities and families" (25 U.S.C. & 1901).

All the signatories to the Declaration of Intent thanked the Andrus Family Fund for its financial support for the Convening Group, creating support for Wabanaki communities, and other aspects of the TRC. Next steps will include the signatories agreeing to a specific plan for conducting the TRC process, selecting members of the TRC, and securing additional funding.

The TRC will be housed within the Maine Indian Tribal-State Commission (MITSC). Throughout the process Wabanaki Community Groups led by community members will provide support and a local point of contact for all Wabanaki people who become involved in the TRC process.