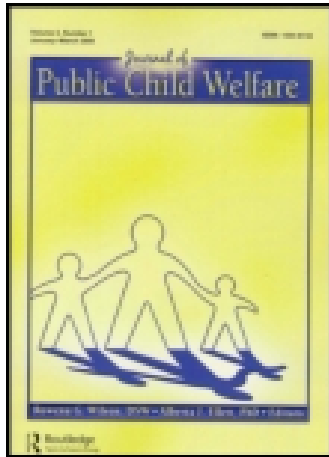


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### “Those Are Our People and That's Our Family”: Wabanaki Perspectives on Child Welfare Practice in Their Communities

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## **“Those Are Our People and That’s Our Family”: Wabanaki Perspectives on Child Welfare Practice in Their Communities**

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*In collaboration with the Maine Wabanaki-State Child Welfare Truth and Reconciliation Commission Convening Group, this study explored perspectives of Wabanaki community members and tribal child welfare staff on state child welfare involvement in Wabanaki communities. Qualitative analysis of three focus groups found that participants perceived fundamental differences between what guides the work of tribal child welfare staff and state child welfare staff, as well as differences in understanding the profound impact of removing a child from the community. These findings are suggested to be elements of a Wabanaki counter-narrative that contrasts with the historical dominant narrative about Native families and children.*

**KEYWORDS** *policy issues, child welfare, Indian Child Welfare Act, American Indian/Native American/First Nations, historical trauma*

In the fall of 2013, the Maine Wabanaki-State Child Welfare Truth and Reconciliation Commission (TRC) began hearing testimony and gathering information about state child welfare involvement in Wabanaki communities. The idea for the TRC effort emerged when child welfare services staff from the four tribes in Maine and the Maine Office of Children and Family Services (OCFS) recognized that, in spite of improvements in state-tribal collaboration in child welfare cases involving Native children in Maine, real progress could not be made until the past and present experiences of Wabanaki

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individuals, families, and communities with the state child welfare system had been heard and acknowledged. As a result of this realization, the governments of the four Wabanaki tribal nations and the state of Maine signed a mandate to officially begin the Maine Wabanaki-State Child Welfare TRC in 2012.

This study was conducted with the support and collaboration of the TRC Convening Group to learn about beliefs and ideas related to child welfare and Wabanaki communities. The Convening Group comprised tribal social services directors, Indian Child Welfare Act program coordinators, and tribal child welfare staff from the Wabanaki tribal nations in Maine, as well as Maine OCFS leadership, and the director of the Maine Indian Tribal-State Commission. The Convening Group was staffed by the Muskie School of Public Service. The Convening Group, formed to begin the process of visioning and creating a Truth and Reconciliation Commission, is a distinct body from the Commission itself.

In this study, three focus groups were conducted in which tribal child welfare staff members and Wabanaki community members were asked about experiences they have had with state child welfare involvement in their communities. The primary research question was twofold: First, what themes emerge from hearing about firsthand experiences with state child welfare involvement in Wabanaki communities? Second, in what ways may these themes connect to or challenge a dominant social narrative about Wabanaki people and child welfare? The current study is based on narrative theory, which suggests that a dominant social narrative has defined the role of state child welfare in Wabanaki communities, while excluding the perspectives of Wabanaki people. It is hoped that this study will enrich the dialog about Wabanaki experiences with state child welfare in Maine, as well as raise questions relevant to other jurisdictions of tribal-state relations in Maine.

## LITERATURE REVIEW

This study explores Wabanaki experiences with state child welfare to better understand what beliefs and attitudes may influence state child welfare intervention in Wabanaki communities. Research related to Native peoples in the United States cannot be understood outside of the history of oppression and colonization of Native peoples, and indeed an understanding of this history informs both the topic of this study as well as the way in which this study was conceived, designed and implemented. Of particular importance here is the history of state child welfare involvement in Native communities in the United States and the paucity of Native people's voices in the academic literature. This section describes the social and historical context, previous research, theoretical perspective and research stance.

## Social and Historical Context

### WABANAKI TRIBAL NATIONS IN MAINE

The more than 500 sovereign nations that represent the first peoples of the United States are exceptionally diverse, and each nation has its own unique culture and history (U.S. Department of the Interior, 2008). In this paper, the term *Native* is used as necessary to generally refer to members of the indigenous nations of the present-day United States. However, it is recognized that any generalized term is problematic and that tribal affiliation is often preferred above any generalized racial identity label (Yellow Bird, 1999).

The word *Wabanaki* is an Algonquian word that means “people of the dawn” and historically referred to the confederation of more than 20 tribal nations that once existed in Maine (MacDougall, 2004). Today, the people of the four remaining Algonquian tribal nations in Maine—the Aroostook Band of Micmacs, the Houlton Band of Maliseets, the Joint Tribal Council of the Passamaquoddy Tribe at Sipayik and Motahkomikuk, and the Penobscot Nation—collectively refer to themselves as *Wabanaki* or the *Wabanaki Confederacy* (Aroostook Band of Micmacs, 2012; Penobscot Nation, 2010). For these reasons, the term *Wabanaki* will be used in this article to indicate members of these four tribal nations in Maine. However, it is acknowledged that the Wabanaki nations have cultural affiliation and linguistic and historical roots with Native peoples beyond the borders of Maine—in particular with First Nations communities in nearby provinces in Canada (MacDougall, 2004). Today, the four tribal nations in Maine have nearly 8,000 members.

