



General Information

Private or Public Statement? Private

Statement Provider: Harmon Harvey

Date: July 17, 2014

Location: Augusta, Maine

Previous Statement? No

Statement Gatherer: Heather Westleigh

Support Person: Jane Harvey

Additional Individuals Present: None

Recording Format: Video

Length of Recording: 32:06

Recording

HW: Okay. So, my name is Heather Westleigh. I am a statement gatherer for the Truth & Reconciliation Council. The purpose of the Truth & Reconciliation Council, as you asked, is to gather information about how, in this case, it's from people who have worked with the Department of Health and Human Services, or DHS at the time, um, and how that collaboration between the Indian Child Welfare Act and the Department had worked with foster families and Indian children in the system.

So that's really, um, you know, in a nutshell what my understanding is of the work here. Do you have questions about that?

HH: *(looks to Jane Harvey)*

JH: No, I'm just kind of having to –

HH: – Kind of watching. *(laughs)*

HW: Yeah.

JH: Yeah.

HW: So, could you please provide your name?

HH: Yes, Har– Harm– Uh, am I looking to you? Or am I? (*gesturing between Heather and the camera*)

HW: Well, the camera is over here.

HH: Where is the cam–? (*gesturing*)

HW: Let me put myself near to the camera.

HH: (*overlapping*) No, I mean, the– Where is the camera? (*gesturing*)

HW: There we go.

HH: I don't want to, to stare at the ceiling. (*smiling, gesturing*)

HW: I know.

HH: Yeah, well that's –

HW: This actually is great.

HH: Yeah, okay. Harmon D. Harvey. Ah, and, and name and what did you say?

HW: And that's it because then, um –

HH: (*overlapping*) Yeah. Yeah.

HW: And could you also state your name?

JH: Jane Harvey.

HH: (*laughs*)

HW: – Is, is also in the room –

HH: Yeah.

HW: – as a, as a support, as I understand.

HH: Yeah.

HW: The file number is *[00:01:55]* ME-201407-00869. The date is July 17, 2014, and we are in Augusta. I need to ask you if you've been informed, and understand and have signed the consent?

HH: I have, yes. *(nods once)*

HW: Thank you. If you provide any information or disclose any information that indicates that a child or an elder is in need of protection or there is imminent risk of death or serious bodily injury, um, to an identifiable person or a group, including yourself, this may not be protected as confidential. Do you understand?

HH: *(nodding)* Yes.

HW: Thank you.

HH: Yes.

HW: Thank you. So, um, I'll begin with some questions. And, um, if there's anything else you want to provide, you're certainly welcome to do that. Could you please tell me about your current or past employment in State Child Welfare?

HH: Okay. *(scratches his neck and cheek)* Well, I went to work for the State in 1958 and worked until 1992, when I retired. Currently retired, so I have been for 22 years and, I guess it's 22 years.

I went to work originally with the Department of Health and Welfare. And, at that time, administratively, the Department of Health and Welfare had, ah, income maintenance – ah, public assistance, I guess it was called, public assistance programs and the child welfare programs. And I went to work in the public assistance side. I went to work as a caseworker.

After a year and a half, went to graduate school. Came back. Was a supervisor – casework supervisor. Eventually, after a year or two, was promoted to Central Office as a program manager and worked in public assistance for several years.

After that, we, ah, reorganized. I can't remember specifically – time does pass – but, the Dep–, the Bureau was –, public assistance and child welfare were organized, I believe, into the Bureau of Social Services. And I'm not sure when it was. I guess it was in the early '80s, it was a reorganization where child welfare and public assistance were amalgamated into a separate division. The, the Bureau, ah, Bureau of Child and Family Services were primarily the Child Welfare Program and Purchase Services were clustered, and then Income Maintenance – all the

public assistance programs – separated into, I guess it's the Bureau of Independ–, ah, something, uh, I can't think, but it's a separate division.

