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LD 1970

My name is Rev. Dr. Myke Johnson, and I am a retired minister living in Portland. I am writing in support of LD 1970.

In 1978, the U.S. Congress worked closely with American Indian and Alaska Native elected officials, child welfare experts and families whose children had been unnecessarily removed from their homes to pass the Indian Child Welfare Act of 1978. ICWA was designed to protect Indian children and families from biased child welfare practices and well-documented disregard for their families and culture.

In 1978, according to the National Indian Child Welfare Association, nationwide 25% to 35% of all Indigenous children were removed from their homes by state child welfare and private adoption agencies. As many as 85% of those children were placed outside of their families and communities — even when fit and willing relatives were available.

In Maine, according to a 2015 report of the Maine Wabanaki-State Child Welfare Truth & Reconciliation Commission, Wabanaki children were placed in foster care in similarly higher rates than non-Native children prior to ICWA's enactment in 1978. The rates for Maine were the second highest in the nation at that time. Even after ICWA's enactment, a disproportionately higher rate of Wabanaki children in Maine were taken into foster care than non-Native children. The Truth and Reconciliation Commission was part of a concerted effort to educate child welfare workers in the standards of ICWA, and to broaden public awareness.

ICWA serves the best interests of Wabanaki and other Native American children by keeping them connected to their culture, extended family and community, which are proven protective factors. ICWA has been labeled the “gold standard” in child welfare policy and practice by a coalition of 18 national child advocacy organizations.

Nearly 500 tribes, hundreds of supporters, and at least 87 members of Congress support ICWA as the abiding standard in Native child welfare. Maine's U.S. Sens. Susan Collins and Angus King and Rep. Chellie Pingree are among the 87 members of Congress who signed the “friends of the court” brief supporting ICWA in the pending U.S. Brackeen vs. Haaland case.

By enacting LD 1970, Maine would join 12 other states that have acted to codify ICWA protections on the state level. This would protect Wabanaki children and families if the U.S. Supreme Court decides in June to weaken or destroy these protections