Stolen from her tribe, now she's fighting back

Adopted by a white family at 18 months, Sandy White Hawk lost her more than her family. She lost her heritage and her compass. Now she's partnering with an Ohio State researcher to show the impact of adoption on Native children.

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Robin Chenoweth: The Indian Child Welfare Act — the law that seeks to protect American Indian children from being removed from their tribes for adoption or foster care — came almost 25 years too late for Sandy White Hawk.

Sandy White Hawk: Things come out that along in your life, something you may recall happened — or you have a sensation in your body, or a blip of a picture — and it's something that happened when you were 10. Then later on, something will pop up. And you were 20 years old when that happened. That's why it's so hard for those of us that have endured years of complex trauma. We can tell it chronologically, but that's not how we recall it.

Robin Chenoweth: The first time she shared a flashback about being removed from her Sicangu Lakota family, White Hawk was in her early 20s, serving in the military and on a bender with a friend.

Sandy White: This little blip. It was like just seconds of a picture would come into my mind. And the recall is the sensation of being lifted and placed in a truck and put between these two individuals, you know, strangers. And I was terrified. But in my initial recall, I wouldn't ever even use that word because I was 18 months old. So, there weren't any words.

Robin Chenoweth: The adoption happened in 1955, when White Hawk was removed from the Rosebud Reservation in South Dakota. It took her years to piece together the buried memories, the feelings and words to describe them. But now…

Sandy White Hawk: I remember everything about that moment. And that happens with people that experienced trauma. You have like a hyper sensation. I remember how my adoptive mother, her skin felt because it was a hot day. So, she had a like a sleeveless dress on and I saw her skin. I saw the striped bib overalls of who was going to become my adopted dad. I remember the dashboard. I remember the stick shift. Everything. And, of course, afraid.

Robin Chenoweth: White Hawk recalls the stunned look on her friend's face when she told her this, that night when they were drinking. Later, an avalanche of other memories would follow. Bad memories. Because White Hawk's adoption — like those of a disproportionate number of American Indian adoptees — did not have a happily-ever-after outcome. And that's why she has collaborated with Ohio State Assistant Professor Ashley Landers to research adoption and foster-care outcomes for American Indian children. When the U.S. Supreme Court hears arguments next fall to strike down the Indian Child Welfare Act, White Hawk's and Landers' work will be among the research cited in an effort to save it.

Robin Chenoweth: This is the Ohio State University Inspire Podcast, a production of the College of Education and Human Ecology. I'm Robin Chenoweth. Carol Delgrosso is our audio engineer.

Robin Chenoweth: Before the Indian Child Welfare Act passed in 1978, 25 to 35% of all American Indian children in the United States had been separated from their families and placed in foster homes, adoptive homes or institutions. Ninety percent of those placements were in non-Native homes, outside of their culture. That amounted to hundreds of thousands of Native children being severed from extended families and any knowledge of their heritage. Their tribes in turn were further decimated as families and communities suffered the loss. But the impact on the adoptees was even greater.

Archival audio of Joseph Abourezk: Officials would seemingly rather place Indian children in non-Indian settings where their Indian culture, their traditions and the entire Indian way of life is smothered. The federal government for its part has been conspicuous for its lack of action.

Robin Chenoweth: Senator James Abourezk of South Dakota was head of the Indian Affairs Committee, which in 1978 led hearings on Native adoptions in which birth mothers and grandmothers testified.

Sandy White Hawk: Senator Abourezk, his parents immigrated here and landed in Rosebud, South Dakota, on our reservation. And they owned the grocery store in Mission.

Archival NBC audio of Native American mother: While I was pregnant with Bobby and the Welfare kept coming over there and asking if I'd give him up for adoption.

Sandy White Hawk: There's footage about him saying, "You mean, they asked you to sign him over before he's even born?" And just the way he asked that question, you could hear in his intonation, that's ridiculous. But he grew up knowing we loved our children. And that regardless of the poverty and regardless of the hardships and what was happening, they took care of their children. And yes, it was hard. But it certainly wasn't the solution to help us economically, was it? This solution was to take the children, the unwanted child. Oh, they did such a propaganda around calling us that you know, we weren't wanted. I was told that all my life — they didn't want you.

Robin Chenoweth: Ashley Landers, who came to Ohio State in 2021, works with White Hawk, director of the First Nations Repatriation Institute, to study the issue.

Ashley Landers: The reality is that there are thousands of Native children who have been displaced from their homes. And this continues to be a problem across the country. It is the systematic removal of Indian children and the implicit bias of the child welfare system that targeted Native families that makes this issue so pressing. So, it's not that Native families are more likely to engage in maltreatment of their children. We don't believe that the rates of maltreatment differ but that the issue is this, the child welfare system, systematic bias and misunderstanding of Native families that constitutes their removal.

