

Declaration of Intent to Create a Maine/Wabanaki Truth & Reconciliation Process

This document is a statement that gives context to the Truth and Reconciliation Process being created by the State of Maine child welfare agency and the Wabanaki tribes. This process will illustrate what has happened, what is happening and what needs to happen. We commit to uncover the truth and acknowledge it, creating opportunities to heal and learn from the truth. We commit to working together, collaboratively focusing our efforts on activities that will move us forward as equal partners invested in promoting best child welfare practice for Wabanaki people of Maine.

"We are not supposed to be here"

~Contemporary Wabanaki people

The Wabanaki people are indigenous to the land now known as the State of Maine. Since European contact began in the 15th century, Wabanaki have experienced a significant population depletion. There were over 20 tribes of the Wabanaki Confederacy. Today, there are four Wabanaki tribes still in existence; over 16 other tribes were completely destroyed. Within the remaining four tribes, there are nearly 8,000 tribal members alive today.

Beginning in the late 1800's, the United States government established boarding schools intended to solve the "*Indian problem*" through assimilation. Henry Richard Pratt, the founder of Carlisle Indian Industrial School, described his effort as an attempt to "*kill the indian and save the man*". In the 1950's and 1960's the Bureau of Indian Affairs and the Child Welfare League of America created the Indian Adoption Project which removed hundreds of native children from their families and tribes to be adopted by non-native families. 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).

"We can work together to make sure that everyone simply follows laws and policies, or we can go deeper and figure out how to make changes because it is the right thing to do."

~Denise Yarmal, Passamaquoddy

Important progress has been made with the passage of the ICWA. There has been positive collaboration between the state of Maine and Wabanaki tribes to bring about lasting positive change. Since 1999, this effort has resulted in ICWA trainings for state workers, an Indian Child Welfare policy and a better working relationship.

In spite of this progress, Maine's child welfare history continues to impact Wabanaki children and families today. We have come to realize that we must unearth the story of Wabanaki people's experiences in order to fully uphold the spirit, letter and intent of the ICWA in a way that is consistent and sustainable.

In 2010 the Wabanaki communities and the state of Maine government worked collaboratively with the Truth and Reconciliation Convening Group to draft this Declaration of Intent, outlining the overall purpose of the Truth Commission. The Convening Group is comprised of representatives from each of Maine's Tribal Child Welfare programs and other agencies, Maine's Department of Health and Human Services Office of Child and Family Services and staff from the Muskie School of Public Service.

This collaboration will continue between the present date and early 2012 as the Truth and Reconciliation Convening Group and the Maine Indian Tribal-State Commission coordinates with Wabanaki and state of Maine governments on the following activities:

- Drafting the Mandate for the Truth and Reconciliation Commission which creates and provides instruction to the Commission, as well as authorizes the Commission structure, activities and products.
- Drafting the Letters of Commitment that Wabanaki governments and Maine governments will sign identifying what steps each will agree to in support of the Truth and Reconciliation Commissions work.
- Participating in the selection of suitable commissioners.

Disclaimer- Nothing in this Joint Declaration --

- (1) authorizes or supports any claim against any individual, the state of Maine or any of the Wabanaki Tribes; or
- (2) serves as a settlement of any claim against any individual, the state of Maine or any of the Wabanaki Tribes.

We, the undersigned, commit ourselves to work diligently and honestly to carry out this process with integrity; promoting truth, understanding and genuine reconciliation.

Victoria Higgins Saganaw
Aroostook Band of Micmacs Jo

5/24/11
Date

Brenda Commander Chief
Houlton Band of Maliseet Indians

5/24/11
Date

[Signature]
Passamaquoddy Tribe at Motahkmikuk

5-24-11
Date

[Signature]
Passamaquoddy Tribe at Sipayik

5-24-2011
Date

[Signature] Chief
Penobscot Indian Nation

5/24/11
Date

[Signature] Governor
State of Maine

5/24/11
Date

[Signature] MITSC
Maine Indian Tribal-State Commission

5/24/11
Date