Most of the time – well, in the early '80s when this occurred, the Bureau of Child and Family Services was formed. I applied for and was hired as the Deputy Bureau Director for the Bureau of Child and Family Services. So I filled out my career for the last 10 or 12 years in, in an administrative position, in the Child and Family Services Programs. So, then I retired in February of '92.

HW: Okay. So what was the total number of years working with children in a paid employment capacity?

HH: Well, that depend on how you define children. *(soft laugh)*

HW: Uh-huh.

HH: My entire career was essentially. I mean, my public assistance caseload was primarily an old–, old age assistance, aid to the disabled and aid to the blind. So I worked for adults, but had some AFDC caseloads.

HW: Okay.

HH: When I moved into supervision, I supervised in public assistance, caseworkers covering families. And then, when I went into administrative work, that was essentially covering everybody, not children specifically but the range of children to adults or, the complete spectrum.

HW: Okay. And how many cases involved working with Wabanaki children and families, do you think?

HH: None that I know of.

HW: Okay.

HH: Or specifically, as such.

HW: None identified.

HH: Yeah, none identified, that's –

HW: That makes sense.

HH: – that's good, yeah. Yeah.

HW: Um, when did you first learn about Maine's policies related to Indian Child Welfare?

HH: Oh, probably in the '80s. Because I had not worked with children specifically. And I think it probably would've been in the '80s in the Bureau of Child and Family Services, when I began working administratively with the current and former Child Welfare staff. Because, prior to that, we had been two separate staffs.

HW: Mm-hm.

HH: Yeah.

HW: Okay. So, you were, I'm, I'm sorry if I'm asking questions that you already answered –

HH: *(overlapped)* Yeah. Yeah. Yeah. No, it's okay.

HW: But *how* were you made aware of the Indian Child Welfare policies?

HH: Oh, I guess I can't tell you specifically, it just was part of the job.

HW: Yep.

HH: Yeah.

HW: Can you comment on the type and amount of training you received related to your better understanding the Indian Child Welfare policies?

HH: Ah, yes, I had little or none – because I wasn't specifically involved in the programs, yeah.

HW: Okay. Can you describe a situation in which you or your staff felt positive about any work that might've been happening in the agency around the, with a Wabanaki child or family? Not sure if you had, I know you had –

HH: *(overlapping)* No. No. No, I can't –

HW: – your last –

HH: *(overlapping)* No, I can't think of any, yeah.

HW: Okay. And anything that, any sort of – I, I know this is hard question because –

HH: Yeah.

HW: – I know that you just said you didn't have a lot of contact.

HH: (*overlapping*) Yeah. Yeah. Yeah. Yeah.

HW: So, but I'm just wondering was, was there anything that came up in, in your work that sounded less than positive?

HH: No. No.

HW: Okay.

HH: No.

HW: Um. And is there anything else you'd want to describe about your experience in working within the Maine Indian Child Welfare policies?

HH: Well, I had told Barbara, as a, by kind of some fluke, I recalled it, and I don't recall much of it, but somewhere, in the late '80s, I served as representative on some sort of – and it's so vague that I'm amazed that I remember it – but some sort of a joint, as a departmental representative, with a joint commission or committee, I guess, with – and I don't know whether it was through the University. It was a – (*exhale*) I, I don't even – I don't recall the purpose of it, but I recall going to meetings – and somehow Wingate Hall at Orono seems to be coming into my mind of having been up to it – several meetings where there were Indian Tribal representatives, social services people, on the committee.

I have *no* idea at this point. I can't remember – this would've been 30 years ago – but there was this, and I can recall specifically, I was ... fluky as it is, it must've been around '90 or '91. I was supposed to go to Washington to a meeting with someone on that group, and I couldn't go, because that's when the State employees had – this is a strange connection – had a strike.

HW: Ohhh.

