



Testimony of Maine Conservation Voters  
**IN SUPPORT OF LD 1970**  
*“An Act to Enact the Maine Indian Child Welfare Act”*  
June 1, 2023

Dear Senator Carney, Representative Moonen, and Esteemed Members of the Judiciary Committee,

On behalf of Maine Conservation Voters, a nonprofit organization with over 13,000 members and supporters committed to protecting our environment, democracy, and climate future, I write in support of LD 1970, “An Act to Enact the Maine Indian Child Welfare Act.”

Prior to the enactment of the Federal Indian Child Welfare Act (ICWA) in 1978, 25-35% of all Indigenous children were removed from their homes by state child welfare and adoption agencies – and as many as 85% of those children were placed outside of their families and communities, even when relatives were available to be guardians.<sup>1</sup>

This was, and continues to be, a dark reality of our nation’s history – and Maine is no exception. According to a 2015 report of the Maine Wabanaki-State Child Welfare Truth & Reconciliation Commission, the rates of removal for Wabanaki children in Maine were the second highest in the nation.<sup>2</sup>

As an environmental organization, Maine Conservation Voters recognizes the historical and ongoing role of the Wabanaki Nations in caring for the land, water, and wildlife that are so important to our health, economy, and way of life.

Despite our interdependence, the Wabanaki Nations have faced persecution, cultural erasure, and genocide throughout the United States’ history of colonization. The Wabanaki people, their culture, and their history have prevailed and continue to prevail

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<sup>1</sup> <https://www.nicwa.org/wp-content/uploads/2018/10/Setting-the-Record-Straight-2018.pdf>

<sup>2</sup>

[https://d3n8a8pro7vhmx.cloudfront.net/mainewabanakireach/pages/1584/attachments/original/1617238958/Full\\_TRC\\_Report\\_-\\_July\\_2015.pdf](https://d3n8a8pro7vhmx.cloudfront.net/mainewabanakireach/pages/1584/attachments/original/1617238958/Full_TRC_Report_-_July_2015.pdf)

despite these oppressive forces, but we must commit to doing better. One important step is ensuring state-level ICWA protections by passing LD 1970.

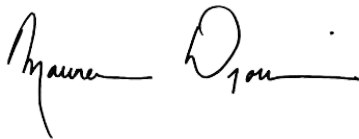
The United States Congress passed ICWA in 1978 to begin addressing the widespread removal of Indigenous children from their families and the attempted erasure of their cultures and identities. Since its passage, ICWA has been labeled the “gold standard” in child welfare policy and practice and is supported by nearly 500 tribes.<sup>3</sup>

This law, that represents necessary progress in light of an unjustifiable past, is under threat. In June, the United States Supreme Court will decide on *Brackeen vs. Haaland*, a case that is attempting to overturn ICWA. Maine can act to protect Indigenous children by codifying ICWA at the state level, like 12 other states have done to maintain the protections that have been in place for over 40 years.

ICWA was a huge step forward in addressing historical inequities. But even the “gold standard” didn’t solve the problem – Wabanaki children are still taken into foster care at a disproportionately higher rate than non-native children.<sup>4</sup> Many endure lasting trauma.<sup>5</sup> We still have a long way to go forward. But we cannot go back.

Please help protect Wabanaki children, families, and culture if the Supreme Court rules to weaken or overturn essential ICWA protections. Please vote unanimously ‘Ought to Pass’ on LD 1970 and be part of the movement towards a more just and equitable future for Maine.

Thank you,

A handwritten signature in black ink, appearing to read 'Maureen Drouin'.

Maureen Drouin  
Executive Director, Maine Conservation Voters

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<sup>3</sup> <https://narf.org/cases/brackeen-v-bernhardt/>

<sup>4</sup>

[https://d3n8a8pro7vhmx.cloudfront.net/mainewabanakireach/pages/1584/attachments/original/1617238958/Full\\_TRC\\_Report\\_-\\_July\\_2015.pdf](https://d3n8a8pro7vhmx.cloudfront.net/mainewabanakireach/pages/1584/attachments/original/1617238958/Full_TRC_Report_-_July_2015.pdf)

<sup>5</sup>

<https://nativenewsonline.net/currents/reflecting-on-the-maine-wabanaki-child-welfare-trc-commission-five-years-later>