

Holiday Story

Dixie Jordan

Yesterday morning a friend called and asked if I would be willing to go along on a drive to the San Carlos Apache reservation here in AZ. It is my grandparent's community, so I said that I would if she needed my help. I met at her office at 10 am. At 11, a young woman was brought to us by a mobile crisis team. She is seventeen years old, and had been removed, along with her brother, from her Mom's custody 11 years ago. Both kids were identified as having disabilities, the boy with severe learning and emotional disabilities, and the girl with an anger management issue. Parental rights were terminated by CPAS in Maricopa County, Phoenix, AZ.

In the intervening years, the girl has lived in group homes, refusing to be adopted or placed in foster care because she claimed that she already had a family somewhere. Her brother remains in a group home in Phoenix. At age 12, the girl ran away from her group home and has been living on the streets since then. She has been a prostitute for food, has been on drugs, and was shot in the head as a bystander to a gang shootout. She came back into the CPS spotlight as she lay in a coma at a Phoenix hospital several months ago. She returned to this state from Texas because she feared for her brother's well being, and agreed to talk with CPS because she knew that she was the only family her brother had known. She is still technically "on the run" as she is NOT in CPS custody (and therefore ineligible for many services) and has sworn to run again if they try placing her. Her statement is, "You people had a chance to raise me right, and you failed."

Last week, she met with my friend Julie, and said that the only thing driving her to even stay alive was a desire to see her mother. Julie called me when it was clear that the child was Native. We began making phone calls at 11:15 yesterday morning, asking about the family name, and exhausting that name in the phone directory with fruitless calls. Her birth records showed that she had been born at Indian Hospital in Phoenix, as had her brother. She was listed as half San Carlos Apache and one fourth Gila River Pima – but her brother, with the same Mom and Dad, was listed as 1/8 Indian from Gila River. As it turned out, the children were finally determined to be 1/2 White Mountain Apache, 1/4 San Carlos Apache, and 1/4 Gila River Pima. **CPS records show that neither child is Indian, although they are nearly full bloods.** Coincidentally, the mother lost three more children seven years ago. Her husband absconded with two, despite that she was their legal guardian, and the third was seized by CPS and adopted out at age 6 months – again without ICWA involvement.

Our calls to the reservation agencies were met with suspicion, wariness, and a complete lack of help. At 2:15, there were no more numbers to try. I finally suggested that we drive to Gila River, as it was closer than San Carlos, and the girl had a vague recollection of being with her grandfather next to the mountains near a wind-scoured cemetery – and not too far from the Gila River Casino. The reservations here are broken into Districts, and each has a regional Governor. Gila River has six such districts. Families tend to remain in the same districts for generations, so if we could locate someone with the family name, that might help us track down her family.

Our first stop was at the tribal housing office in the nearest district. We were sent from there to the police department, where an officer remembered the name, but no member of the family. They sent us to a law center. After a dead end discussion we left, and one of the attorneys followed us to my car. He said that the surname was Mexican and from the Mexican side of the border, but that several people in the Gila Bend district had the name. We drove there, about 50 miles away, and stopped in the housing office. Nothing concrete, but the clerk said that he would ask a woman in the back room who had a Mexican surname if it was familiar. She came out, and after about 5 minutes, revealed that she knew the entire family, and that relatives of the family lived just down the road. At 5 pm, we stopped at a trailer in Gila Bend with no windows. An older man tried to send us away, but the girl said that she knew his voice. It turned out that he had been the grandmother's boyfriend during the time the young girl lived with them (the one she called her grandfather), but had a different last name than we had been seeking. He gave us phone numbers, and she called from the back seat of my car. By 5:30, the girl had spoken with many family members.

Several hours later, after picking up the brother at his group home in Mesa, we drove to Phoenix to meet the child's Mom, the Grandma, three Aunties, three new little brothers, an Uncle, and several cousins – all of whom had gathered and were waiting in a tiny cinderblock home for the kids to arrive! It took six hours to achieve what CPS

did not do in 11 years. A missing element is the child who was adopted out by CPS on the claim of being non-Indian. The Mom is clean and sober, the Grandma is as well, and the family amazingly resilient and intact.

I think we all cried for hours. The family had photos of the missing children on their walls, which they shared and described in minute detail. It turned out that custody was terminated after the Mom failed to appear for a court hearing (she did not have transportation, and did not realize the gravity of the discussion – and one day the kids simply did not come home from school because they had been picked up by the authorities). Clearly those were not the Mom's best days, and no one wants to proclaim her total innocence, as she did drink and probably at times neglected the children. But the horrors that befell her – including the failure of the CPS system to look for extended family members – are an "Indian thing," in Arizona and elsewhere. It is a blatant attempt to abrogate tribal sovereignty rights.

Last night all was well with the world. A young girl whose dream was kept alive in very bleak times, and a young man who has frequently contemplated suicide, rarely smiles, and seldom interacts with others, had a magical moment with a loving extended family. We left them there for a few hours, and then returned to drive them to other destinations. Today there is much to do to ensure that such moments continue. CPS has already agreed, without even inspecting the family home as is required in law, that the children will spend the Holidays together with family.

This story will not have a truly happy ending, as a baby has been adopted into a loving family, and that baby, six and a half years later, needs to be reunited with her birth Mother. There will be no winners in this kind of sequel, even though if I were the Mom, I would pursue my legal rights to raise this child.

This story may at some point hit the headlines in Arizona. I hope it does.

Just thought you might like an interesting seasonal story with a happy ending for two children who desperately needed one.

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