

**Testimony of Vice Chief Joseph Socobasin
Passamaquoddy Tribe at Motahkomikuk (Indian Township)
Wednesday, May 31, 2023
Hearing before the Joint Standing Committee on Judiciary**

LD 1970, An Act to Enact the Maine Indian Child Welfare Act

Senator Carney, Representative Moonen, and Distinguished Members of the Joint Standing Committee on Judiciary, my name is Joseph Socobasin and I am the Vice Chief of the Passamaquoddy Tribe at Motahkomikuk. I am here today on behalf of Chief Nicholas and we thank you for the opportunity to speak in support of LD 1970, An Act to Enact the Maine Indian Child Welfare Act.

This law will provide a critical safeguard for Native children throughout Maine. It is based on federal law, which has been called the gold standard for child welfare by national child advocacy organizations. This law recognizes tribal jurisdiction over proceedings involving children from that community. It ensures that tribes are always given notice of welfare proceedings involving Native children, even in state court, so that tribes, as sovereigns, may engage with the proceeding.

The importance of this law is best understood by history. For generations, Native children have been forcibly removed from their homes, both illegally and with the full support of the law. This happened for decades here in Maine. Too many of our people have a heartbreaking story about a child taken from our community, and each is as difficult to hear as the next.

From kidnapping, to boarding schools, to adoptions into non-Indian families, Passamaquoddy children have experienced the immediate trauma of leaving their home and families, and the long-lasting trauma of losing their culture.

The federal Indian Child Welfare Act has been instrumental in trying to end this practice, while also developing a system in which the focus is on the best interests of the child.

ICWA's system recognizes the importance of protecting that child by keeping them connected to their culture, extended family and community.

Significantly, however, ICWA also recognizes the importance of a tribe's governmental interest in overseeing child welfare proceedings involving its own citizens.

I know all too well the interests still actively working against tribal sovereignty and self-determination. Chief Nicholas, myself and our community pay close attention to the ongoing challenges to the federal Indian Child Welfare law, including the recent challenge currently pending before the United States Supreme Court.

We have signed onto court briefs supported by all of Indian country as part of the fight to protect ICWA. This legislation is also part of that fight.

Passage of a Maine Indian Child Welfare Act will provide further protections for our children, while also promoting a better working relationship between the tribes and State. And I am honored to be here today to speak in support of it.

It is my job to work alongside Chief Nicholas and our Tribal Council to protect our nation. And a key part of that is to secure our future. Our children are one of our most important resources, and it is our sovereign right to be at the very least aware of, and more appropriately oversee, any situation in which they may be in an unsafe environment.

Please support LD 1970 and vote it favorably out of committee.

Woliwon. Thank you.