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Statement by Jane Sheehan collected by Marcie Lister on December 18, 2014

Jane Sheehan

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General Information

Private or Public Statement? - Public

Statement Provider: Jane Sheehan

Date: December 18, 2014

Location: Portland, Maine

Previous Statement? No

Statement Gatherer: Marcie Lister

Support Person: N/A

Additional Individuals Present: Carol Wishcamper

Recording Format: Video

Length of Recording: 46:20

Recording

ML: We are recording. I am Marcie Lister and I am here today with...

JS: Jane Sheehan

ML: And...

CW: Carol Wishcamper

ML: Ahh, this is file # ME-201412-00154. Today is the 18th day of December, 2014 and we are at the Unitarian Universalist Church on Allen Ave. in Portland, Maine. Ahhm, Jane, have you been, have -- I read you the consent forms, did you understand everything?

JS: Yes.

ML: And did you sign them?

JS: Yes, I've signed them.

ML: OK. Thank you. I do need to inform you that if at any point during this recording you indicate that there is a child or elder in need of 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?

JS: Yes. I do understand.

ML: OK. Thank you. Now we will start with the interview questions. Um, Jane could you please tell us about your current and or past employment in state child welfare?

JS: I started in state child welfare in 1989 and I was the first Child Welfare Ombudsmen to act between the government and any aggrieved citizen. Complaints came to my office and I followed up on those complaints or concerns. Ah, I moved from that position to the governor's office staff and I, part of my responsibilities was oversight for Corrections on, including Juvenile Corrections and the Department of Human Services. So, plus Mental Health. So, there were occasions during that where I came in contact with child welfare issues. I moved from there to being the Director of the Bureau of Child Welfare -- it was Child and Family Services was what it was called at that time. And that would have been probably in 1991 to 92. Uh, I was then appointed Commissioner of the Department in 1992 and I served in that capacity for 3 years. Ending in February of 1996, 1995 I believe. 1995.

CW: Who was Governor at the time, was it [*Inaudible*]?

JS: Uh, I served under Governor McKernan and, then Kevin Concannon followed me, ah, under Governor Angus King.

ML: Um, I think you've... you've, you've answered the follow up questions here.

(Laughter.)

ML: Um, what -- what is the total number of years would you say working with children in a paid employment capacity?

JS: Um, probably 6 or 7, but I'm also an attorney and I have done, as a private practicing attorney, I've done child welfare cases.

CW: Would that have been prior to the State Government experience or after or post?

JS: No, it would have been post. Post. Yup. And, I've done guardian ad litem cases.

ML: How many cases, ah, involved working with Wabanaki children and families, would you say?

JS: Well, during my years, obviously at the Department, I would have no way to assess it because it was not direct contact. It was indirect through the people who worked in the Department, working with the child welfare um, I'm sorry, the um, Indian Child Welfare Act.

JS: There's a separate division that, that handled ah, those cases. And none of my private legal cases involved anybody that was related to Wabanakis.

ML: OK. Um, when did you first learn about Maine's policies related to Indian Child Welfare and you could include how were you made aware of the Indian, of Indian Child Welfare Policies, and if you could please comment on the type and amount of training you received related to understanding the Indian Child Welfare Policies.

JS: I ha-, learned of it in 1989 when I was a Child Welfare Ombudsmen. I was a one-person Department. I did have administrative secretarial services, and it, so it was pretty much self taught. Uh, you know a review of the Act in 1987 and, well actually, it was th-, the Act was earlier than that -- '78 -- but the policies that came into effect that were signed by, I believe, the Passamaquoddis and the Penobscot Indians with the Maine Department of Human Services work protocols would be used in the procedures that would go on in Court.

ML: Could you describe a situation in which you or your staff felt very positively about your work with a Wabanaki child and family.

JS: I, had respect for the people that worked in the Department related to this. At that time, child welfare ah, attorneys -- child protective attorneys they were called -- were located right in the Department. They weren't in the State Attorney General's office in the Cross Building and so when issues came up it was-- there was an opportunity for a more open discussion.

ML: Um, excuse me, um, I'm not sure these will relate or not but you can d-, you can determine that.

