

May 30, 2023

Honorable members of the Judiciary Committee,

I am writing to express my support for LD 1970: An Act to Enact the Maine Indian Child Welfare Act. Critically, passing this bill into Maine law would codify the protections afforded by the Federal Indian Child Welfare Act (ICWA) at the state level, a measure that twelve other states have already taken, and many others are actively pursuing. Known as the “gold standard” in child welfare policy, ICWA protects Wabanaki and other Native children by keeping them connected to their families, communities, and culture. Since the future of ICWA is uncertain at the federal level due to misinterpretations of this proven-effective policy, now is the time to act to make sure that Maine does what is best for Native children and Wabanaki communities.

We are lucky here in Maine to be able to learn from the groundbreaking work of the Maine Wabanaki Child Welfare Truth & Reconciliation Commission (TRC), which came about a decade ago in response to the disproportionate removal of Wabanaki children from their communities and the extraordinary harms those removals entailed. The [testimony](#) the TRC collected and the [report](#) they issued offer ample evidence that ICWA must be safeguarded and enforced. Writing its mandates into Maine statute is the best way to do that right now.

Like its federal counterpart, the Maine ICWA offers a roadmap that involves notifying and engaging the Tribe, providing active efforts to prevent removal and facilitate reunification, following ICWA placement preferences (while also considering the preferences of the child and parent), and retaining the testimony of an ICWA Qualified Expert Witness. Please act now to ensure that Maine does not lose this essential roadmap toward the safety, wellbeing, and health of Wabanaki children and tribal nations; support the passage of LD 1970.

Sincerely,

Erika Arthur

Freedom, ME