Robin Chenoweth: Even before Sandy White Hawk was adopted, churches and then the government ran military-style boarding schools with the intent of scrubbing Native children of their spiritual and cultural traditions.

Ashley Landers: These targeted interventions that that the government implemented, you know, kill the Indian, save the man. I mean, that's the slogan. That was the intention. It's white individuals applying systemic bias and believing that Native children would have been better off

had they been raised in white homes. Their hair was cut. All of these efforts were targeted towards them, to help them assimilate. And the idea was to sever all connection to culture.

Robin Chenoweth: As adoption became a more efficient assimilation tool, private agencies stepped in to usher the process. The Indian Child Welfare Act, or ICWA, was revolutionary because it gave sovereign tribal governments control over where their own children go. The law says they must first be placed with their extended families, and if not families, then with tribal members. Only if no other Native home can be found can the child be placed in a non-Indian home. But even today, adoption agencies find work-arounds and enforcement in some states is lax.

Sandy White Hawk: We are virtually a commodity for the adoption industry. The adoption industry is like a billion-dollar business. And the going rate for adopting an Indian child is around $50,000 to $60,000. Who gets that money? The adoption agency has to pay their people; got to pay a lawyer. It's big business. So, when that act was passed in ’78, it was passed addressing that the systematic removal that was happening. But today we're creeping up there again in the rate of removal.

Robin Chenoweth: In February, the Supreme Court agreed to hear a challenge to the constitutionality of ICWA. Seven people and three states — Texas, Louisiana and Indiana — say the law intrudes on state governance and violates equal protection laws of the Constitution because it “plays favorites based on race.”

Robin Chenoweth: Now we've got this case before the Supreme Court, do you fear that it's going be overturned?

Sandy White Hawk: Yes. I do fear that because people don't know, and they don't get educated. They only know what is getting presented to them. And the adoption industry has done an incredible job of creating a narrative that adoption is the answer, that children need a forever home. And yet they could be being placed right into an alcoholic home, a home that's going to abuse them.

Robin Chenoweth: That’s a case that White Hawk has been making for years, including as a qualified expert witness in court cases involving adoptions of Native children. She reunited with her tribe in 1988, and later helped found the First Nations Repatriation Institute, helping Native adoptees find their tribes and seek paths to healing. Integral to her work is educating people that being transracially adopted creates its own unique set of lifelong issues that are painful and complex. Those issues can grow like a cancer, deep and undetected. But White Hawk doesn’t shy away from talking about the abuse she experienced at the hands of her adoptive mother. It’s part of her story, she says.

Sandy White Hawk: To survive things you tuck memories or experiences away. And the mind has an incredible way to just make that go away. But it doesn't go away forever. That's the…that's the issue. It does have a time where it forces itself upon you and you are either going to deal with it or, or not. It was right away the sexual abuse… When we got home, I don't know that it's like immediately the next day, but then there were recalls of the sexual violations from there on as well. I remember hiding from her, being under this kitchen table and hiding. She had polio. So, her one leg was sort of crippled. And, so, she didn't get down on her hands and knees and come get me out from under the table. And I remember she used to always say “You were a nervous wreck when we got you. You needed to be away from the reservation.” I was not a nervous wreck. I was terrified because these were strangers. I didn't know who these

people were, plus, I started getting violated right away. She always put that on me. So as a child, as a young adult, that became my, kind of became my identity. There's something wrong with me.

Robin Chenoweth: When White Hawk was providing expert testimony, she shared her experiences. But she was frustrated when attorneys argued that hers was just one case, and that the process of vetting parents had improved in the years since her removal. If only there was research to back up what she has for years heard among other fostered and adopted Native people, including children.

Sandy White Hawk: I was in this one court case and was seeing the judge look at very old research. Because at the time, there were only five research papers done on Native American adoptees. And the last one, the largest number of adoptees interviewed was 20. And in those papers, there still wasn't conclusive information about this is a risk. Adoption is not a secure solution. It's not the best solution how to help children and families. And here it's being presented as in the best interest of children to be removed from an alcoholic home, abusive home rather than help the family. And I left this one situation just so mad. And I just thought, somehow, we've to get some research going… I had started putting together in a forum — those who had been separated through adoption and foster care — to tell their stories to mental health workers, judges, lawyers, anybody who had come to our forum so that they could hear what the long-term impact of being separated can do to an individual. And so, I thought, well, how do we put this into research?

Robin Chenoweth: She contacted Carolyn Leibler, associate professor of sociology at the University of Minnesota, who contacted Sarah Axtell, professor of family social science, a chain of association that led to Ashley Landers. Before long, White Hawk was collaborating with Landers, a licensed marriage and family counselor who was then a doctoral researcher at Minnesota. If ever there were a case for community-based participatory research, this was it. That approach engages community members, organizations and researchers in all aspects of the process, all of them contributing expertise and sharing in the decision-making and ownership of the study. The aim: To create deep understanding of a problem and then use that knowledge to impact policy and drive change. Ashley Landers.