HH: And I can remember – it comes back to me – standing in the office, looking out the window, and up at the State House, and seeing employees were picketing and what have you. So I never went to that. Ah, and I, I wish that I could remember more about what that was about, but I'm surprised that I can remember that.

HW: And what, what challenges did you find in those meetings or in those years –

HH: (*overlapping*) I didn't find them as challenges, but an observation that I had, that I found kind of interesting, I had not had – I, I recall, as a teenager, my youth fellowship, where I'd lived ... grew up in Guilford, which is not far from the Penobscot Reservation. I can remember, with a youth fellowship group, paying a visit to Indian Island and that was before the bridge was built.



And it was big deal to go down and we all loaded into boats, and motored, ah, rowed across to the Island. But that's the only contact, from my growing up, that I ever had, one way or another or cognizance of Indian culture in Maine. So, when I was involved in this ... commission or committee, whatever it was, I was a little rattled or (*smiles, glancing at Jane*) disconcerted – because, after I'd gone to meetings – Ah, meetings are always very structured and conducted. People go in and rap on the table and, 'We're on to business,' and so forth. And, at the first meeting that I went to, there were a number of us there, but, some of the Indian people would get up and move around, go look out the window, and I said to myself (*pointing to his forehead*), 'What is going *on*?' (*pats the table*)

And I learned that, ah ... well, I'm not sure what I learned, but I, I learned something *different* about the Indian culture. It's, ah ... well, some of the things that I read about, it's love of nature, and it's – I'm not even sure that I can find the words. It was a very new and interesting experience to me, and – all the learning you do in culture, about culture and environment in schools and that stuff, it kind of came out to me that, we had to –, it was –, it did not affect the meetings or anything, but it was a learning experience for me, ah, a new and different experience. (*laughs*)

HW: Can you say more about that?

HH: (*exhale, shaking head*) No, I'm surprised that I even remember it.

HW: Right.

HH: But it was, as I say, it was, it was an *awakening.* And an awareness of ... (*gesturing with his hand*)

HW: Oh.

HH: And I was, ah — (*palm falls to the table*) And I've, I've never been living in this area, and living in Maine, as I have, I have—, just have not had, Indians were people we—, I never saw, never grew up with, never knew. I knew that they lived on reservations, but I didn't even know much about Old Town or Down East or anything. And I've only learned that in my adult life, so.

HH: I have *since* learned about, ah, Indians don't – well, this may not be correct – Indians don't own property like I do. Their life is at a higher level. And these are the kinds of things that, that came out and an understanding and awareness and so ... Ah, I found that it's very education – , I, ah, part of one's growing up, I guess – this old mind expanding, so.

HW: Yeah. Okay.

HH: And I'm sorry I don't remember what we were doing, ah, but— (*rubs chin, then holds hand to near base of his throat*) — I had two or three meetings. It may've been through the Re—, ah, university may have been doing —, had a grant, but that, and I— but that's the extent of it. (*rubbing forehead*) Now, that just kind of popped out of my mind as I talked with Barbara, so ... So. (*palms fall to the table*) So. (*soft laugh*) That's, I think, that's the depth of what I can recall.

HW: Right. Okay. Well, I mean, that's good. I mean, there's nothing wrong with any of that.

HH: Yeah.

HW: There are many facets to working — I'll, I'll read this to you.

HH: Yeah. Yeah.

HW: But there are many facets to working within Indian Child Welfare policies. Some parts may be familiar to you and — or in which you've had experience and others may not be as familiar. I'm going to ask you about different areas. Please speak to any that you feel you had experience. If you didn't have experience in these areas, that's fine.

HH: (*nodding*)

HW: So, ah, and if you did have experiences, just, if you could speak to any challenges or — or, you know, positive experiences — either one. Initial identification of a child as Native American?

HH: (*shaking head*) Naw. No. I —

HW: Okay.

HH: No.

HW: Notification of children to Tribal Child Welfare?

HH: (*shaking head*) No.