### HISTORICAL TRAUMA AND THE LEGACY OF COLONIALISM

The Maine Wabanaki-State Child Welfare TRC centers on the present-day and past experiences of state child welfare involvement with Wabanaki families and communities. Layered beneath the more contemporary injustices of these experiences, members of the Wabanaki nations in Maine have also experienced historical trauma common to tribal nations throughout the United States (Attean et al., 2013; Brave Heart & DeBruyn, 1998). Brave Heart (1998) defines *historical trauma* as “massive cumulative trauma across generations” (p. 287) in which traumatic losses today are understood as a continuation of past losses and traumatic events, sharing a quality of unresolved, unacknowledged grief. The massive cumulative traumatic experiences of Native peoples over the past 500 years include the removal from and loss of traditional lands and life ways, forced assimilation, violent conflicts and massacres, destroyed sacred objects and places, the prohibition of the use of traditional languages and spiritual practices, stolen land and broken treaties (Brave Heart & DeBruyn, 1998; Churchill, 1993; LaDuke, 2005).

Of particular relevance for this study is the historical and intergenerational trauma of removal and assimilation policies that first sought to forcibly relocate Native tribes from traditional lands to reservations, and later actively attempted to assimilate entire generations of Native people through the residential boarding school system. More recently, the Indian Adoption Project, started in 1958, and its successor the Adoption Resource Exchange of North America (ARENA), operational until the early 1970s, resulted in the removal of approximately 650 Native children to non-Native families, under the premise that Native children needed to be “rescued” from their own cultures and families (Bilchik, 2001).

#### STATE CHILD WELFARE INTERVENTION IN NATIVE COMMUNITIES IN THE UNITED STATES

Beginning in the late 1960s, the Association on American Indian Affairs (AAIA) began to track the rates of removal of Native children by the state, and the results were staggering. Across the country, the AAIA found that 25% to 35% of all Native children were separated from their families and placed in foster homes, adoptive homes or institutions. The majority of Native children removed from their homes (85%) were placed with non-Native families (Byler, 1977). The rate of removal was so high that some Wabanaki people have characterized it as an act of genocide, citing the United Nations’ definition of *genocide*, which includes “[f]orcibly transferring children of the group to another group” (Convention on the Prevention and Punishment of the Crime of Genocide, 1948, p. 280; Hansen, Westphal & Francis, 2004).

In response to the organized activism of Native groups, Congress passed the Indian Child Welfare Act (ICWA) in 1978, creating high standards for the protection of the rights of Native children, families and communities. In particular, ICWA officially recognized tribal jurisdiction in child custody cases involving Native children, stating, “there is no resource that is more vital to the continued existence and integrity of Indian tribes than their children” (Indian Child Welfare Act of 1978, 2001, section 1901, para. 3). ICWA further mandated that state child welfare agencies must make “active efforts” to maintain Indian children with Indian caregivers, use a “qualified expert witness” in order to terminate parental rights or order substitute care, and incorporate Indian culture and resources (Indian Child Welfare Act of 1978, 2001, section 1912, para. d-e).

Although ICWA was a major victory for preserving cultural and familial ties for Native children and honoring tribal sovereignty, more than 30 years later, substantive change is still slow in coming. While some states have developed systems to monitor compliance with ICWA, there is no nationwide, formal monitoring system in place for the federal government to measure state compliance with ICWA (Limb & Brown, 2008). Moreover, in spite of

there being no evidence that child maltreatment occurs at disproportionately high rates in the Native population, child welfare investigations of Native children are still two times as likely to occur as investigations of the national child population, and Native children are three times as likely to be placed in foster care (Hill, 2007).

#### STATE-TRIBAL CHILD WELFARE COLLABORATION IN MAINE

In 1999, child welfare staff from the Wabanaki tribes and the state formed a workgroup to address the state's continuing non-compliance with ICWA (Attean et al., 2013). While progress had been made in Maine with regard to compliance with ICWA mandates, a 2009 state review of all open ICWA cases found that the tribes were still not being fully consulted (Maine OCFS, 2009). Members of the tribal-state child welfare workgroup realized that in order for meaningful changes to be implemented by the state, the voices of Wabanaki people with experiences in the state child welfare system must be heard, and that the legacy of historical trauma experienced and perpetuated through this system must be acknowledged and understood.

The Maine Wabanaki-State Child Welfare Truth and Reconciliation Commission (TRC) emerged out of this realization. In June 2012, the chiefs of the four Wabanaki tribes and the governor of Maine signed a mandate to officially begin the truth and reconciliation process. The TRC is charged with giving voice to Wabanaki people with experiences with state child welfare, as well as those who have worked with Wabanaki families around child welfare.

#### Previous Research About Child Welfare in Native Communities

While historical and current disparities in child welfare placement for Native children have been well documented, research specifically related to Native communities' experiences of state child welfare involvement in the United States is more limited.

Like the current study, Hand (2006) and Halverson et al. (2002) conducted studies that explored child welfare practices in Native communities through a social narrative lens. Hand (2006) examined the impact of dominant Euro-American values on the child welfare experiences of Native people. Using a critical ethnography approach, Hand lived for a period of time in an Ojibwe community, and explored Ojibwe perspectives on child welfare, seeking to understand ways in which Euro-American practices and institutions are unconsciously reproduced by Ojibwe community members. Halverson et al. (2002) employed narrative and constructivist theoretical lenses to explore the perceptions of Native foster parents living in urban areas. Halverson asked participants to respond to a hypothetical story of a

prototypical child welfare case involving a Native family. Halverson et al. (2002) identified four themes: discouragement with the foster care system, the role of culture in caregiving, differing definitions of family and relatedness, and the effects of historical pain due to past family disruption.