JS: Umhm.

ML: Ah, what were the positive outcomes in, in your work? What was your working relationship with the Tribe or Tribes and how did this relationship contribute to the positive outcomes of the work.

JS: As I mentioned earlier, I did not have direct contact with the Tribes. There was one incident that related more to a Medicaid payment issue for a Native American child. And, that end up with a positive income. It was a very long, uh, dragged out process. This was a child who was born needing 5 separate body organs to be transplanted. And, the expected cost -- and this would have been probably in 1993 -- and the expected cost was going to be a million dollars to Maine Medicaid? So, it became one of those difficult, Solomon kinds of issues, that Medicaid couldn't afford it. It was a very difficult budget time in the State when -- when is it not a difficult budget time?

But, um, and we were working with Children's Hospital in Pittsburgh and we were trying to get the State of Pittsburgh to ante up some of their Medicaid funds. Which they wouldn't. It was a divorced family um, one parent was-- had some Indian blood in one Tribe, the other parent had some in another Tribe. There were Tribal funds that might have been used. One of the parents had some private insurance and so there was a lot of going back and forth. And you know, somewhat frustrating at times, because clearly the welfare of the child was involved. And it was nearing a point where the operations had to take place because the child was growing. And I met with the family and some Tribal people, I don't know exactly who they were. We met at the Harraseeket Inn in Freeport. Um, the Pediatrician from Portland was there and we were able to mediate and work it out. And, I went to the governor and finally made a final decision that FBR, uh, that DHS would take responsibility for paying for it, well then the private insurances company stepped forward, and one of the Tribal governments stepped forward. So that helped to reduce-- reduce the cost. But, that's probably the one thing that stands out most in my mind. Um, the operations were successful. Uh, I didn't-- I left my job. I didn't have contact with the child. And the shining moment was to go to the opening of the Barbara Bush Children's Hospital and this little girl was the speaker. Dressed in Native costume. The sad part is that she died in her early teens. But, she talked--

CW: From something unrelated, or?

JS: --she talked about the wonderful care that she got and-- yeah. No. I think, I think it's just too overwhelming to try to replace five body organs in a human you know, and have it all work. Yeah. Yeah. So.

ML: Could you describe a situation in which you or your staff felt less positively about your work with a Wabanaki child and family?

JS: Well, I think a lot of the issues came to the Bangor Regional Office and some Caribou and Houlton but, um, I think where I thought there was a weakness was -- and it was almost an impossibility. If you think of the workers -- social workers who have to intercede in these cases and the amount of knowledge that they have to have in a very critical circumstance and whether to take a child, knowing that the standard is preponderance of the evidence, if it's a Caucasian child, and if it's an Indian child, it's a higher standard. And so, personally they may feel that this child is in danger yet it doesn't rise to clear and convincing evidence. And, I, you know, I, I think the crossover was very hard for caseworkers working with Tribal government. I th-, they would have to, you know, come and discuss, and obviously they had to go by the statutory language. But, I think that, being able to educate them, having experience working, maybe one day in one area and another day in another area because when you get a call on the 800 line and you go out there you're not necessarily going to know that this is an Indian child welfare case.

ML: Umhm.

JS: So di-, I don't know if that answered that question.



CW: I think it answered the question, and it raises a question for me and that is, um, what kind of -- if you're aware of, from your position -- what kind of training caseworkers got who were in those offices where they might be more likely to have Native cases pop up.

JS: I think they got the best training available at the time. We didn't have the Child Welfare Training Institute at that time. That kind of came in later in my work, and I don't know how well that has worked. But I think it, it provides an opportunity for more intensive training. The training was done by the uh, Child Protective Attorneys. They did, I think they did an excellent job, but if you've got a caseworker who's taking a day out of her regular schedule to drive to Bangor and sit through these classes and their head is full of, you know the children that they're trying to protect, that are -- it's an outstanding case, it came up yesterday or early that morning. Um, they didn't have cell phones at that time so at least they were able to, you know, distract themselves enough to listen. But then when they're faced with that emergency, um, because the first line of defense, you know, is keep that child from harm and if there's push back from the caseworkers saying, "Well, you can't do that because it's not allowed," kind of on our side of the fence.