Ashley Landers: This is not my research. And I am not the center of this story. Sandy and the other Native adoptees are the center of this story. Native families are the center of this story. And I have been fortunate enough to be invited into this sacred space to use the skills that I have to be helpful… I really do see that Sandy has vision, that she has knowledge and expertise, and she guides and steers the projects. And my job is just to try to answer, how do we answer these questions? Really, my area is within secondary data analysis, or what I would call data mining, in that I have some analytic skills that allows me to take the questions that Sandy has, and that others in the community bring forward. And then to think about how we might answer those questions with existing data or developing a research project that allows us to answer the questions.

Robin Chenoweth: Questions like, do Native children suffer more abuse in adoptive families than non-Native children? What barriers do Native adoptees face when they want to reunite with their tribes? Do American Indians in the child welfare system suffer more from mental health issues like anxiety and depression?

Ashley Landers: The study about maltreatment reoccurrence essentially looked at how Native fostered and adopted individuals are actually very vulnerable to being maltreated again in their

foster and adoptive homes. And, so, the idea that, we think if we remove a child from an environment that somehow that puts them in a better condition is naive.

Robin Chenoweth: Adoptees of all races report abuse. But their first-of-its-kind study, American Indian participants were significantly more likely to report physical abuse — 64% compared to 38% of White respondents — and sexual abuse — 32% compared to 21% of White respondents. Nearly half of the American Indian sample experienced spiritual abuse — which might include racial slurs or rejection of spiritual practices like Native ceremonies or powwows.

Ashley Landers: What we end up finding is that a lot of Native, fostered and adopted individuals actually experienced revictimization in their foster and adoptive homes at high rates, and that they were more likely to experience victimization. And it wasn't just emotional or physical or sexual or spiritual abuse. It's oftentimes what we would refer to as poly-victimization or complex trauma. It's these cumulative experiences of victimization. And the problem with victimization in this context is that, it's in violation of the relationship. So, it's the very person that you're supposed to be able to trust — your foster or adoptive parent or someone in a position of authority — who should have cared for you and loved you, who violates that trust. And the impact of that victimization within that caregiving relationship has a profound impact on how people see themselves and their development later of mental health struggles. That victimization and re victimization is incredibly alarming. And we need to address that.

Sandy White Hawk: Yes, one of the things that we found out is, out of the 95 respondents for this study, almost 50% of them had contemplated or planned suicide. And 20 of them attempted.

Robin Chenoweth: Those findings were an offshoot from their first study in 2015 on Native adoptees repatriating with tribes.

Ashley Landers: The original 95 Native fostered and adopted individuals had high rates of suicidal ideation and attempts. They had high rates of mental health problems like depression. And, so, we've replicated that in the second paper in the series that was published, which is one of the papers on mental health problems that's been cited in the Supreme Court documents. And that is really looking at are native individuals more likely to experience mental health problems in comparison to White fostered and adopted individuals? And what we found is that both groups had high rates of depression, but that there were particular nuances that occurred in the Native sample. They were more likely to, for example, struggle with substance abuse or recovery… Even just the basic statistics and some of these studies tell us that there's profound impact of adoption.

Sandy White Hawk: You could go on Facebook now and see adoption groups. And all races talk about adoption trauma, and growing up with the issues around adoption. And one of the things that people are ignoring in social services around this area is a study done in Minnesota some years ago, and the conclusion on that study was that adoptees in general, not any particular race, but in general, are four times more likely to attempt suicide than non-adopted. And that's just the sense of loss, the sense of not being with your bio-relation. It takes an exceptional parent to be able to feel comfortable in their own skin, to recognize that they can love their child unconditionally, their child can love back unconditionally, but that does not replace the need for the child to know who they look like, where they come from, their history. Most states still have closed adoption records. So, adoptees are not even privy to their own origins by law in most states. So, the civil rights of adoptees are a huge issue as well. And love can't fix that. We're not blank slates and become who we were placed with. It doesn't happen that way. It's already

determined who we're going to be. We can be influenced by our environment. But in terms of really understanding who we are, where we come from, what is our purpose in life — the most satisfying result is knowing, knowing that information.

Robin Chenoweth: White Hawk first experienced that knowing in 1988 when she traced her way back to the Rosebud Reservation in South Dakota. She was 35 when met her aunts, uncles, her sister and brother, discovered family likeness that gave her belonging, and traditions she had never known but felt were familiar in an unspoken way. Blood memory, she called it in a documentary by that title in 2019.

