



February 20, 2024

Chair Concannon and Honorable Members of the House Child Welfare and Foster Care Committee,

Thank you for the opportunity to present testimony in support of HB2772, which outlines a Kansas Indian Child Welfare Act (ICWA). This legislation guides child welfare policy and practice to better meet the needs of Indigenous children in our state and to protect tribes' rights as sovereign nations. I am an Associate Professor of Practice at the University of Kansas School of Social Welfare, where I also direct DEI programs. As an enrolled member of the Turtle Mountain, Band of Chippewa Indians, I have years of experience teaching at Haskell Indian Nations University, partnering with tribes in our region on family/community well-being interventions, and advising Indigenous KU students. My support for HB2772 is based in my professional expertise and personal connections to tribal leaders and Indigenous families; it is not the official position of the University of Kansas.

I support HB2772 because it sends a powerful message that our state honors the sovereign child protection role of tribal nations. It acknowledges the trauma child welfare system involvement has brought to Indigenous communities and ensures that Indigenous children in Kansas receive the services they deserve. Research shows that being connected to culture is a proven protective factor for Native American childrenⁱ—contributing to better outcomes in mental health,ⁱⁱ substance use,ⁱⁱⁱ academic success,^{iv} behavior,^v safety,^{vi} and long-term well-being. Prior to the U.S. Supreme Court's ruling in *Haaland v. Brackeen* (June 2023), this compelling evidence led more than 26 states to institute tribal agreements that support ICWA, including 17 that have passed their own Indian Child Welfare Acts. HB2772 recognizes both Kansas' strong tribal partners and urgent need for child welfare system reforms. Making best-practice child welfare decisions for Native American families requires leveraging tribes' unique legal status and drawing on their deep understanding of their own children.

As you may know, the federal Indian Child Welfare Act was borne out of the forced removal of one out of every three Indigenous children from their homes in the late 1970s. This injustice is far from ancient history; many Indigenous families in Kansas today have been profoundly shaped—across generations—by inequities and even atrocities within the U.S. child welfare system. Some of my colleagues were recently awarded federal funding to address racial disproportionality in child welfare—including the fact that Indigenous children are more likely than white children to be investigated and removed from their homes, and once in foster care,

less likely to be placed with a relative, have stability in their placements, and return home to their communities. I ask for your favorable consideration of HB2772, including State of Kansas fiscal responsibility to tribes to enact this important piece of legislation. Doing so is a key step toward stronger partnerships with our tribal allies and Kansas' Indigenous families. Thank you.

ⁱ Hodgson, C. R., DeCoteau, R. N., Allison-Burbank, J. D., & Godfrey, T. M. (2022). An Updated Systematic Review of Risk and Protective Factors Related to the Resilience and Well-Being of Indigenous Youth in the United States and Canada. *American Indian and Alaska native mental health research (Online)*, 29(3), 136–195. <https://doi.org/10.5820/aian.2903.2022.136>

ⁱⁱ LaFromboise T, Hoyt D, Oliver L, Whitbeck L. (2006). Family, community, and school influences on resilience among American Indian adolescents in the upper Midwest. *Journal of Community Psychology*;32(2):193–209.

ⁱⁱⁱ Allen J, (2006). The Tools to Understand: Community as co-researcher on culture-specific protective factors for Alaska Natives. *Journal of Prevention & Intervention in the Community*32(1–2):41–59. doi: 10.1300/j005v32n01_04.

^{iv} Whitbeck L, Hoyt D, Stubben J, LaFromboise T. (2001). Traditional culture and academic success among American Indian children in the upper Midwest. *Journal of American Indian Education*;40(2):48–60.

^v Mmari K, Blum R, Teufel-Shone N. (2010). What increases risk and protection for delinquent behaviors among American Indian youth? Findings from three tribal communities. *Youth & Society*.41(3):382–413.

^{vi} Pu J, et al. (2013). Protective factors in American Indian communities and adolescent violence. *Journal of Maternal and Child Health*;17:1199–1207.