CW: Umhm. So you made reference to um, there being a higher standard when the case was a Native child?

JS: Umhm. It is higher standard. And of course, I think it, it is Passamaquoddys and Penobscot that have their own Tribal Courts, correct, and then, the Maliseets and the Micmacs don't. Uh, and so, ab-, I think the same standard is, is there for them as well. But, if you think of just the words, "preponderance," well maybe it, it could have happened, I don't know but I'm gonna err on the side of the child for the protection. Clear and convincing -- you know, did you see it? Did it, uh, did you witness it? Are only relying on what the child said. I think that's a lot for a caseworker to handle. And they, I mean they could bring in an attorney at the time, but you know there isn't enough staff to go around.

CW: Right. Yeah. And, it's time.

JS: Time is of the essence and I think, I think that might be a weakness, plus enough education and understanding the cultural differences.

ML: Uh, one, one of the issues that, that has come up, has been the difficulty of determining and, and in ga-, for me, in gathering statements from other people who worked in the child welfare system has been the difficulty determining whether someone is um, uh, fits under the uh, chi-, the ah Indian Child Welfare Act. Whether it, how much Indian blood they might have, whether... whether they need to be in that, whether they are in that category or not and, the amount of time and effort that it might take to attempt to determine that. Ah, is that something that you ran into at all?

JS: Yes, I think it, it did exist, was that determination where, where it was going to fall and I think sometimes, um, and I think I mentioned this to Barbara Kates. It was my, my read that if it benefitted the child most to give deference to, this child may come under the Indian Child Welfare Act and will get more protection and benefits, then we're gonna go in that, in that direction.

CW: You said that there was a time that you were involved there was a ICWA unit? Can you say more about that? When that might have been started or how it was structured.

JS: You know, I don't, I don't remember the exact configuration of that but I know that there were people in the Department that were assigned to um, working with that kind of case. And I think, I think I--

CW: Probably developed more background and--

JS: Yeah, I think that came out of the Augusta office. Um, and I'm searching to try and remember who, who the person or the persons were that, that did that. Some of the, I don't know whether you're planning to interview Peter Walsh or Sandi Hodge or some of those people. They would know. Yeah.

ML: Ah, Jane could you please describe your experiences in working within Maine's Indian Child Welfare Policies. Ah, I-,I-,let me go through sort of this whole question, if I might--

JS: Yeah. OK.

ML: to s-, and then you can determine whether, what-- what is relevant for you. Um, there are many facets to working within Indian Child Welfare policies. Some parts of ICWA policies may be familiar to you in which you've had experience, others you may not be as familiar, or were not a part of your work and training. I'm going to ask about these different areas and please, excuse me, please speak to any that you fee- uh, in which you feel you had experience. If you didn't have any, that's fine. What were your experiences in and what challenges did you find in the following areas: I just, we just spoke of this, initial identification of a child as Native American.

JS: *(Nodding head affirmatively.)*

ML: Um, notification of children to Tribal child welfare.

JS: I didn't have a lot of direct involvement in that.

ML: Um, w-working with the Tribes to identify Native children?

JS: No.

ML: Determining jurisdiction or residence of Native American children?

JS: Occasionally, that came to my attention.

ML: And were there particular challenges about that or, or what were the challenges in determining . . . ?

JS: As you described earlier. Trying to, you know, look back in the family tree and figure out, you know, sometimes, sometimes people want to be in a certain place and it's apparent that they're describing that they're part of something, in fact, they really weren't but you have no way of really knowing.

ML: Um, child custody hearings?

JS: Uh, not directly.

ML: Uh, arranging foster care placement?

JS: Occasionally for very difficult placements. Um, my term in-, as Director of Child and Family Services -- very short period of time, uh sometimes that arose to the level of, OF the Commissioner's offices due to, was it an appropriate uh, placement. Because sometimes it wasn't-, it was out of necessity. It wasn't, there wasn't another place available and trying to give deference to what the Tribe might want. There wasn't enough time to really execute that, so, they would come to me and I would say, "Safety first." We'll work on you know, those other issues tomorrow.

