



The History of ICWA

5th Annual

Symposium on Infant and
Toddler Mental Health

April 27, 2016



School of Social Work

Tribal STAR is a program of the *Academy for Professional Excellence*,
San Diego State University School of Social Work



Maria Antonia Paipa & daughter

*Photo permission of the San Diego Historical Society, Davis
Collection*



Background of Tribal STAR

Why history is so important – challenges during training

Bias & the changing perceptions of American Indians

Historical Review

Indian Removal

Boarding Schools

Indian Adoption Era

Video

History of ICWA

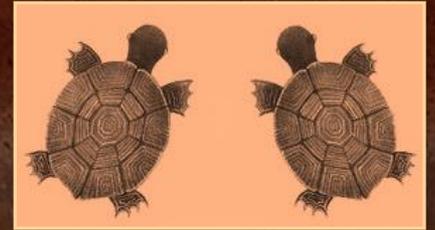
Congressional Findings

Purpose of ICWA

Curious Paradox

ICWA Today





Why is the history so important?

Twain's Huckleberry Finn
"You don't know where you're going until you know where you come from."

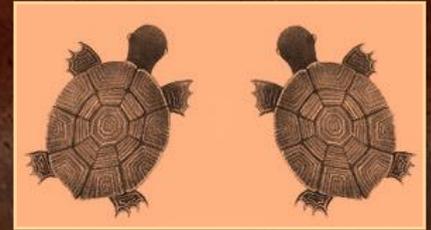
ICWA compliance

Challenges to ICWA training

Public understanding & bias

Restorative justice

A remedial act

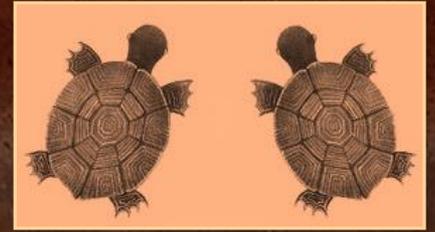


Historical Context and Perceptions

From: Warren, Robert P. 1982 Chief Joseph of the Nez Perce, A Poem, Excerpt
Frontpiece

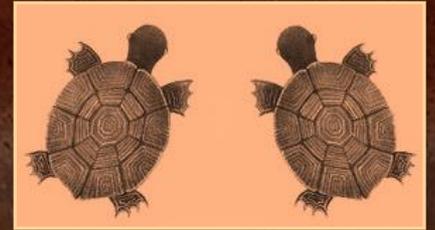
"Made by the same Great Spirit, and living in the same land with our brothers, the red men, we consider ourselves as the same family; we wish to live with them as one people, and to cherish their interests as our own."

--Thomas Jefferson: *To the Miamis, Powtewataminies, and Weeauki--*



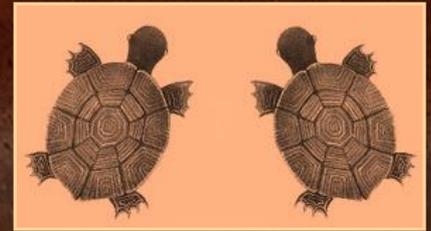
"The more we can kill this year, the less will have to be killed the next war, for the more I see of these Indians, the more convinced I am that they will all have to be killed or be maintained as a species of paupers."

--William Tecumseh Sherman--



“When the last Red Man shall have perished, and the memory of my tribe shall have become a myth among the white men, these shores will swarm with the invisible dead of my tribe, and when your children's children think themselves alone in the field, the store, the shop, upon the highway, or in the night when the streets of your cities are silent and you think them deserted, they will throng with the returning hosts that once filled them and still love this beautiful land. The White Man will never be alone.”

--Chief Seathl of the Duwamish--



Native Americans Through the Eyes of my Children

A Curious Paradox

Many early non-Indian commentators praised familial and tribal devotion to their children.

Now, after generations of contact and conflict with western “civilization,” so many Indian families are perceived as incapable of child rearing.

Two Infants in Cradleboards
Permission, The Sharlot Hall Collection



Cheyenne Mother & Child



Indian Removal Act 1830

- Result of growing tensions between Indians and non-Indians
- Tribes were moved to Indian Territory west of the Mississippi
- Affected more than 10,000 Indians including all of the Five Civilized Tribes
- Trail of Tears– over 1000 miles traveled beginning in 1831

COME TO DENVER

THE CHANCE OF YOUR LIFETIME!