HW: Who would you usually call — Oh, no, that's not the right question, (*laughs*) because you just said, 'No.'

HH: (*laughs*)

HW: I'm sorry.

HH: Yeah. It's 'No.'

HW: (*overlapping*) Working with the Tribes to identify Native children?



HH: (*shaking head*) No.

HW: Um, child custody hearing?

HH: (*shaking head*) No.

HW: Arranging foster care placement?

HH: (*shaking head*) No.

HW: Family team meetings?

HH: (*shaking head*) No.

HW: Arranging family visitation?

HH: (*shaking head*) No.

HW: Kinship care?

HH: (*shaking head*) No.

HW: Termination of parental rights?

HH: (*shaking head*) No.

HW: Or adoption?

HH: (*shaking head*) No.

HW: Okay. Do you have any opinion on what you would consider active efforts to prevent the breakup of an Indian American family?

HH: Not specifically, no.

HW: Okay. Is that – Do you feel that the active efforts standard used in cases involving Indian children is different than the reasonable efforts of standard applied in cases not involving Indian children? And that might be a –

HH: Yeah, you wanna read that again? (*laughs*)

HW: It might be a, I know, that's a funny one.

HH: Yeah.

HW: And, um, it may be hard for you to answer.

HH: Yeah.

HW: And that's fine. If I read them –

HH: *(overlapping)* Yeah, yeah.

HW: And I, I *know* sometimes, as I'm reading it, I'm like, he's *probably* –

HH: *(laughs)*

HW: – going to feel like it doesn't apply to him but, at the same time, it's good for me to ask – because you never know what's kind of hiding in there. *(laughs)*

HH: Yeah. Yep. *(holding hand near mouth, rubs chin)*

HW: Is, is the active efforts standard used in cases involving Indian children different than the reasonable efforts standard applied in cases not involving Indian children?

HH: No, I have no awareness. *(softly laughs, holds hand near base of his throat)*

HW: Okay.

HH: Yeah.

HW: Um. How are Tribal Child Welfare staff included in the development of a family case plan involving Indian children?

HH: *(overlapping)* Yeah, no knowledge.

HW: Okay.

HH: Yeah.

HW: To the best of your knowledge, if a Tribe declines to intervene in a child custody proceeding covered by Maine's Child Indian Welfare policies, what are the reasons for that decision?

HH: No idea. *(shaking head)*

HW: Okay. *(pause)* Any experience working with expert witnesses for Indian Child Welfare?

HH: No.

HW: What State Child Welfare policies, practices and events influenced your work with, with Wabanaki children and families, which you said you didn't –

HH: (*waves hand*) There were none. Yeah.

HW: Yeah.

HH: Yeah.

HW: How did the State – And, and, ah, this one, you may have, you may or may not –

JH: (*coughs*)

HH: Yeah.

HW: How did State Child Welfare policies and practices change during your employment?

HH: (*pause*) Ah, well, it's a ... I, I don't know whether this would apply. I told Barbara, I thought there was a lot of change during the period. And this isn't, this is getting off, off of the –. May or may not apply.

HW: That's fine.

HH: During my early, ah, early employment, the Feds used to match – would provide matching funds for social – for a limited number of caseworkers to go to school. And this would've been – 'cause I went in the '60s.

And both programs – both the public assistance programs and the child welfare programs – ah, had a deal. And if the State would allow you to go to graduate school, with your–, retain your full salary, and get with your two years of school – full salary – you'd have to come back to school in the summer. And then bring your degree back, and if you would agree to stay for two years after you return from school.

That was, I think, one of the best things that ever happened to the State, because, I mean, prior that there were – and I hate to use the word 'do-gooders' – but people without specific –

HW: Mm-hm.