ML: Uh, family team meetings?

JS: No.

ML: Uh, arranging family visitation?

JS: No.

ML: Kinship care?

JS: Nope.

JL: Termination of Parental Rights?

JS: Some of those did come to my office for discussion.

CW: When you were both the Director and Commissioner?

JS: Right. And, in the uh, in the Ombudsman position. The family would, you know, contact me and . . . They didn't always identify themselves as Native American but they might refer to the fact that um, this went through the Tribal Court or . . .

CW: And at that point, would you have direct involvement or as Ombudsman you would help direct them to the appropriate place within the system?

JS: *(Deep breath and sigh.)* I would try to direct them and then I would usually follow up. I would go and check with the child protective attorneys: "What do you know about this case?"

ML: Make sure that it got, resolved--

JS: Mak-, yeah. Follow through. Yeah.

ML: Excuse me just a moment. There's this peculiar, do you know what this AE/AF lock command?

CW: Yeah.

ML: I mean, it appears to be recording because it's doing this little thing. So I'm assuming it's recording but then I see that it doesn't have a--

CW: You've never seen that before?

ML: I, uh, occasionally, I have seen it and I don't know what turns it on or what turns it off.

CW: Do you want me to go ask Rachel?

ML: Um, I mean, if you would, just because I want to make sure there's not a problem.

CW: I-, it says: AF/AE lock?

ML: Yeah. And what it's not showing me is the time elapse.

CW: OK. *(CW leaves the room.)*

ML: Yes, um, a technical break here.

JS: OK! *(Laughing.)*

[Recorder turned off due to technical issues, and then turned back on again.]

ML: You see it? Well no, it does, it's just very hard to read. Ok, so we're probably two recordings of it. I'll make sure Rachel knows that.

CW: Knows -- right. That we've had two separate... Do you need, do we need, do you need to do the file number again?

ML: Um.

CW: I don't think you need to do the consent, but, I would do the file number again just in case.

ML: Let me-- I'll do the file number again just in case. Um we have, we had to stop the first recording for technical reasons and restart so I'm just going to mention the file number again, and that is ME-201412-00154.

CW: Name.

ML: And we... I'm Marcie Lister, I'm gathering the statement. And I'm here with...

JS: Jane Sheehan.

CW: And Carol Wishcamper, commissioner.

ML: Ok, so sorry for the technical difficulties. (*Laughter in background.*)

JS: The sun came out, we're happy. (*More laughter.*)

CW: Look at how beautiful it is coming in through the stained glass.

ML: Yeah, this is a nice room. Uh, so I think that I was to the very last one of the "did you have experience in the following areas and what were your challenges in these areas." The last. We had talked about termination of parental rights. Um, and then the last one is adoption.

JS: No direct interaction on adoption.

ML: Jane, what do you consider to be, and this is in quotes, "active efforts" to prevent the breakup of an American Indian family? Please describe, if this is relevant to your experience, how the state conducts "active remedial and rehabilitative efforts to prevent the breakup of an American Indian family before ordering an out of home placement of an Indian child?"

JS: I obviously can only talk to the practices that were going on at that time. And I think that a lot of it was related to placements that were available in emergency situations. So I think that the goal in theory was to make an appropriate placement with a family that had, if there was a foster family available that had some, um, Native American background or culture. But, in

most instances that didn't occur unless it was back on the reservation, and that was more with the workers who were involved on the reservation. So I do think that some of those children were placed at least in temporary foster care with Caucasian families, out of necessity.

CW: You might want to say then because, of the loop back, what that time period was.

JS: That would have been between 1989 and 1995.

CW: Thanks.

ML: Uh, is the active effort standard use in cases involving Indian children different than the reasonable efforts standard applied in cases not involving Indian children?

JS: I think the intent is to have it be a same system, but I think that the constraints of one, a statute and two, the policy — in fact I'm not familiar with whether the policy that was put in place in 1987, which is quite extensive and signed with the tribes, is still, still in place. Obviously if you read the policy, it, it directs that you're going to do it that way. But what actually happens in practice may be different.

