




Yovani Baez-Rose
Assistant City Manager/DPD Director

MEMORANDUM

TO: Thomas A. Golden, Jr., City Manager 

FROM: Yovani Baez-Rose, Interim Assistant City Manager/DPD Director

CC: Steve Stowell, Historic Board Administrator & Monument Committee Chair

SUBJECT: MOTION RESPONSE 6/14/22 – Councilor Mercier –Request City Manager Locate The Indian Maiden Statue Donated To The City By L.C. Howell By a Council Vote Dated February 9, 2021 Through A Revocable Trust, To Be Placed At The Corner Of Varnum Avenue And Pawtucket Boulevard And Schedule A Dedication

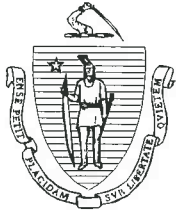
The Indian Maiden sculpture has been in storage since being donated to the city as a process for locating the sculpture was completed. The locations identified for the sculpture were on land owned by the Commonwealth's Department of Conservation and Recreation (DCR). The city entered into conversations with DCR regarding the sculpture and its potential placement on state land. Due to the sculpture's depiction of a Native American woman, the state requested review by the state's Commission on Indian Affairs.

Discussion regarding the Indian Maiden sculpture occurred at the Commission's August meeting. Meeting notes attached. Members of the Commission voiced their concerns regarding the sculpture being "stereotypical" and that it "does not identify or represent a Native person from this area." Members of the Commission requested to see the sculpture in person, which DPD assisted in coordinating.

A site visit occurred on September 12, 2022 for Commission members to view the sculpture in person. DPD staff also shared information regarding sculptor, Mico Kaufman, and several photos of the sculpture with Commission members that were unable to attend the site visit, including individuals from the Cowasuck Band of the Pennacook-Abenaki People, who are native to this land. Feedback from the photos provided, and the site visit were similar to comments raised during the commission meeting.

It was noted during the site visit the submissive pose of the sculpture is not consistent with the Eastern Woodland matriarchal culture, and further reinforces "Indian Princess Maiden" mythology. Commission members do not recommend placement of the sculpture on any state lands, and expressed equal concerns for it being placed on any land owned by the City of Lowell. "The Administration is therefore not recommending that the statue be placed at this time."

YBR



Commonwealth of Massachusetts
**DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT
COMMISSION ON INDIAN AFFAIRS**

Charles D. Baker, Governor ♦ Karyn E. Polito, Lt. Governor
Jennifer Maddox, Undersecretary ♦ John Peters, Jr., Executive Director

**MINUTES OF THE VIRTUAL MEETING OF THE
COMMISSION ON INDIAN AFFAIRS**

Tuesday, August 30, 2022 3:00 PM

Zoom was facilitated by Commissioner Gonzales

Commissioners Present: Rhonda Anderson, Tashanna Carter, Aaron Gonzales, Gail Hill, Troy Phillips, Chairman; and Mike Wagner.

Staff: John "Jim" Peters, Executive Director; and Burne Stanley, part-time Administrative Assistant.

Community Members (names from list of zoom participants): Yovani Baez-Rose, Deputy Director of Planning and Development, City of Lowell; Rachel Bayliss (Healing Willow), Ella Blackowl, Nichol Brewer-Lowry, Tamiko Caring Hands, Colleen DeVincentis, Melissa Ferretti, Wunnumwau Tom Frederick, Penny Gamble-Williams, Junise Golden Feather, Thomas Green, Joshua Hendriks, Director of Communications, Office of Senator Edward J. Kennedy; Kristine Jones, Patti Kirwin-Keilty, Loving Owl, Alison Miller, Jon Patton, DCR; Wendy Pearl, Director, Office of Cultural Resources, Mass. Department of Conservation and Recreation; Red Spirit, Gino Roaming Buffalo, Patricia D. Rocker, Stephen Stowell, Historic Board Administrator, City of Lowell; Duane Shepard, Elizabeth Solomon, and Ray Williams.

(Names as well as phone numbers from list of zoom participants. Some last names were not included): Alison's iPhone, Cheryll, iPod touch, OMCFAITH.COM, and Kolla.

Commissioner Phillips called the meeting to order at 3:05 PM. He opened the meeting with a roll call of the Commissioners. All were present.

1. Introduction of New Site Director for Native American LifeLines in Boston.

Commissioner Phillips received a last minute request from the new site director at Native American LifeLines of Boston (NAL) who would like to introduce herself to the community. He turned the microphone over to her.

Nichol Brewer-Lowry introduced herself. She is Lumbee of NC and has been the new Site Director at NAL for several months. Her background is in medicine. NAL helps all Natives across Massachusetts - members of Federally Recognized Tribes, members of State Recognized Tribes, descendants of Federal or State Recognized Tribes through family tree, and Alaskan Natives. Their services include assisting with homelessness, counselling, medical care, elder engagement, etc. They also offer youth programs.

Chairman Phillips stated that today was merely an introduction. Director Brewer-Lowry will be invited back to give more information on eligibility and the services at NAL.

2. Lowell Indian Maiden-Lowell, MA

Jim said that the Commission was contacted by Department of Conservation and Recreation (DCR), a state agency, to find out how the Native community feels about the Indian maiden statue that is being erected on state land in Lowell. The City of Lowell, after considering several site options, has proposed a riverfront site. DCR is considering how best to accommodate the request. By reaching out to Native groups in Massachusetts, they hope to hear perspectives on whether the sculpture is an accurate and positive representation of Native Americans, one that would enhance public understanding of indigenous history and culture. Since the Commission assists Native American individuals, tribes and organizations in their relationship with state and local government agencies, Jim brought this topic to the meeting for discussion at the request of DCR.

