



California Tribal Coalition Urges Attorneys General Across Western U.S. to Protect Safety, Civil Rights of Tribal Children

The Indian Child Welfare Act and its 40 years of protecting Indian children, families and tribes is being threatened by an ill-conceived lawsuit with potentially widespread and damaging impacts.

(Sacramento, CA – Nov. 8, 2017) – A coalition of California tribes and leaders today urged state attorneys general across 18 states and U.S. territories to stand with tribes in support of the Indian Child Welfare Act (ICWA) as it faces an outrageous legal challenge that seeks to unwind decades of critical legal protections for tribal children and families.

The letter sent on November 4, 2017 by the Sacramento-based California Tribal Families Coalition to the Conference of Western Attorneys General comes on the heels of an Oct. 25th federal lawsuit filed by the State of Texas and two foster care parents challenging the constitutionality of the ICWA.

In the nearly 40 years since the ICWA was passed by Congress, no state, until now, has challenged its constitutionality. In fact, at least 33 states, including California, have passed state statutes to strengthen its application.

ICWA is considered the gold standard of child welfare practice by at least 17 national child welfare organizations, such as the National CASA Association, the National Association of Social Workers, Casey Family Programs and the Annie E. Casey Foundation. The Texas case is not only an assault on ICWA but out of line with best practices and other federal mandates.

ICWA is critical to protecting the safety of Indian children and protecting their rights as tribal citizens in the child welfare system. It works to preserve families and keep Indian children connected to their families, culture and communities when they cannot safely return home. These are foundational principles to good social work practice and are embedded throughout many federal child welfare laws.

“We know - those of us who were raised in Indian Country, those of us who raise our children on the reservations, those of us who know Indian families – ICWA protects our children,” said Robert Smith, Chairman of the Pala Band of Mission Indians and Chairman of the California Tribal Families Coalition Board of Directors.

“Tribes feel a tremendous responsibility to protect and promote the health, safety and welfare of tribal children,” Smith said. “The stakes are high. We need our state offices to stand with us as tribal governments as we defend the ICWA against the fundamentally untrue claims being put forward in this unconscionable assault on our children.”

Congress, through its special relationship with Indian tribes and its trust responsibility to Indian people, enacted ICWA, which is grounded in the political relationship between nations, not on a racial classification of Native Americans.

About the California Tribal Families Coalition.

Comprised of tribes and tribal leaders from across the state, the California Tribal Families Coalition’s mission is to promote and protect the health, safety and welfare of tribal children and families, which are inherent tribal governmental functions and are at the core of tribal sovereignty and tribal governance. For information, please visit <https://www.caltribalfamilies.org/>

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