ML: How are, how are tribal child welfare staff included in the development of a family case plan involving an Indian child?

JS: During my time it was my belief, I wasn't directly involved, that they were engaged. In fact I-- what cases I heard about, they were advocates for the child.

ML: To the best of your knowledge, if a tribe declines to intervene in a child custody proceeding covered by Maine's Indian Child Welfare policies, what are the reasons for this decision?

JS: I don't know the answer to that.

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

JS: I believe that it's governed by if a tribe has a tribal court. That's the first court that the initial proceedings go to.

ML: Have you had experience in working with expert witnesses for Indian Child Welfare? In your experience what criteria does the state use to establish a qualified expert witness in Indian Child Welfare.

JS: No experience with that.

ML: What state child welfare policies, practices and events influenced you work with Wabanaki children and families?



JS: Well I felt that the policies that were in place had to be adhered to. And any discussions I had with people who were engaged in this was, we were required to do that. Unless it was an emergency situation, where sometimes you have to bend the rules, for the child's sake.

CW: When the 1987 policy, which, I think I'm inferring, was the policy in place that you're referring to, how was that developed? Do you remember? Were you a part of the development of the development of the policy?

JS: No, because I came on board in 1989, but I um, I believe it was you know, involved the department and child protective services-- child protective services division of the Attorney General's office. And whoever was engaged in the, in the tribal courts. And it mirrors, it's almost like rule-making that you'd have for a statute.

CW: Yea, right.

JS: You know, that the policy's written more like rules. Yea.

CW: I was going to ask whether it had to go out to move through a rule-making procedure or it was internal policy.

JS: I don't, I don't know. My, my guess would be it didn't probably have to go through... It might have had its own public comment period. But I don't think it probably went through the secretary of state's office. I think it was probably more the department and the Attorney General's office. Even if that.

ML: How does state child welfare policies and practices changed during your employment? And how did this impact your work with Wabanaki children and families?

JS: I think it was pretty much static during the time that I was there.

ML: Over the course of your work in state child welfare, what do or did you see as barriers to the successful implementation of Maine's Indian Child Welfare policies?

JS: I would say differences of opinion. A lot of it cultural, or between the tribal workers and the actual department workers. I think there were probably pressures on the tribal side. Because of the tribal governments. Probably a protectiveness of the parties that might be accused or involved. Not a lot different than it was, as I'm referring to this one side of the fence or the other, but the... I think there might have been adults who could stand behind the tribal protection. Whereas a protection order on, on the outside, that individual doesn't have a body around them. I... maybe I'm not being clear on this, but...

CW: I'm a little curious about when you say that there were some differences between the tribal workers and the state DHHS workers. Um, alluding to the fact that there may have been pressures on the tribal workers that were different. I was wondering if you had some more explicit...

JS: Well for me it was more a perception. Kind of thing that if it a tribal worker thought that a child didn't agree with the department worker, then a child was going-- needed to be removed, then there were going to be some pressures around that. And the tribal worker might have been being pressured by internal forces.

CW: So what would be the circumstances of both the tribal worker and the DHHS worker being involved. Would it go first to the tribal worker and then DHHS would get involved?

JS: (*Speaking over CW, who becomes inaudible.*) No, sometimes it comes directly to the department because of the 800...

CW: And that's the report-- the reporting mechanism.

JS: The reporting mechanism somewhat drove what was going on. And I, I don't know but, I mean, it's very possible that things could have been reported to tribal workers that never left, never left the, the tribal environment.

CW: Mmhmm. Mmhmm.

JS: But I don't know that, and don't want to project that that was happening.

ML: Well I think on the other side of it, again from, gathering from other statements that I've listened to, the issue again of identifying a child as falling under the Indian Child Welfare Act, when that would take a while, but eventually it would be determined that in fact yes, this child was a tribal member, then, then the state worker would be involved, but you wouldn't have a tribal worker involved for quite some time. And then the whole, the whole... process of getting a tribal chil-- tribal worker involved when the child's not living on the reservation and not very involved with the tribe, I think raised all sorts of other issues.