HH: And I'm not sure the level of training of anybody in the field in the '40s and the '50s and

the '60s was where we'd like to see it. So, I had the privilege, as did probably two or three people from each division for several years, get to go to school and bring back a graduate degree. These people almost, almost and well, practically all of them, progressed, as I did, through a load of casework practice, back into supervision and into management and program development.

So hopefully, the professional training enhanced program development and, ah – well, without a doubt, did – and created people's understanding of what they were – real understanding, rather than ki– in, ah, you know, some of the training that we'd had, but with graduate training, ah, the level of practice and professionalism, I think, was raised through **all** of the programs. And that –

HW: Mm-hm.

HH: Those, that, ah, funding mechanism only lasted for a few years, so I think we had a **wave** of, of people who ended up in supervision and management in the '70s and '80s, who had that luxury, I don't know what you want to call it, or gift, luck, whatever.

HW: Mmm.

HH: And as I look at some of the people that I – and I don't have much to do with, since retirement – but I look back at many of the people in management positions in some of the program areas do not have **that** training. I mean, and some people have ... I, I don't know what – I don't want to call it questionable – questionable is not the thing – but certainly do not have the same kind of preparation and, I ... think, perhaps, understanding of some of the issues that some of the earlier people might have. So I think certainly that opportunity for professional training and all that goes with it, had enhanced the programs. As I say, you can't go for the cause and effect, but, I think that – the benefit was great, greatly, ah – The understanding of human development.

HW: Mm-hm.

HH: Ah, cultural ramifications, ah, all of the things, so I think those were **definitely** underlying elements in the program, which were probably, ah, when the Indian and Child Welfare Acts, ah, were instituted, ah, there was greater understanding, certainly of the people that were involved in it. So.

HW: That makes sense.

HH: *(smiling)*

HW: Um. Over the course of your work, what did you see as barriers to the successful implementation of the Maine's Indian Child Welfare policies?

HH: I didn't see any.

HW: Okay.

HH: Yeah, I wasn't in a position to see any.

HW: Any strengths or weaknesses, um, that you believe State Child Welfare possesses in ensuring compliance with the Indian Child Welfare policies?

HH: Not that I'm aware of. Yeah.

HW: Okay. What do you think the importance of caseworkers learning about, and having knowledge of, American Indian family and structure, and culture?

HH: Oh, I think it's very important. I guess, on a scale of how much, I think it's like all other things. I'm not sure that it would be highlighted, as per se, unless they were specifically, ah, were going to be involved there, but I – I'd see that knowledge being as important as growth and development, as important to any kind of, ah, background preparation and learning that you'd have. And that would be part of your toolkit – should be.

And, specifically, if there were legal ramifications for it, we always should be certainly paying particular attention to be sure that we're doing the things that we are required to do.

HW: Mm-hm. Can you speak to the importance for an Indian child who is placed in an out-of-home, who is placed *in* out-of-home care to be placed within reasonable proximity of his or her birth family or community?

HH: *(exhale)* I don't know. Only to the extent that, ah, I think, I would think that it would be certainly desirable.

HW: Mm-hm.

HH: Yeah. Yeah. No question. Yeah.

HW: Can you speak to the importance of, um. I'm sorry. Back-track. In what ways do you see Maine's Indian Child Welfare policies and the Adoption and Safe Families Act working together?

HH: I can't really speak to that.

HW: Okay. *(sound of papers turning)* Um, there was one thing I had wanted to ask you about, and that was going back to the um, committee that you were on?

HH: Yeah. Yeah. (*placing hand over mouth*)

HW: There's something in the intake material that says something about, um, you seeming puzzled at first by some of the behavior?

