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March 29, 2021

To: House Committee On Judiciary
From: Amy Miller, Executive Director

Re: Support for HB 3182: Finalizing the Oregon Indian Child Welfare Act

Dear Chair Bynum, Vice-Chair Noble, Vice-Chair Power, and Members of the Committee,

Youth, Rights & Justice is Oregon's only non-profit juvenile public defense firm. Every year, YRJ represents over 1200 children and parents in Oregon's juvenile court system. All of our clients come from low-income families. Most have suffered significant trauma and many have physical, mental health and/or substance abuse issues. Approximately 45% are children of color. Because of our unique position handling court-appointed juvenile cases, we often see the same systemic problems and we work to change the policies that contribute to these problems.

YRJ established our SchoolWorks program in 2002 to help our clients succeed in school. SchoolWorks provides legal advocacy to ensure students are enrolled in school, able to attend classes, and are not unfairly excluded due to excessive discipline. To date, SchoolWorks attorneys have handled over 3,200 cases, all aimed at ensuring students achieve their goals and graduate.

We've witnessed the trauma and broken-heartedness that occurs when Native children are separated from their families and their culture. We are committed to protecting and honoring the rights of Native children and parents—to remain together, to remain connected to their Tribe and culture, to receive supports and services to which they are legally entitled, and to procedural fairness and due process.

YRJ supports the passage of HB 3182 because it codifies OCWA best practices for adoption and, through technical fixes, provides clarity to courts and to practitioners. Despite the promises of the Indian Child Welfare Act, Native children are disproportionately represented in foster care. The percentage of Native children in Oregon's foster care system in FFY 2019 was 2.9 times higher than the percentage of Native children in Oregon's child population. The next highest group, African American children, have a disproportionality index of 1.5.

We thank Representative Sanchez and all of the supporters of this bill for understanding the importance of this bill and encouraging its passage.

Thank you for your consideration of this important issue.

Sincerely,

Amy Miller
Executive Director