

Hon. Lizbeth González is an Acting Supreme Court Justice presiding in Bronx County; she was appointed to the NYC Housing Court in 2005, elected to the NYC Civil Court in 2005, appointed to the NYC Family Court from 2010 – 2011 and thereafter appointed to the NYS Supreme Court in 2011. She received her B.A. from Stony Brook University and her J.D. from New York University School of Law. She is a member of the NYSBA Judicial Section's Diversity Committee, past president of Network of Bar Leaders and immediate past president of the Association of Judges of Hispanic Heritage. Justice González thanks the American Indian Community House, American Indian Law Alliance, fellow "Team ICWA" members Judge P.J. Herne, Judge Carrie Garrow and Judge Sharon Townsend, in addition to the other Nation representatives and Judges who comprise the New York State Federal-State-Tribal Courts and Indian Nations Justice Forum, for their hard work on behalf of Native Peoples.



The Real Meaning of ICWA Noncompliance

By **Hon. Lizbeth González**

During my tenure as Director of Legal Services of the American Indian Law Alliance, then located at the American Indian Community House in Manhattan, I represented several expatriated Native young adults. Their protracted attempts to reunite with their people had been remarkably unsuccessful; my work on their behalf was difficult, but our combined efforts were ultimately rewarded. Below are the stories of two people who were removed from their families at a young age and who eventually found them. I didn't represent Larry Ahenakew or Susanne (Bone) Vander Laan, but I am honored to have interviewed them and to share their stories.



Larry Ahenakew (Cree)

I currently live in New Windsor, New York, and work as a computer software analyst for the New York City Office of Payroll Administration. My father's people are the Ahtahkakoop Cree in Saskatchewan, Canada; my mother's people are the Rocky Boy Chippewa in Montana. My family lived in Great Falls, Montana. According to Cree tradition, the maternal grandmother raises the oldest boy of the family. When I was about 3½ years old, Social Services took me from my grandmother while I was eating breakfast and placed me in a black car. This is

my very first memory. My siblings were removed from our mother's home. My younger sister Yvette and I were adopted by the last foster family with which we were placed in New York; my brother Tracy was placed elsewhere by the same New York City agency; and Paul and Heather were adopted by another foster family in Montana. When I was finally reunited as an adult with my siblings, mom, grandmother and aunties, they told me that Social Services didn't believe that I was properly cared for. I don't remember my grandmother as feeble or incapacitated.

At some point during the year that I lived in my first foster home, I was told that I was going on a plane trip to be with another family. A Social Services worker accompanied me and my sister Yvette to Idlewild Airport (now Kennedy International Airport). I believe that I was adopted when I was seven or eight. I knew I was Native American but I didn't know which Nation or tribe. I knew I was different growing up in Newburgh, which had a large African American and a small Hispanic population at the time. I might have looked somewhat like a Hispanic kid, but I struggled with self-esteem. Back then, I felt uncomfortable. We didn't have TV in Montana, but there was TV in New York, and no one looked like me. Kids said that if I washed myself with soap I could become white, so I would scrub myself but I didn't become white.

It was only as a young adult that I learned that other Native Americans and Native Canadians were similarly adopted and living in New York like me. I met them at the American Indian Community House (AICH) in New York City; most of them came from the West, Southwest and Canada – Lakota, Dakota, Pima, Diné – not from the East Coast. There was such a sense of being removed; all of us kids felt that we had no identity growing up.

I didn't find my birth family until I was much older. My adoptive parents recalled that my mother was Chippewa and that I was born in Great Falls but the Chippewa inhabit three different regions. Books were my only association: at the library I read books by Vine Deloria and books about Native history. I left my adoptive parents when I was 18, angry and self-destructive. I called Spence-Chapin and made an appointment there with an adoption specialist who over time provided cookie-cutter information. She eventually told me that she could facilitate my enrollment with the Chippewa Cree Tribe of Rocky Boy, Montana. I learned that my dad was working in Montana and returned to Saskatchewan shortly after I was born. My dad's family kept current on my situation and tried to get me placed in Canada but they were denied. By the time that I made contact with my dad's family, my dad had passed away.

I always wanted to go home and belong to my own people, values and traditions. I always had a sense of longing. For a long time I was angry at my adoptive family which honored military traditions, kept my hair short and brought me to church. When I was arrested for DWI, someone at the Department of Sanitation said that the AICH provided alcohol counseling, so I searched in the phone book. The City adjusted my schedule since I had to go to AA meetings at the Community House for a year and serve 26 weekends in the Ulster County Jail. Being steered by my counselor to a group of similarly adopted Native kids who met at AICH changed things for me. Some knew the circumstances of their adoption; others didn't. I was able to turn things around; some kids died of alcoholism, drug overdoses and suicide. We stay in touch. We all know adoptees that didn't make it.

Things are much better with my adoptive parents: now we can agree to disagree. The best thing after meeting my wife and getting married was finally meeting my family when I was 31 years old. We went to my mom's reservation – me, my wife and our children. My family said I had a really good grasp of Cree and English when I was removed but I couldn't speak Cree with my grandmother at the reunion. Reuniting with my family gives my kids aunts and uncles. I can give them what I didn't have.

My aunts told me that my grandmother had vowed not to pass away until she found me. My grandmother asked me to recognize my father by changing my name

legally. It was a lot of work to add my father on my birth certificate and essentially undo the adoption but I was able to finalize the name change after my grandmother died.

I met my family without the alcohol and drugs that had replaced them. I now practice our traditions. I am reintegrated into our ceremonies and tribal customs. I have a sense of spirituality on a daily basis. I learned that one of my uncles is a medicine man. When we first returned, he woke me and my brother for a morning sweat at sunrise. It was incredible. At that moment I knew that I would always follow the Red Road and be okay. I was going to make it.



Susanne (Bone) Vander Laan (Ojibway)

I met and worked with Larry at the American Indian Community House; like others in our group we were adopted by non-Native families. My parent's people are from the Keeseekoowenin Ojibway

First Nation, a reservation two hours southwest of Winnipeg. My mother kept my oldest sister although my grandmother raised her. My brother Patrick was adopted by a New Jersey family and I was adopted when I was five years old. I was raised in an upper-middle-class non-Native neighborhood. I was constantly reminded by people that I would likely end up just another "dirty Indian," so at age five, I tried to scrub myself clean. I hated being brown. Although I was afraid of drinking, being on welfare and having kids, I started drinking at 11, detoxed when I was 12 and finally became sober by age 17. In Canada, they allow us to open adoption records at age 18 and contact our birth family if they agree. I found my family when I was 18; I started looking for my brother and found him when I was 20 years old. After talking and writing and getting to know each other, Patrick traveled to Canada to meet me. I was already sober; he was 21 years old, angry and confused. Growing up, I saw Native people in the poor part of town; he had no connection to Indian people in New Jersey and had tried to run away to find me.

I took Patrick to our Ojibway reservation because his adopted family said he was out of control. I wasn't going to give up on him – I always kept looking for him and he did for me. One afternoon, we took a canoe out on the lake. My brother kept rocking the boat. It tipped over and he drowned. Eleven days after meeting my brother, I returned his body to New Jersey. I now live in New Jersey, too. Foster care robs you of being who you are so I turned to our traditions and work extensively in the Native community in the area of substance abuse. I'm also a writer and use that as a source of strength and empowerment. I wrote a screenplay about healing. Knowing your history helps deal with wounds, and who we are, and who we don't have to be. This need to connect brings you home. ■