

# Finalize and Strengthen the Oregon Indian Child Welfare Act

The Oregon Indian Child Welfare Act (ORICWA)—HB 4214, was unanimously passed by the Oregon legislature during the first special session of 2020. ORICWA promotes the safety of Native children, preserves tribal families and communities, recognizes tribal sovereignty, and supports compliance with federal ICWA standards in courtrooms and Department of Homeland Security offices throughout the state. While the bill codified federal ICWA into Oregon statute, the standards on adoption were not included due to timing constraints. Important technical fixes to the bill have also been identified.

As advocacy organizations, we are supporting **HB 3182**, the legislation to finalize ORICWA, proposed by The Confederated Tribes of the Umatilla, along with other federally recognized Indian tribes in Oregon. The 2021 bill will:

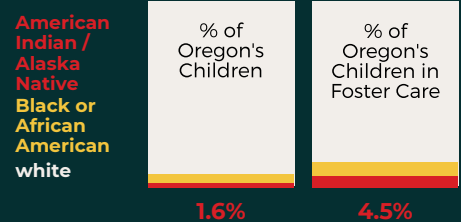
## Include adoption and customary adoption

- Codify ICWA best practices for adoption into Oregon's adoption laws. This will ensure that ICWA compliance comes up early in the adoption process and provides an opportunity for Indian children to stay connected with their tribe.
- Recognize customary adoptions. Customary adoptions are those that align with traditional tribal child-rearing practices and the importance of tribal families. Customary adoptions will allow extended family to assume or share legal parenting responsibilities so that a child can be safe, cared for, and connected.

## Provide technical fixes

- Clarify various provisions of the bill to ensure ICWA's full application in Oregon courts.
- Promote tribal decision making and clarify tribal jurisdiction in ICWA cases.
- Ensure all Indian children receive ICWA's protections at shelter-care proceedings (temporary or protective custody).

DESPITE ICWA-RELATED PROGRESS, **NATIVE CHILDREN ARE DISPROPORTIONATELY REPRESENTED IN FOSTER CARE AND AT HIGHER RATES THAN OTHER CHILD GROUPS IN OREGON.**



The percent of Native children in Oregon's foster care system in FFY 2019 was 2.9 times higher than the percent of Native children in Oregon's child population. The next highest group, African American children, have a disproportionality index of 1.5.

**NATIVE CHILDREN REPRESENTED 3.3% OF ALL FINALIZED ADOPTIONS IN FFY 2019.**



**OF TOTAL CHILDREN SERVED IN FOSTER CARE IN FFY 2019, 571 CHILDREN WERE ICWA-ELIGIBLE.**

Support HB 3182 to finalize and strengthen the Oregon Indian Child Welfare Act