Good Jobs

Retail Trade
Manufacturing
Government—Federal, State, Local
Wholesale Trade
Construction of Buildings, Etc.



Happy Homes

Beautiful Houses
Many Churches
Exciting Community Life
Over Half of Homes Owned by Residents
Convenient Stores—Shopping Centers

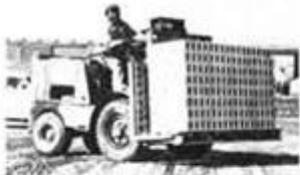
Training

Vocational Training
Auto Mech, Beauty Shop, Drafting,
Nursing, Office Work, Watchmaking
Adult Education
Evening High School, Arts and Crafts
Job Improvement, Home-making



Beautiful Colorado

"Tallest" State, 48 Mt. Peaks Over 14,000 Ft.
350 Days Sunshine, Mild Winters
Zoo's, Museums, Mountain Parks, Drives
Picnic Areas, Lakes, Amusement Parks
Big Game Hunting, Trout Fishing, Camping



001-002-5-29

Brochure, National Archives

Real Indians Soon to Call City Home

By **WILSON HIRSCHFELD**

Cleveland is going to get some new Indians, but this is no baseball story.

Honest Injun, these will be real Indians.

The U.S. Bureau of Indian Affairs has set up a field relocation office here.

Indians will be brought to Cleveland direct from reservations in the West.

First to arrive, probably before another moon goes by, will be an 18-year-old maiden from the Standing Rock Sioux tribe in the Dakotas.

Headquarters tepee here will be in the CTS Building at 1404 E. 9th Street.

First smoke signals telling of Indians on a peace path to Cleveland were sent up at a transit board meeting yesterday morning.

The board was asked to authorize the lease of second-floor camping space for a five-year period.

In the powwow that followed it developed that CTS already had spent \$1,000 to redecorate the tepee and that the Indian bureau already was encamped there.

The board then signed the treaty.

Member Victor Cohen wanted to know if the bureau would be any help to the Cleveland Indians.

The "Great White Father" in Cleveland will be Verdon C. Christiansen, field relocation director.

Christiansen was assigned here after two years as assistant director in the bureau's Denver office.

Before that he spent 16 months on the Rosebud Sioux reservation in South Dakota. There he worked with some 8,000 Indians, who live in two dozen scattered communities on the reservation.

Some of the Indians live in long tents, others in log cabins and shacks. It is a poor life that most are able to eke out, but at least there is "practically no overhead," Christiansen observed.

His hope is that 50 to 100
(Continued on Page 4, Column 3)

Urban Relocation Program 1952

- Promised jobs and housing in a number of cities
- Bare minimum in job assistance and housing
- Indians were moved to cities furthest from their home to discourage return
- BIA refused to give names of other relocated Indians to discourage association

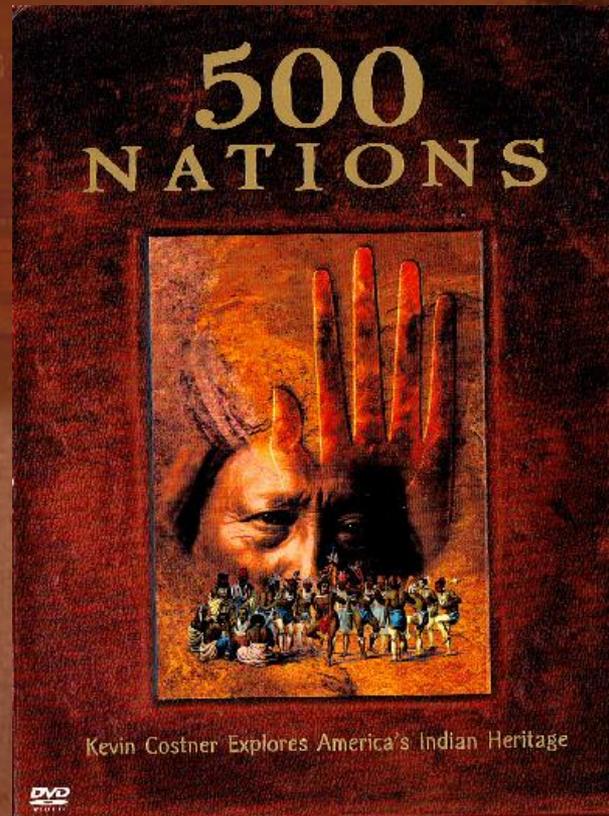
Urban Relocation Program

- No jobs or temporary low-paying jobs
- Difficult transition to urban living
- Large number of Indians returning to reservations; those who remained struggled
- New tribal community and identity emerged.