Touchstones of Hope is among the handful of efforts that have been undertaken to explore perspectives of tribal child welfare staff around beliefs and attitudes that influence state child welfare intervention in Native communities. Touchstones of Hope is a movement and a set of principles developed to guide reconciliation work related to child welfare in Native communities. The Touchstones of Hope principles were developed through facilitated discussions among indigenous and non-indigenous people working in child welfare (Blackstock, Cross, Brown, George, & Formsma, 2006). Although on a much larger scale than the current study (200 delegates from both the United States and Canada participated in the discussions), Touchstones of Hope was similar to the current study in that it sought to gather the perspectives of people working in tribal child welfare. Based on the Touchstones of Hope principles, a reconciliation effort around indigenous child welfare was undertaken in northern British Columbia in 2008 (Auger, 2012). A participatory action research model was used to document the reconciliation process, and the findings were then qualitatively analyzed based on the Touchstones of Hope principles (Quinn & Saini, 2012). A central theme identified in all community sessions was the importance of keeping children in their communities of origin to maintain connection to culture and language. The second most common theme was the need for children and families to be safe and secure in their own homes. Other themes highlighted included loss of connection to culture and traditions due to substance abuse and domestic violence, the importance of connectedness across generations, the need for child welfare practices to holistically focus on the whole family not just children, the importance of community-developed programs, and the need to address historical issues.

In Australia, Bessarab and Crawford (2010) studied the responses of Aboriginal child protection workers, who were asked to reflect on their own experiences as part of a cooperative inquiry process designed to address the needs of Aboriginal communities. The study highlighted themes related to partnerships between Aboriginal communities and the government, balancing Aboriginal and western legal approaches, and the need for broader understanding and appreciation for Aboriginal ways of addressing child welfare issues. The authors noted that while the themes that emerged were not new, “what was new was the valuing of hearing and documenting Aboriginal practitioner voices on the issue of addressing child protection” (p. 190).

In the only study that relates a Wabanaki perspective on child welfare intervention, Morrison et al. (2010) explored the notion of “permanency”

through an in-depth interview with Passamaquoddy and Maliseet tribal member Roger Paul. Paul's interview reveals elements of Wabanaki beliefs that are distinct from a dominant social narrative, in particular the notion of "belonging," the importance of culture, the negative impact of removal, and the role of the community network as a whole in caring for a child.

### Theoretical Perspective

This study was informed by the perspective of narrative theory, which asserts that social phenomena are influenced by values, beliefs and attitudes that create narratives about "why people do things the way they do" or "why things are the way they are" (Hinchman & Hinchman, 1997; Riessman, 1993). Influenced by critical theory, narrative theorists also assert that narratives can "generate a sense of common identity" and have "potential as a critical, emancipatory instrument" (Hinchman & Hinchman, 1997, p. xxiii). In this way, Fraser (2004) suggests narratives "may be used to reinforce but also contest dominant social practices" (p. 180). Narratives that reinforce dominant social practices could be considered dominant social narratives, while those that contest dominant social practices could be considered counter-narratives.

Historically, a dominant social narrative about Native peoples in the United States is perhaps most succinctly expressed in the slogan *kill the Indian, save the man*, based on the writings of Captain Richard Pratt, who headed the first boarding school for Native children. Pratt (1892) wrote, "[A]ll the Indian there is in the race should be dead. Kill the Indian in him, and save the man" (p. 46). This phrase originated during the residential boarding school movement in the late 1800s, in which the federal government and charitable organizations removed generations of Native children from their homes for the purpose of severing them from their communities and cultures and assimilating them in the dominant culture. In the 1960s and 1970s, the sentiments of this dominant social narrative were more specifically applied to child welfare through the Indian Adoption Project (IAP). In a 2001 apology from one of the child welfare organizations behind the IAP, Bilchik (2001) acknowledged that the open premise of the IAP, which was "squarely in the mainstream" (para. 15) for that time, was "'rescuing' Native children from their own culture, from their very families" (para. 19). This dominant social narrative can also be found in the Association on American Indian Affairs (AAIA) report on state child welfare intervention in Native communities prior to the passage of ICWA. Byler (1977) described a case in which California state social workers removed a child from the reservation because "although they had no evidence the mother was unfit, it was their belief that an Indian reservation was an unsuitable environment for a child" (p. 3). In the same AAIA report, James Abourezk, then-senator of South Dakota, asserted that "public and private welfare agencies have



operated on the premise that most Indian children would be better off growing up non-Indian” (Abourezk, 1977, p. 12). These examples point to a historical dominant social narrative about Native children and families that has influenced state and federal intervention related to Native children for many generations, in which Native families were not believed to be capable of safely raising their own children, and that Native children were “better off growing up non-Indian.”

A counter-narrative is one that contests a dominant social narrative, and provides an alternative set of beliefs and values that originate from non-dominant social groups. Corntassel, T’lakwadzi, and Cha-win-is (2009) write about the Nuu-chah-nulth’s practice of *baa-hub-pah*, or “teaching stories or sacred living histories” (p. 137) that cultivate “lived values that form the basis for Indigenous governance and regeneration” (p. 138). According to Corntassel et al. (2009), *baa-hub-pah* forms an Indigenous counter-narrative to the dominant social narrative for Nuu-chah-nulth people.

From this perspective, the disproportionate representation of Native children in state child welfare is related to a dominant narrative comprised of beliefs and attitudes about Native children, families and communities that contrast with, and have more power than, Native counter-narratives. The current study aimed to provide a forum to explore possible elements of a dominant social narrative as well as elements of a living counter-narrative as experienced by Wabanaki people from the perspectives of Wabanaki individuals.