Um, what strengths does state child welfare possess in assuring compliance with Maine's Indian Child Welfare policies? What effective procedures or practice does the state have in place for promoting compliance?

JS: Well again, it's a long-- it's not in present time. Um, at that time, I, I think if a tribe raised an issue about not getting what they needed, and it arose to the level of the commissioner's office, at least while I was there, I would have been paying attention to it. And I think that that's... I'd be willing to bet that every commissioner pays attention to that. I think that they're pretty sensitive to, to those issues.

ML: Um, what weaknesses did child welfare possess in ensuring compliance with Maine's Indian Child Welfare policies, and what could the state do to promote compliance?

JS: I think it's education and resources. The resource issue is always a problem.

ML: Sure.

CW: Want to say a little bit more about education?

JS: Well I, I'm not familiar with the curriculum in the Child Welfare Institute now. Um, but because of the nature of the work, the caseworkers didn't have a lot of time to devote to education.

CW: Still don't. Because of the resources. (*Laughs.*)

JS: I don't think you learn in a day. The complexities of the lifestyle of people who were born and live within the Native American community, or don't know that they're really Native American until an issue arises and suddenly there is a child being told you are, you know, an Indian child and you need to tell the worker that you are. And I think, I think there's a lot of complexities within the social aspects of it that for a young caseworker who is overworked, underpaid, and...

And at that time, another issue that I had with the system and was working on trying to change, but of course when governors change the commissioner changes and so policies of how you do things change. Is that the person who removed the child, didn't continue with that case, because then it became a foster care worker. And so if you were trying to build a relationship and a continuity with a tribal worker, or a tribal group, then there was a separation in the middle of all this. And...

CW: And for the family as well, get to know one worker, then there's another...

JS: That's right, or if the child was placed in a foster family, outside of the tribal unit, what contact if any was continuing with the tribal unit?

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

JS: I found that the loudest voices came from representatives in the legislature. And I think there have been some, in my lifetime or in my working time, there have been some pretty strong advocates at the head of tribal government. That if they chose to, they could get heard.

ML: What weaknesses do Wabanaki tribes possess in working with the state for ICWA compliance? What more could they do to ensure that ICWA is followed in every case?

JS: I think it's a longstanding minority status, and discrimination practices, that however subtle they might be are still in existence.

ML: Please talk about the importance of caseworkers learning about and having knowledge of American Indian family structure and culture.

JS: I think it's critical, because it's important in the placement, even if you cannot find an appropriate foster home that has Native American involvement. I think that the caseworker, the foster care caseworker, can introduce what resources are available, what groups. And I think that most of this occurs within the Wabanaki area. And I think that there are cultural activities available, and I think that the fam-- foster families, if they want to accept one of these children, are responsibility to follow through on that. I don't know how much, I don't want to say policing, but how much enforcement or regulation of that occurs. Again, I think it's a resource issue. Two sneakers for the feet are sometimes more important than...

CW: Or gas to the reservation....

JS: ...learning an Indian dance.

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

JS: I think that that's very important, because if you're trying to evaluate a willingness and an ability to reunify with your child, then visitation becomes extremely difficult if they're placed too far away.

ML: And please talk about the importance for an Indian child who is placed in out of home care to participate in his or her traditional tribal events, spiritual customs and social activities.

JS: I think I addressed that earlier. I think there always needs to be some emphasis on that happening. I think as the children get older and they may not want to do it. But I think when they're young and if they can have some contact, I-- there's sometimes an inherent conflict in the fact that the people that are putting on the activities, or engaged in the activities, they're somehow entwined in the protective mechanism for the child. If the alleged abuser is the instructor in the course, or allowed the abuse to go on, then to force a child to go to that kind of an event would be a very wrong and painful experience. And the tenacity of the abuser to be present... not unlikely that they could show up at that kind of an event.

CW: So you, you described that with some clarity and energy, I'm wondering if you are aware of cases where that was... that occurred.

