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May 6, 2021

Senate Committee on Human Services, Mental Health and Recovery
Oregon State Legislature
900 Court Street NE
Salem, OR 97301

RE: Support for HB 3182A

Chair Gelser, Vice-Chair Anderson, and Members of the Committee,

For the record, my name is Chris Coughlin. I am the Policy, Advocacy, and Engagement Director at Our Children Oregon. Our Children Oregon's (OCO) mission is to be a voice and force for the common good for all Oregon children, ensuring all children have the resources and opportunities they need to reach their full potential. OCO is the result of the merger between two historic Oregon non-profits: The Children's Trust Fund of Oregon and Children First for Oregon. We elevate data and lived experience to prioritize children and center communities. We continue to connect a community of 115 advocates, coalitions, and organizations through The Children's Agenda, a legislative agenda championing equitable state legislative policies and shared investments to improving the lives of Oregon's children and their families.

HB 3182A to Finalize and Strengthen the Oregon Indian Child Welfare Act (ORICWA) is a priority on the 2021 Children's Agenda and will:

- **Include adoption and customary adoption within ORICWA**
- **Provide technical fixes to HB 4214, the Oregon Indian Child Welfare Act, which was unanimously passed by the Oregon Legislature during the first special session of 2020**

HB 3182A will codify ICWA national best practices for adoption into Oregon's adoption laws, ensuring that ICWA compliance comes up early in the adoption process and providing greater opportunity for Indian children to stay connected to their tribe. HB 3182A will also recognize customary adoptions that align with traditional tribal child-rearing practices and the importance of tribal families.

The Children's Agenda

is a broad slate of equitable investments and policy solutions to meet the holistic needs of Oregon children, youth, and their families.



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Technical fixes to ORICWA include:

- Clarification of various provisions of the bill to provide more clarity to Oregon judges and practitioners and ensure ICWA's full application in Oregon courts
- Clarification of the tribe's jurisdiction in ICWA cases, thereby promoting tribal decision making
- Ensuring all Indian children receive ICWA's protections at shelter care proceedings whether they are taken into 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.

Having participated as an observer in the ICWA workgroup since 2019, I have been very impressed with the tenacity and level of commitment from all participants. Their ongoing efforts have ensured that this bill reflect months of Judiciary work group discussions with a range of attorneys, including tribal attorneys, national ICWA experts, parents' rights attorneys, Oregon Department of Human Services, Oregon Department of Justice, and the Oregon Judicial Department.

Of the total children served in foster care in FFY 2019, 571 children were ICWA-eligible. It is time to finalize and strengthen the Oregon Indian Child Welfare Act for them.

Thank you for your service, and we urge you to support HB 3182.

On behalf of the Our Children Oregon team,

Chis Coughlin, Policy, Advocacy, and Engagement Director

View the 2021 Children's Agenda at www.ourchildrenoregon.org/2021-childrens-agenda