### Research Stance

Smith (1999) asserted that “the word itself, ‘research,’ is probably one of the dirtiest words in the indigenous world’s vocabulary” (p. 1). This study’s design was guided by ethical principles for critically-informed research related to indigenous peoples, which acknowledges the role that research has played as a tool of colonization and oppression (Denzin, Lincoln, & Smith, 2008). While there is no one set of principles to follow, commonly cited criteria include that ethical research must promote the self-determination of research participants, must present indigenous persons in an authentic way which honors indigenous knowledge, must be community-driven (initiated by indigenous communities), and must be accountable to indigenous persons (Caldwell et al., 2005; Denzin, Lincoln, & Smith, 2008; Mariella, Brown, Carter, & Verri, 2009). This project was designed to meet these criteria in that it emerged from a community-driven effort (the Maine Wabanaki-State TRC Convening Group) and the study design and implementation were collaboratively undertaken by the author with that group. In addition, focus group participants and members of the Maine Wabanaki-State TRC Convening Group participated in the data analysis and approved final results prior to publication.

## METHODS

In qualitative research, it is possible for meaningful conclusions to be drawn from a relatively small group of participants, provided that group is purposefully chosen (Stewart, Shamdasani & Rook, 2007). In this study, a list of potential focus group participants was generated through discussion with TRC Convening Group members and staff who are familiar with tribal social services among the four Wabanaki tribes. Potential participants were purposefully selected on the basis of their familiarity and personal experience with state-tribal child welfare systems, beginning with people who have direct experience working for tribal child welfare services and extending to Wabanaki people who have interacted with state child welfare caseworkers. It was assumed that participants who met these criteria would have sufficient personal and professional experience with state-tribal child welfare practices and history to draw on to contribute to a robust discussion of their experiences with the state child welfare system.

Potential focus group participants were contacted by a staff member of the Maine Wabanaki-State Child Welfare TRC Convening Group. The staff member explained the purpose of the study and provided information about informed consent. Three focus groups were conducted using the same discussion guide. The Aroostook Band of Micmacs and Houlton Band of Maliseets do not have tribal courts, and so those participants ( $n = 4$ ) were grouped together in the first focus group. Participants affiliated with the Joint Tribal Council of the Passamaquoddy Tribe at Sipayik and Motahkomikuk were interviewed in a second focus group ( $n = 5$ ), and the third focus group included only participants from the Penobscot Nation ( $n = 2$ ). A total of eleven individuals participated in the three focus groups. Nine of the participants were tribal staff members with experience working in tribal child welfare, one was a foster parent, and one was a tribal council member. Ten of the participants were Native people and one was a white person who has lived in a reservation community for more than 30 years. Nine participants were women and two were men.

### Procedures

Voluntary consent forms were given to participants at the beginning of each focus group. All eleven of the participants gave permission to have the focus groups audio-recorded and transcribed (with pseudonyms), and to have their comments included in the final report.

A semi-structured, open-ended design was chosen for facilitating the focus groups. The groups were conducted based on a two-question focus group guide that was developed with the input of the Maine Wabanaki-State Child Welfare TRC Convening Group staff. Each question also included several possible follow-up questions. The first question posed was: "*Tell us*

*about some of the experiences you have had with Maine state child welfare involvement in your community.”*

The second question involved the reading of four statements: two that were selected to express elements of a possible dominant social narrative and two statements that expressed elements of a possible counter-narrative. These four statements had been selected out of a pool of 45 statements related to beliefs and attitudes about Wabanaki people and child welfare that had been derived from a range of primary sources. The four statements were collaboratively selected with the TRC Convening Group staff based on a subjective sense of widespread endorsement and relevance.

The two statements, chosen to reflect a possible dominant social narrative about child welfare in Native communities were:

- I still don't feel that Native children should be treated differently from white children. Everyone should be treated equal. If any child is abused they should be removed no matter what culture.<sup>1</sup>
- I have the understanding that you Natives don't rat on each other and that you guys lie for each other and cover up for each other all the time.<sup>2</sup>

The two statements chosen to express a possible counter-narrative were:

- When Native children are removed from their homes, the whole community is hurt.<sup>3</sup>
- When a Native child is raised outside our culture that child knows a part of their life is missing. There are lifelong impacts to the trauma of being taken—a sense that you don't belong as an adult, a belief or fear that you can't raise healthy kids or grandkids.<sup>4</sup>

In the focus groups, each of the four statements was read aloud, one at a time, and followed by the question: “Does a comment like this relate to your own experiences with state child welfare involvement in your communities? Why or why not?” Dominant and counter-narrative statements were alternately read for participant feedback.

The Institutional Review Board (IRB) of the University of Southern Maine approved the focus group guide and procedure for conducting the focus groups. The Maine Wabanaki-State Child Welfare TRC Convening Group, as well as the social service directors and ICWA coordinators from the Wabanaki tribes, wrote official letters of support for this research project to the University of Southern Maine IRB.

## Analysis

Constant comparative analysis based on grounded theory was used to qualitatively analyze the data (Corbin & Strauss, 2008). The first round of analysis