JS: I think that comes from my work as ombudsman. And during the time that I was engaged, there was a very active outside group -- organized I think by a grandmother of a child that had been placed in foster care. They came to the legislature. They were present in my office all the time on the phone, or, or showing up. And as I say Bangor, I think that's generally in the



Wabanaki area, I didn't recall within that group any, you know, Wabanaki parents, but they spoke strongly to the state was not protecting children because they were just grabbing them and taking them, them away. And I think within that group there were some perpetrators, and they were using it as a mechanism to get the children back, or to cover up... And I think that the present day circumstance of what's going on with Bill Cosby and his accusers.... I think that's classic of, you know, what goes on in child protective... You've probably heard that from other people.

Plus, also at that time, there was a tremendous hype nationally. It was just coming out if you will, about children being abused. And everybody was jumping in on the bandwagon, whether every child should be physically examined, or... and that just heightened the anxiety around all of it. Because it's not, nowhere near as much on the front page of the paper anymore, as what used to be out there. That scares me because maybe children aren't being as protected as they should be, because there isn't an awareness. Or maybe it allows people to do their job in a better way. I'm not a judge of that.

ML: I, I had heard about that... the issue of that kind of conflict from a foster mother, that I... whose statement I took... about that being a complicated... the visit, visits back to the reservation.

CW: Often there are kinship ties. There are ties to people who are teachers or after school recreational leaders. Yep.

ML: Uh, in what ways do you see Maine's Indian Child Welfare policies and the Adoption and Safe Families Act working together, and in what ways do you see these two policies not working together?

JS: Well most of the new adoption policies came in after my time, and the kinship.... During my time, placing children with family was not a priority because of the proximity to the abuser, in many cases. And adoptions took forever because children lingered in care, because being able to prove the standard for the abuse having occurred.

ML: 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?

JS: I think I would like to see more awareness. I think I know things because of the jobs that I, I've held. But I don't think my next door neighbor, who lives, you know, 100 miles away from Wabanaki Indians, I think we can do more in our state to create more awareness so that they're truly represented at the legislative level.

ML: How could--

CW: So let me just I jump in.

ML: I'm sorry, go ahead--

CW: So, if there were greater awareness and better representation at the legislative level, can you think of possible legislative action that might improve the situation?

JS: Well I don't know if the policies have been updated. I think they-- maybe you women know whether they have or not, but they certainly, if they haven't, they should be reviewed. And they should be relevant. I think the education programs should constantly be reviewed to determine how much awareness is going on.

CW: So even a simple thing like putting into some sort of cycle, review of policies and procedures and education and whatever--

JS: What comes to mind is um, we now have a group, OPEGA, in the legislature. When I was there it was the Office of Fiscal and Program review. And I don't know if this has come up for review. I would imagine with the tribal-- I mean with your Truth and Reconciliation, it may. Have you brought it before OPEGA yet?

CW: No we haven't, but that may be something that becomes part of a recommendation for an OPEGA review.

JS: Yep. I think maybe engaging some of those people. A person that comes to mind is Roger Katz might be a good person to bring some of this to. Because his father was in the legislature before him, I think. And he's from the Augusta area, which is not too far away from um, at least Skowhegan and Old Town, (*Laughs.*) and he'd have some awareness of growing up with Maine's Native Americans. I think Southern Maine is pretty much void of recognition and understanding. I know when I go to other states that have-- I mean if you go to Arizona and Colorado, I just see more awareness of the Native American population as part of their culture— state culture, than I do in the state of Maine.

ML: How could the state child welfare system improve in terms of Indian Child Welfare policies and practice?

JS: Well, I can't speak to current practice, so I'll leave that to someone else's interview.

ML: Is there anything else that you would like the Maine Wabanaki TRC to know about your experiences working with DHHS and child welfare cases with Native American children? Just any other aspects or issues that haven't come up...

JS: I did, I did care about them. If there were things I could do, I tried to do them. I'd want them to know that. Yea.

CW: Well that's clear from your even coming forward now.



JS: Yea.

CW: You know, part of the charge of the TRC is to recommend future best practices. And so hearing from people like you is really important in terms of what things we can pass forward, in terms of more awareness, more sensitivity, more care. Thank you.

ML: Thank you so much--

JS: You're welcome.

ML: --Jane for speaking with us.

JS: Yep. I'm now about to end the re--

[END OF RECORDING]