After sharing a screen shot of the image, there were discussions about the statue being stereotypical, and that it does not identify or represent a Native person from this area. It was the feeling that it is representative of a PAN Indian. Others felt that they need to see the statue in person, and to understand the reason behind why the artist chose this image.

Officials from the City of Lowell, the Mass. Department of Conservation and Recreation; and Senator Edward J. Kennedy's Office were on the call. Patti Kirwin-Keilty, Chief of Staff of Sen. Kennedy's Office, said Steve Stowell, the Historic Board Administrator for the City of Lowell, has a little knowledge of the artist's work. She

added that the feedback they just heard is exactly what they are looking from the Commission and that the City would be willing to partner with the Native groups.

The history of this sculpture goes back for years. The Indian Maiden was commissioned by an Indian Maiden Monument Committee in the 1990s. The artist Milo Kaufman loosely based the statue on a legend related to the daughter of Passaconaway, the Pennacook Chieftain, and he included carefully-researched traditional dress. The bronze figure depicts a woman in a kneeling position holding a feather, about 58" high and roughly 22" x 48" at the base. After the artist's death, the sculpture was gifted from the Milo Kaufman Revokable Trust to the City of Lowell in 2018, provided that it be installed along the Merrimack River. There was mention that over the years there had been support from the local Native American community for the statue. The Greater Lowell Indian Cultural Association (GLICA) wrote a letter to the city encouraging them to accept the gift, which the city did.

After the discussions, it was decided that consultation is needed. There needs to be a voice from the appropriate tribal entities not a Native organization. Members from the Commission need more time to research the statue before they can give an ok on it.

Yovani Baez-Rose, Deputy Director of Planning and Development for the City of Lowell said they are willing and happy to engage in further conversations with the Native groups but they also want to honor the wishes of the artist.

3. State Seal Commission Progress Report

Jim briefly reported that the State Seal Commission is asking the legislature for an extension because their work expires at the end of the year. The Commission has increased the number of meetings they are having because they are under pressure to get their work accomplished otherwise the Commission might be dismissed without giving recommendations to the State. The Commission will continue working with their legislative partners to find another vehicle to get the reporting deadline extension approved. Hopefully an extension will be granted.

4. Proposed Language for Indian Arts & Crafts Legislation

The Commissioners drafted proposed language for Indian Arts & Crafts legislation that would protect artisans of state historic tribes from being harassed at pow-wows and other venues from stating their crafts are "Indian made."

A motion was made to accept the language as proposed. Just as the voting started, there were questions about the language. It was asked if the language would limit the rights of tribal members. Another question was is the Seaconke Tribe on the list?

Jim responded that the rights of the tribes is not affected by this legislation as the proposed legislation applies only to the selling of Native arts and crafts. With regards to the Seaconke Tribe, Jim stated that the Commission is using the tribes that are listed in the Earle Report. There might be an opportunity in the future to add tribes to the list but the state will need criteria from tribes that aren't in the Earl Report.

Junise Golden Feather, a member of the Seaconke Tribe, felt this was another form of paper genocide. She said members of the tribe would like to come and have a conversation with Commission members. Commissioner Phillips said the Commission is very open to meeting with tribes and that the Commission will need information from the tribes to give to the state for tribal recognition. Commissioner Anderson stated that she is working on Truth and Reconciliation that will go into state recognition. There will be meetings once the process gets underway.

The final vote on the proposed arts and crafts legislation passed - 5 Yeas, and 1 Abstention.

It was asked what the next step of the proposed legislation is. Commissioner Phillips said a letter will go to Senator Jo Comerford and she will present it at the state level. Jim added that on the House side, we will consider asking Rep. David Vieira to support it as well as others in the House.

5. Other Business

a. Ella Blackowl said that when she first started working at Native American LifeLines (NAL) she requested and received a copy of the list of state recognized (acknowledged) tribes. On the list it has Seaconke Tribe and other tribes. She said she has been using it for outreach. Jim responded that the list is something we inherited from Slow Turtle when he was the executive director of the Commission. As far as the Seaconke having a history that is documented, it is not consistent with what the other tribes have presented for documentation. Kristine Jones from the Seaconke Tribe said there is a lot of confusion. She remembers that Mike Markley, from the tribe, sent a lot of information to Slow Turtle. She added that we need to come together to see what is needed to send to the Commission to satisfy all parties. In closing, she said that part of some families are in the Earle Report.

Thomas Green, a member of the Massachusetts Tribe at Ponkapoag, asked if the Commission plans to update the list of tribes that was inherited from Slow Turtle? Jim responded that the Massachusetts Tribe at Ponkapoag is a family/a clan, not a tribe. Thomas responded that there are five families. Commissioner Wagner said this is good to know and criteria will be set.

b. Elizabeth Solomon mention repatriation/repatriation. She said that regarding the human remains at Harvard University that her tribe, Massachusetts Tribe at Ponkapoag, has no standing to be part of the process if they are not in good graces with the two federally recognized tribes. She asked how can they manage this in a way where respect will be given to the tribes that are not federally recognized? She added that their ancestors are not part of these federally recognized tribes. Jim responded that while the Wampanoag Confederacy, who was leading the repatriation efforts, has sort of disbanded, their policy was always to include others.

c. Red Spirit asked if there were any American Rescue Plan Act (ARPA) funds for state recognized tribes in Massachusetts. He said there are a lot of funds and that Connecticut received funds from their state. Commissioner Anderson said she will look into it and contact Sen. Warren.

6. Adjournment

The meeting adjourned at 4:57 PM.

Submitted by Burne Stanley and Jim Peters