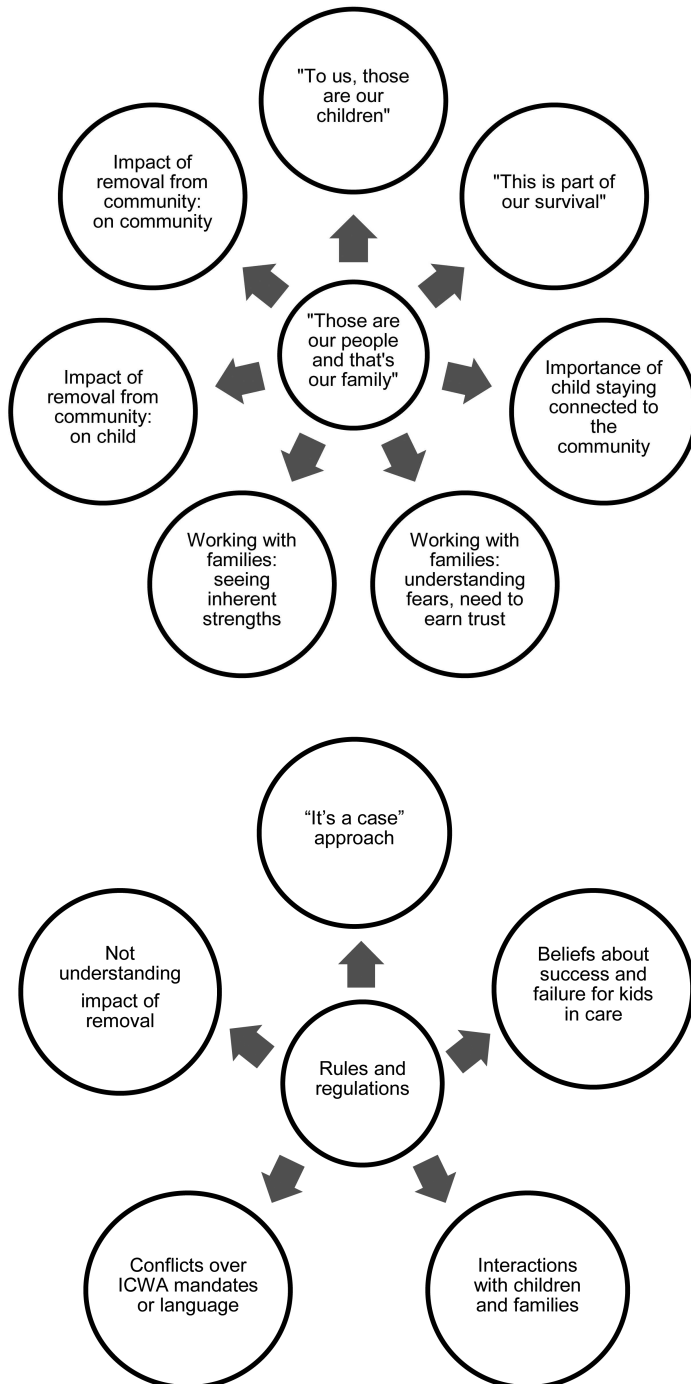
was conducted solely by the author. Initial open coding included using *in vivo*, descriptive, process, and values and beliefs codes. Then, similar codes were grouped into higher-level categories intended to begin to convey what the set of codes were “about.” In the next stage of analysis, redundant codes were collapsed into a single code and some codes were renamed for clarity. Memo writing was used throughout to explore themes and connections between codes and categories.

After categorizing the codes, analysis then focused on identifying relationships among categories. Some categories were grouped around central themes. For example, the category “those are our people and that’s our family,” based on the following statement, was identified as a central theme: “And there’s no way to not have them in your thoughts because those are our people that’s our family. Back to the dual relationship piece” (Participant H: 839-841). Other categories were arranged in relation to process (causes, consequences, factors, and context). For example, categories of actions, attitudes or beliefs that influenced collaboration between the state and the tribes were grouped together into three broader categories of facilitating collaboration, inhibiting collaboration and maintaining the status quo. At this phase of the analysis, diagrams were developed to visualize central themes and processes among categories, with constant comparative grounding back to the data and refinement of diagrams (see Figure 1). The refined diagrams were then used to formulate theory about narratives that described perceptions about how tribal and state child welfare staff approach their work in Wabanaki communities.

In the second round of data analysis, member checking with focus group participants was used, and the findings were presented to the Maine Wabanaki-State Child Welfare TRC Convening Group to verify the validity of the findings. Feedback from the participants and Convening Group members resulted in alterations in wording for clarification, but not in any of the themes identified in the analysis.

## FINDINGS

This article will focus on three broad themes from the analysis, as well as their implications for child welfare policies and practice in Wabanaki communities. Focus group participants perceived fundamental differences in what guides the way that tribal child welfare staff and state child welfare staff do their work. Participants expressed that tribal child welfare staff’s work originates from a core value (Theme 1), while state child welfare staff’s work was perceived to originate from rules and regulations (Theme 2). Lastly, participants described the impact of removing children from the community (Theme 3), which participants perceived to be not understood by state workers.



**FIGURE 1** Wabanaki and state child welfare approaches. Wabanaki child welfare approach is illustrated at top; state child welfare approach is shown at bottom. Arrows indicate that actions and beliefs related to child welfare arise from center. Quotations indicate use of participant's actual words.

Theme 1: Tribal Child Welfare Beliefs and Actions  
 Originate From a Core Value—“Those Are Our People  
 and That’s Our Family” (Figure 1)

Focus group participants experienced their own work as tribal child welfare staff as being guided by the responsibility of being part of the family of their community, including the children and families they worked with on child welfare issues. This core value that emerged from the analysis, “those are our people and that’s our family,” was explicitly or implicitly stated by a number of participants in a variety of ways, and was inseparable from participants’ beliefs about children and survival, approaches to working with families, and understanding the impact of a child being removed from the community. It is illustrated in the following exchange between Participants N and H:

N: There’s been cases I’ve lost sleep over before, please let this kid be okay. Let somebody do something.

H: And there’s no way to not have them in your thoughts because those are our people that’s our family. (H/N: 835-840)

Based on the analysis, the following elements were connected to Theme 1:

1(A). “TO US, THOSE ARE OUR CHILDREN”

“To us, those are our children” is a direct quotation from a participant, that contrasted what drives the state’s child welfare work and what drives the tribes’ child welfare work.