Local History

500 Nations: The Boarding Schools



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Boarding School Experience

- eLearning
- What did we learn?
- How does this impact social work today?



Young Salish boy in regalia

Indian Adoption Project

- Partnership between the BIA, Children's Bureau and Child Welfare League of America
- Operated during the Termination Era
- Continued until 1976 by private adoption agencies, boarding schools, churches



Young Salish boy in regalia

Indian Adoption Project

- 395 children adopted through the Project (16 states and 31 adoption agencies)
- Estimated 12,486 children adopted between 1961-1976

Claire Plamiste "From Indian Adoption Project to Indian Child Welfare Act: The Resistance of Native Communities" *Indigenous Policy Journal*, Volume XXII, No.1 Summer 2011

American Indian Policy Review Commission

- Established in 1976 to review the entirety of Federal –Indian relations
- 11 individual task forces were created to study 11 issues of significance at the time.
- A section of their final report to Congress outlines what was to become the ICWA.

Juana, Tribal Elder



Commission Findings

- Decisions made about Indian children were biased when made by non-Indian authorities.
- 25% to 35% of all Indian children were removed and raised at some time in non-Indian homes and institutions.



Indian Boys In Truck Circa, 1941

Commission Findings



- That Indian children are the most vital resources for the continued existence of Indian Tribes and therefore must be protected
- That an alarmingly high percentage of Indian families are broken up by removal, often unwarranted, of children by public and private agencies
- that an alarmingly high percentage of such children are then placed in non-Indian homes and institutions

Commission Findings

- That the States have failed to recognize the tribal, social, and cultural standards prevailing in Indian communities and families.

The Act was passed to remedy these issues!



Alaska Native Boys from Sitka Boarding School

The Two Apologies



BIA Apology

In 2000 Kevin Gover, a member of the Pawnee Tribe of Oklahoma, and Assistant Secretary of the Interior for Indian Affairs, delivered an apology for the conduct of the Bureau of Indian Affairs and their collusion in helping to break up Indian families. The text of the apology is in your workbook. The apology was video taped and can be found on You Tube at:

<https://www.youtube.com/watch?v=zu52ig696L4>.

CWLA Apology



The Child Welfare League of America issued an apology at the National Indian Child Welfare Association Conference in Anchorage Alaska on April 24, 2001. The apology was delivered by then Executive Director, Mr. Shay Bilchik. The apology is for the role that CWLA played in the Indian Adoption Project that it entered into with the Bureau of Indian Affairs. The project was developed to remove Indian children, for the most part infants, and place them in adoptive homes with non-Indian parents. The project continued the increasing assault on the Indian family. The text of the apology is in the appendix of your workbook.

ICWA: Training Overview

“... there is no resource that is more vital to the continued existence and integrity of Indian tribes than their children and that the United States has a direct interest, as trustee, in protecting Indian children who are member of or are eligible for membership in an Indian tribe. . . .”

—The Indian Child Welfare Act—



ICWA: Purpose

In adopting ICWA, Congress declared that the policy of US is to:

- **protect** the best interests of Indian children
- **promote the stability and security** of Indian tribes and families

Purpose accomplished by:

- Establishing **minimum federal standards** for the removal of Indian children from their families and their placement in foster or adoptive homes that the **unique values of Indian culture**
- Providing for assistance to Indian tribes in the operation of child and family service programs.

Recent changes affecting ICWA

- Spirit of ICWA Document
- Disproportionality
- Tribally Approved Homes
- Tribal Customary Adoption
- American Indian Enhancement Implementation Toolkit
- New Statewide Practice Model
- New BIA Guidelines
- After 18 Care (Youth who have aged out of system)
- Baby Veronica Case - Adoptive Couple vs Baby Girl
- Department of Justice ICWA Compliance Initiative

Bringing Our Children Home

ICWA Today



Q & A

25 USC 1903(4); WIC 224.1(a)



Contact Information

for working to ensure that outcomes for Native American foster youth improve!



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Thank you...

for working to ensure that outcomes for Native
American foster youth improve!



Tribal STAR

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