HH: Yeah, well. Well, that, that – it's hard, it's hard to put my teeth in it, but just to say, I guess I was trying to say, you, you know, the, ah, I'm just used to business is it, you know, we're going to meet at nine o'clock, the, all of the psychology of who sits at which end of the table, but I mean, normal procedure is that you'd go and surround the table and, ah, certain structure and, and minutes and notes, and attention and take a break, and, as I say, and everybody very attentive, unless somebody falls asleep or is, is dreaming about something, but otherwise, ah ... many of the representatives, well, well, they'd be sitting and get up (*as if he's getting up*) and the discussion'd be on, get up and go back to the back of the room and stand and, maybe be listening and looking out, and I, I, it just didn't seem the way that I had seen people at meetings! (*smiling*)

HW: Mm-hm.

HH: And, I don't recall – Well, I did discuss it with someone, and, and, ah, I learned that ... And I can't specify specifically the different behavior, but it's, it's part of the, ah, ... it, lack of, I guess, in my mind, I learned to accept, ah, that, that they –, these people did not have the same task-master ... task-master? Is that it?

HW: Yeah.

HH: – That we had. I mean, we were–, *they* were there for a purpose. They hadn't dropped out, but they were processing and participating in a–, at a different level. And, ah, it's a part of, of subsequently, and I, ah, have not been involved in deep understanding of the Indian culture, but it's a part of, ah ... They relate to things differently than the white man does and, ah, that's not good or bad. That's a fact.

HW: Mm-hm.

HH: Ah, and we have – And I – We have to understand that. We all have to understand that.

HW: Right. Yeah, and I think part of, you know, what is interesting of someone who has *so much* experience working in DHS, um, to notice, you know, those differences.

HH: Yep.

HW: And what that must mean for –

HH: Yeah.

HW: So, I, I appreciate you, um –

HH: *(laughs)* Well–

HW: – elaborating on that – because I find that interesting.

HH: It's culture and environment things that, you know, there are textbook things because, ah, ... I just had no preparation for it and it just, 'What's going on?' *(laughs)* kind of thing, and it, it's good to learn new things. *(laughs)*

HW: Yes. Um, if, if you could change anything, or make anything happen at the Tribal, State or Federal level to *improve* the lives of children who are involved in the Indian Child Welfare Act, what do you think you would do?

HH: *(deep breath)* Ohhh. I, I really can't direct anything to that. We certainly ought to be doing what the law says – like we should be do what the law says anywhere –

HW: Mm-hm.

HH: But I think we should be, I'm a great one for not particularly specializing in things, but everybody should be dealt with properly and have all that, that they should be entitled to. And

we certainly should be aware of any deficiencies of that, that, that exist so, but anything specific, I can't address.

HW: That – No, that's, that's helpful. Um, do you have any thoughts on how the State Child Welfare system could *improve* in terms of policies and practices related to Indian Child Welfare.

HH: Not really, because I was not that close to it.

HW: Okay.

HH: Yeah. Yeah.

HW: Um, okay. Is there anything else you want to tell the TRC about your experiences? That I haven't mentioned?

HH: *(laughs)* No, I think you've been pretty comprehensive. *(laughs)* And I've talked a lot. I, I went through the questions beforehand. And I said, 'Well, I don't know a lot of that stuff, but–'

HW: Right.

HH: But, but because I was in a different kind of position than, I have to say that I, you know, there's always the question of, you know: Would you rather be a caseworker or an administrator, and do you lose something? And I got some of my, I, I've always enjoyed being a social worker, but I felt that I got satisfaction out of maybe dealing at a, a different level, but dealing as an administrative person, you deal with more and maybe you can have sometimes more impact on more people through policy setting, creating, manipulating, what have you – than sometimes you can as a caseworker, so. So, I hope that there's something of value *(laughs)* in this.

HW: I think so. I think so. It's, it's great that you came in to talk about this.

HH: I was surprised to hear from Barbara, so. Were you able to contact ... I'd given her a few names, but I think she's probably contacted a lot of people.

HW: I think she's working on that.

HH: Yeah.

HW: Yeah.

HH: Yeah. Yeah.

HW: Yep. Sounds like it, anyway.

HH: Yep.

HW: Well, thank you.

HH: Okay!

END OF RECORDING