C: I think that the major difference between us and them is that to them, this is a case. To us, those are our children. (C2: 514-516)

1(B). “THIS IS PART OF OUR SURVIVAL”

This element included statements from participants who discussed the importance of ICWA, the importance of keeping children connected to the tribe, and the overall centrality of these values in the tribal child welfare staff’s work.

and that it’s our survival, this is part of our survival . . . we need to keep our kids in our home and find a way for those kids to be safe . . . within the tribe. (H: 969-974)

And the following:

For one, we value our blood, we’re so few, we do everything we can to make sure we keep the bloodline going. For eternity, as far as I’m concerned. So that child that’s born, whether it’s here or on, somewhere else, there should be something saying, “Look you have another member of the community.” (R2: 915-918)

## 1(C). IMPORTANCE OF CHILDREN STAYING CONNECTED TO THE COMMUNITY

Another element connected to Theme 1 is the tribal staff's understanding of the importance of keeping children who have been placed outside of the community connected to the tribe.

And these kids want this. Because, I've had kids where they're like, you're not gonna be able to get them for more than five minutes . . . And they sat there, I've done dreamcatchers, medicine bags. They—they do these things, they actually pay attention and they do what they have to do and they're so proud of it, and they hold onto these things, you know? Just from these activities. (H: 1177-1181)

## 1(D). WORKING WITH FAMILIES

The ways in which tribal staff described working with families and their beliefs about families were also connected back to Theme 1. The belief that families have inherent strengths, as contrasted with the perception of the state's approach to working with families is expressed in this quotation:

you know the state has their mandates, they have their guidelines, they have you know, X, Y and Z and . . . we work on a different philosophy which is you know, every family has within them what they need, let's just build on that. (B2: 478-480)

In addition to this belief about families, specific ways in which tribal staff approached working with families that reflected the core value were: understanding fears and earning trust, placing a high value on building relationships, being child-focused, advocating for families, relating to work as members of the community, and beliefs about success and failure for children in state care.

## 1(E) AND (F). IMPACT OF REMOVAL ON CHILDREN AND IMPACT OF REMOVAL ON THE COMMUNITY

These last two elements, which have to do with the impact of a child being removed from the tribal community, also relate back to the core value "those are our people and that's our family." These elements will be discussed in greater detail in Theme 3.

## Theme 2: State Child Welfare Work Centers on Rules and Regulations (Figure 1)

In contrast to the participants' perception of their work being guided by a core value, they perceived the work of state child welfare staff to be guided by rules and regulations.

## 2(A). "IT'S A CASE" APPROACH

Closely related to this guiding mechanism is the approach illustrated below:

You know, that is a major difference. It's a case to them, it's our kids to us. They have to follow rules, regulations, time frames because that is their mandate, that is what they have, that's their structure. We don't. (C2: 517-519)

## 2(B). BELIEFS ABOUT SUCCESS AND FAILURE FOR KIDS IN CARE

Perceptions about the state's beliefs about success and failure for children in state care were also connected to the state's "rules and regulations" approach:

It's like, "Did you even think about what you were going to do with them before you terminated their parents' rights?" I mean, they don't have anything to do with them. They go into this big adoption pool. How is that in the best interests of these children? (B2: 540-546)

## 2(C). INTERACTIONS WITH CHILDREN AND FAMILIES

The "rules and regulations" approach was also perceived as influencing the state's interactions with children and families:

H: And them wanting to rush these kids into permanency guardianship. Rush to TPR, rush to get them in—

N: Rush everything

H: Yeah, as Native people, we don't work like that. (H/N: 108-110)

## 2(D). OTHER ELEMENTS RELATED TO RULES AND REGULATIONS

In addition, the "rules and regulations" approach was perceived as contributing to ICWA-related conflicts, specifically the perception that the state follows the letter of the law, but not the spirit of the law, which results in state workers not fully implementing ICWA mandates. This approach was also related to the perception that state workers often do not understand the impact of removing a child from the community.

## Theme 3: The Impact of Removal

Focus group participants described four key elements that contribute to the impact of removal. Three of these elements, coded as direct quotations from participants, were also found in Theme 1 ("those are our people and that's our family," "To us, those are our children," and "this is part of our survival"). The fourth element related to the impact of removal is based in a shared knowledge about history, in particular the traumatic experiences of assimilation.



I know my mom is traumatized by the Catholic church. And my grandmother, used to fight with my mother all the time because my father was white. "She looks white, let's let her be white." She did not want my mom teaching me anything about our culture because my grandmother had been so traumatized by that whole, you know "you guys will assimilate" thing. (N: 1048-1051)

These four elements are the context in which the impact of removal on children and community members can be understood. Embedded in the narrative about the impact of removal are the lifelong impacts of the trauma of being taken for the child, as well as the implications for the child's sense of identity and belonging. The following statements from participants convey the loss of identity and subsequent searching for identity and belonging of a child who has been disconnected from his or her tribe through removal:

It's almost like you carved out something and made it empty. And you didn't fill it back up again. (N: 1155-1156)

A participant in a different focus group echoed this sense of emptiness:

Some of the . . . older people when I were growing up they would call it, um, you know when you're outside of your culture and you grow up outside of your culture is "not having insides." Because to have an identity, memories of your culture and your people and your ancestors have to be there too to have that. And when you don't have that, there's some, there's pieces are missing. (M3: 540-544)

Another participant spoke to the searching for belonging and identity that a child feels:

It hurts the child because they're continuously looking for something, you know something to belong, they're looking for their identity, they've got a big hole there. (H: 843-844)

Participants also perceived that the impact of removal extended beyond the child to community members:

I think that the whole community is hurt, especially if, like say, it's a community like this. And your neighbor next to you has kids, and they're—the other kids are like looking around and knowing he's gone, you know I mean it hurts the kids, you know, the elders that used to watch them play outside. (G: 800-803)

Lastly, participants conveyed that they perceived a unique impact on Wabanaki children who are removed from their communities:

So I can understand what kids are missing. You know when they're not brought up in their own community because things are different. (D2: 1088)

This narrative about the impact of removal is inseparable from the core value expressed in Theme 1, from which the tribes' actions originate. In addition, participants perceived this narrative to be not understood by the state.

