

Testimony in support of HB1536

Hello Chairman Lee and members of the Senate Human Services Committee. My name is Vincent Gillette and I currently serve as the Tribal Liaison for the Three Rivers Human Service Zone, in Mandan ND and I was previously the County Director for Sioux County Social Services for 30 years.

I support the study of HB1536 for all the following reasons included below. The study should include Tribal Nations, Human Service Zones, DHS, DJS, Courts and anyone else dealing with the out of home placement of Native children.

The Indian Child Welfare Act, (ICWA) was a Federal Law passed on Nov 8, 1978. Primarily because about 35% of native children were removed from their homes and eventually adopted. Tribes were concerned that they were losing their culture because their children were removed and adopted by non-tribal homes and within a few generations, our culture would be lost.

In 1978 I started my career in Human Services. I worked at the ND Industrial School, as a Residency Counselor. I had never heard of ICWA and had no idea what it was. I did notice a large percentage of Native children that had been adopted and made it into the juvenile justice system. I would estimate that 50% of the Native children, I worked with had their adoption dissolved because of acting out.

I worked with 5 boys from the Standing Rock Reservation, who had been adopted by non-Indian homes and had their adoptions dissolved. These boys had been adopted at a very young age and had no contact with relatives on the reservation. They were in their teens when I worked with them. I attempted to place these boys back with their original families, by introducing them, doing visits, overnight visits etc. I was not able to place any of them with the original families. The families and the boys felt they didn't fit in on the reservation, because they didn't understand the culture, the language, relationships etc. They felt the same way in the off reservation foster homes, because they didn't see people like them. They were eventually placed in non-Indian foster homes when they left the Industrial School. I always wondered what happened to them.

Flash forward to 1991, I became the Director of Sioux County Social Services, Ft Yates, ND. Sioux County and the Standing Rock Indian Reservation, on the North Dakota side, are in the land area. News travels fast on the Reservation and two of the young man I worked with, would come and visit me. I found out that all five had made it back to the reservation. Three of them had committed suicide and the two that were alive were actively using alcohol/drugs and died in their 30's. Those boys told me they still felt like they didn't belong...

In 1958 the Bureau of Indian Affairs and the Child Welfare League of America started a program to adopt called "Indian Adoption Program." The goal was to take Native children off the reservations and place them in non-Indian homes located in the East. This program ran from 1958-1967 and adopted hundreds of native children off reservations and they were adopted on the east coast. This program was particularly big on Standing Rock. In my time working there, I have talked to literally hundreds of adoptee's trying to find their way back home to Standing Rock. My point in these two stories is that these Adoptee's have always had a longing, never felt whole, knew they belonged somewhere else, never belonged where they were, had a hole in their heart. These are some of the words they used to describe how they felt. Had ICWA been around and done properly we might have been able to save these children years of trauma. According to a 1976 report by the Association of American Indian Affairs, between 1941 and 1967, as many as one in three children were taken from their families.

North Dakota and the Tribes have worked together on ICWA since 1983, when they signed the first MOU. ND DHS and ND Supreme has ICWA work committees, DHS meets regularly with tribes to ensure that things are working and identify any problems areas. We have invested a lot of time and energy to see it all go away by not codifying ICWA into State Law, if something happens with the Supreme Court. There are several states that have ICWA in State law, the biggest being California and they added it to state law in 2006.

I'll end this on an interesting side note. ICWA has it roots in ND. A group of Grandmothers from Spirit Lake went to Washington to protest the removal

of their children and testified in congress, and they had a part in starting the ICWA movement. I have attached some prints of pictures and news articles.

I have attached an article, "the Long History of Native American Adoptions." That gives an excellent synopsis to read when you have time.

I am Vincent Gillette, an enrolled Member of the Mandan Hidatsa and Arikara Tribes, and I would stand in support HB 1536.

There isn't a more apt quote than the Hunkpapa Sitting Bull said, "Let us put our minds together, and see what life we can make for our Children."