Sandy White Hawk: Most of us as adoptees do want to see where we come from. We want to see our image reflected to us. We don't say that. But it's the draw. It's the pull, because we've spent a lifetime looking into the mirror at our face, looking at the family that we're in, and the community that we're in, and we look like no one. So, we have to erase that face, create a new image to be okay with to look in the mirror. And I've heard so many adoptees, male and female, conclude that they're really ugly. And it's mostly just, we don't have that reflection of our body shape. We don't laugh like anyone. We don't have toes like the rest of the cousins. We don't have anything that connects us genetically. There is absolutely zero genetic juice. We feel the lack of that when we watch bio relatives interact, even if they love us. The absence of that is, is impactful. So, I had always wanted to know where I come from. I didn't know what a reservation was. I was raised, for all intended purposes, white, so I knew nothing.

Robin Chenoweth: An uncle told her to come back for the Rosebud Fair every year so that she could meet relatives who come back, too. This is your home, he told her.

Sandy White Hawk: And so ever since then, I did go home I spent a week. One time I spent a month and have gone home two, three times a year or more ever since because it is my home. It's where I took my first steps. It's who I am. All my relatives and all… anything that is me is there. And so that began that healing of not feeling I don't belong anywhere. I didn't feel alone or lonely anymore.

Robin Chenoweth: But White Hawk doesn’t want this to be the image that sticks in your mind about her story. She is insistent about this.

Sandy White Hawk: That's not the real story.

Robin Chenoweth: She doesn’t want a sugar-coated, feel-good spin to be put on all the pain she and other adoptees have experienced. The reunification is important, but it shouldn’t overshadow the problem that necessitated it.

Sandy White Hawk: And while it's an exceptionally important piece of my healing, I don't mind telling you some things. I just don't want that to be the big highlight, because that's not the story.

Robin Chenoweth: The story is that you were taken in the first place.

Sandy White Hawk: The story is that I was taken and the healing that it took to do it. And how everyone wants this Hallmark moment — “everything is okay now.”

Robin Chenoweth: Everything is not okay now. The Supreme Court will consider next term whether to overturn the law that has kept thousands of kids in their Native cultures, cared for by relatives or other American Indians. Even now, Native children are placed in foster care at twice

the rate of their peers, a 2015 study showed. Courts have eroded the Indian Child Welfare Act with decisions such as the Baby Veronica case in 2013, when SCOTUS ruled that a girl did not have to stay with her Native father.

Sandy White Hawk: There are those who believe that Indian Child Welfare Act is a race-based law, and that the Constitution protects you from anything like that. They are really twisting because ICWA is not a race-based law. It was founded on the fact that we belong to sovereign nations. Every tribe, that's a federally recognized tribe, is indeed a sovereign nation. What does that mean? It means they have their own leadership. They have a constitution. They have a tribal council. They have a government-to-government relationship with the United States government, by state and by federal.

Robin Chenoweth: As sovereign nations, they have the right to preserve their families, their culture and their heritage, White Hawk says. And that means holding close their youngest citizens. When the high court does hear arguments on the Indian Child Welfare Act, White Hawk's and Landers' research will be included in an amicus brief that they receive.

Ashley Landers: This was Sandy's vision. And I remember her telling me, at one point that she hoped we'd have this research cited in the Supreme Court. And I trust Sandy, and I trusted her vision, but I never thought that this research would be part of the Supreme Court. Like, that's beyond anything I could have ever envisioned for, for this work to have accomplished this. And I think it's really because of the work that tribes are doing, and even circling back to that idea of ICWA. The development of ICWA is really about tribal communities coming forward to document this. It's about Indian women, and these mothers and grandmothers talking about the removal of Native children.

Archival NBC audio of Native woman: These welfare people took me in and they wanted to take the child and I said, no, I can't let him go. Well, this man jumps up and my little boy was out in the hallway in the entrance, he went up and he grabbed the child and he was walking out with him and the little boy fought.

Ashley Landers: We sometimes forget the fact that there was outcry. That there was outrage within these communities. That they rallied together to say this wasn't acceptable. And the challenges to equity now are really undermining tribal sovereignty to define themselves.

Sandy White Hawk: Everyone has an expertise that they lend to this process that will eventually become what elevates the community. I believe every community has within it everything they need to heal and address what's going on.

Robin Chenoweth: Tell me the word again — the Lakota word for child?

Sandy White Hawk: Wakanjeja. Every Indian language has a name for their babies that refers to them as a sacred being. Wakanjeja, in Lakota, is a sacred being, because we believe when a child is first born there, they're still connected to the spirit world that they came from... The real message I like to convey is that families need and deserve services directed at healing intergenerational trauma. Period. All families. But as far as Native families, because people don't know we're here, and because they have biases toward us, and not understanding that we have a thriving culture. And that within our thriving culture, children are the center of it.

Everything we do is to prepare that generation that's coming up behind us.

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