### The Narrative Theoretical Lens

This study was informed by narrative theory, which asserts that social phenomena are influenced by values, beliefs and attitudes that create a narrative about "why people act the way they do" or "why things are the way they are" (Hinchman & Hinchman, 1997; Riessman, 1993). The findings of the qualitative analysis point to a perception of two narratives that, in a sense, are colliding as the fundamentally different systems of the state and the tribes' child welfare departments come together in a federally mandated collaboration.

Emerging from the analysis was an overarching narrative about the tribes that originated from the core value "those are our people and that's our family" and extended to beliefs, values and actions described by focus group participants. Embedded within this larger narrative about the tribes is a specific narrative about the impact of removal of Wabanaki children from their communities. Within the focus groups, this narrative arose from a history of traumatic experiences of assimilation, beliefs about the tribe's family and children being one's own family and children, and the sense that preventing removal from the community is part of the survival of the tribe. From this narrative, several impacts of removal on children and communities can be recognized: that a child who is removed from the community has had something "carved out" that cannot be replaced that he or she is "continually looking for," that there are lifelong impacts to the trauma of removal, and that the "whole community hurts" when a child is removed from the community.

The theme "those are our people and that's our family" can be considered a counter-narrative in that it asserts a profound sense of common identity and contrasts sharply with the historical dominant narrative in which Native people were perceived to be unfit to raise their children, and Native children were "better off growing up non-Indian." In addition, the elements of the impact of removal narrative can be related to the consequences of multi-generational federal and state policies that were based on this historical dominant narrative. Moreover, this impact of removal narrative was perceived by focus group participants to be unknown, or not fully understood, by state child welfare staff in their work in Wabanaki communities.

The theme “those are our people and that’s our family” was also contrasted by participants with the perceived “rules and regulations” narrative of the state. For example, the belief “To us, those are our children” defined the tribal staff’s child welfare work, whereas the state was perceived as seeing children as cases. Where tribal staff related to parents and family involved with tribal child welfare as having internal strengths to build on, the state was perceived as being mistrustful of families.

## DISCUSSION

Academic literature that includes the voices of Native people with regards to child welfare in the United States has emerged in the past decade, but is still limited given the diversity of histories, cultures and experiences of Native peoples in the United States. This study contributes to filling that gap, but perhaps more importantly points to the need for more voices to be heard to enrich the dialog about beliefs and attitudes that influence child welfare work in Native communities. In light of the context of the oppression and historical trauma associated with federal and state involvement in Native communities in the United States, it is especially crucial for state child welfare agencies with the potential to so powerfully impact identity, belonging and community survival to begin to understand the perspectives of tribal staff and Native community members. In particular, tribal child welfare staff members have unique and valuable perspectives to offer because they actively bridge two systems with fundamental differences.

### Limitations

This is a qualitative study, and as such the findings are not comprehensive in the sense of including all important or relevant ideas. Rather, the findings are intended to reflect the perceptions of the focus group participants during the time of the focus group. In addition, a degree of facilitator influence must be taken into consideration when reviewing the findings. Participants may have omitted or self-censored as a result of one of the facilitators (the author) being a white person with “outsider” status. This influence was minimized by the use of two facilitators, one of whom was a Wabanaki person who had a working relationship with focus group participants. Although the use of a “known” facilitator is conventionally discouraged in focus groups so that participants feel at ease to express themselves in an anonymous setting, in this case, this design element was chosen because it was assumed that it would put participants more, not less, at ease. Although it is impossible to identify those elements of discussion that may have been left out by participants, efforts were made to check the accuracy and validity of the

findings. Namely, the findings were presented to focus group participants as well as members of the Maine Wabanaki-State Child Welfare TRC Convening Group and found to be accurate and valid.

### Related Findings From Studies on Child Welfare in Native Communities

These findings contribute to filling a gap in the literature with regards to Native community members' perceptions of state child welfare involvement in Native communities, in particular pointing to the valuable perspectives of tribal child welfare staff. Although similarities in findings with related studies are noted in the following discussion, there are a number of unique contributions of the current study. Of the findings presented here, unique contributions include the perspectives of Wabanaki people engaged in child welfare work for the tribes, the strong contrast between the participants' perception of a Wabanaki approach and the state's approach, and the depth of perspectives around the impact of removal.

Related to the impact of removal, the loss of identity and belonging when a child is removed from the community, described by one participant in this study as "not having insides," was echoed by Morrison et al.'s (2010) interview with Passamaquoddy and Maliseet tribal member Roger Paul, as well as in the findings of Quinn and Saini's (2012) participatory action research around child welfare reconciliation efforts in Native communities in northern British Columbia, and Hand's (2006) ethnographic work on child welfare in an Ojibwe community.

Quinn and Saini's (2012) findings also echo the element of cultural survival within the impact of removal narrative, writing that "[k]eeping children in their communities of origin so that cultural knowledge, traditions and language could be passed on was a central theme in all community sessions" (p. 16). Halverson et al.'s (2002) work with Native foster parents in urban areas underscores the historical element of the impact of removal narrative in this study, identifying that "[a]ll respondents noted that many, if not all, American Indian families have histories that include the forced removal of children from their communities" (p. 331).

In their report on a cooperative inquiry process involving Aboriginal child protection workers in northern Australia, Bessarab and Crawford (2010) also identified themes related to not understanding on the part of non-Aboriginal child protection workers. They found that participants felt that government workers did not understand the impact of child protection intervention on the whole community, and also did not understand culturally specific community interventions. This sense of "not understanding" can also be found in Quinn and Saini's (2012) documentation of the Touchstones of Hope project in northern British Columbia. Halverson et al. (2002) also identified a theme of discouragement with current foster care system in that

it reinforces negative beliefs about the ability of Native families to care for their children.

Finally, there were similarities with other studies in the contrast between the tribal staff's beliefs and actions being connected with the core value "those are our people and that's our family" and the perception that the state's beliefs and actions were driven by rules and regulations. The sense of the tribal community as family, noted in the themes from this study, "those are our people and that's our family" and "To us, those are our children," can also be found in Morrison et al. (2010). Halverson et al. (2002) noted this as differing definitions of family and relatedness between Native families and state child welfare workers. Bessarab and Crawford (2010) reported that Aboriginal child welfare practitioners noted challenges arising from the mismatch of Aboriginal worldviews and western legal approaches.

### Implications

The Indian Child Welfare Act of 1978 was based on a core value—that of the vital place of children in the fabric and continued survival of tribal nations. Policies, however, function as rules, and consequently, one can follow a rule without sharing or even understanding the policy's underlying values. The findings of this study point to a perception of fundamental differences between the implementation of ICWA by tribal child welfare workers and state child welfare workers. The findings also point to the unrecognized consequences of removing a child from a tribal community on the child and the community.

While current child welfare practice has increasingly incorporated policies to address the impact of removal on a child—such as the concept of permanency—the notion that a community itself is also impacted has been largely unrecognized. And although the language of ICWA itself acknowledges the vital place of children in general for the continued existence of tribal nations, focus group participants' perception that the removal of a specific child from a specific community can have an impact on that community, is nowhere recognized in the state's practice of child welfare work.

The current study suggests numerous possible directions for future inquiry. As noted above, the valuable perspectives of tribal child welfare staff members are limited in the literature and further exploration could have positive implications for collaboration between state and tribal child welfare staff. In addition, there are many other perspectives that could further enrich the findings of the current study. In particular, exploration of the perspectives of state child welfare administrators and staff about what drives their involvement with Wabanaki communities would add an important dimension to these findings.

The study's findings do not answer, but rather, raise questions about what it would mean for the state to act in a way that is informed by a

recognition of the larger Wabanaki counter-narrative “those are our people, and that’s our family” and the impact of removal narrative, as well as an understanding of the profound role that the historical dominant narrative about Native families’ ability to care for children has had on Native communities. In particular, the perception of differences in approaches noted between the state and the tribes raise questions about the ways in which dominant cultural values may be “invisibly” embedded in the state’s rules and regulations approach in such a way that established Wabanaki cultural norms and values are excluded or misunderstood. Two examples of these “invisible” impacts are the ways in which dominant cultural values may inform the child welfare policy concept of permanency, or the recognition that the state’s timeframes result in a “rushing” of the process that works against Wabanaki approaches and values related to working with families. In addition, these different approaches are likely not restricted to child welfare policy and practice, but may influence tribal-state relations in other jurisdictions such as environmental policy and practice or the justice system.

Considering these questions, and making recommendations to strengthen and improve the child welfare system for Wabanaki children and families in Maine, will be part of the work of the Maine Wabanaki-State Child Welfare TRC, as the commission hears testimony from those impacted by state child welfare intervention in Wabanaki communities. Beyond implications for future research, policy and practice, this study provides a valuable baseline, grounded in the experiences of tribal staff and Wabanaki community members, for the current status of the relationship between State of Maine and Wabanaki tribes. As these groups continue to move forward together, this baseline information will be a point from which to gauge levels of collaboration and changes in perspectives and understanding in the future.

Lastly, these findings point to an ongoing need for greater awareness and understanding of dominant cultural narratives about other minority groups within the field of child welfare, and the way in which those dominant narratives may invisibly influence state child welfare intervention in minority communities.

## CONCLUSION

This study furthers an understanding of state child welfare involvement in Wabanaki communities from the perspectives of people with work or personal experience with Wabanaki tribal child welfare services. This study highlights the fundamental differences between what is perceived as guiding the child welfare work of the tribes and the state, and how that leads to differences in the tribes’ and state’s beliefs about children and families. Tribal

child welfare work was perceived to be guided by the shared core value “those are our people and that’s our family” while state child welfare work in Wabanaki communities was perceived to be guided by rules and regulations. Drawing on narrative theory, these two driving mechanisms are suggested to be two distinct social narratives that help explain why the tribes and the state operate the way they do. In addition, “those are our people and that’s our family” was identified as a possible Wabanaki counter-narrative that contrasts sharply with the dominant historical narrative about Native families and children in which Native families were thought to be incapable of raising their own children, and Native children were believed to be “better off growing up non-Indian.”

As Wabanaki tribal nations and the State of Maine move forward with their joint TRC effort to create a common understanding about what has happened and what is happening with regards to Wabanaki children in the state child welfare system, recognizing these differences may begin to strengthen understanding and deepen collaboration among these groups.

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### NOTES

1. This statement was derived from participant evaluations of the ICWA trainings for Maine state child welfare workers in 2000.
2. This statement was based on a 2010 Maine Human Rights Commission report on a finding of discrimination against a member of the Penobscot Nation by a Maine state child protection caseworker.
3. This statement was derived from the Morrison et al. (2010) interview with Passamaquoddy and Maliseet tribal member Roger Paul.
4. This statement was based on a discussion with the Maine Wabanaki-State Child Welfare TRC Convening Group members about what they hoped people would learn as a result of the TRC.

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