

SUMMARY

With AB 81, California Assemblymember Ramos seeks to safeguard existing state statutes protecting Indian children, families and the rights of tribes in child welfare cases.

BACKGROUND

The Indian Child Welfare Act (ICWA) was enacted in 1978 to “protect the best interests of Indian children and to promote the stability and security of Indian tribes and families”.¹ ICWA is considered by many to be one of the most important pieces of tribal civil rights legislation of this century. ICWA provides substantive rights to Indian children, families and tribes, when tribal families are involved in state child welfare and foster care systems. The federal ICWA is so important and so effective at rolling back past practices of Indian family separation, that California passed similar legislation over a decade ago.

PROBLEM

Since their passage, ICWA, and its California counterpart (Cal-ICWA), have provided important rights and protections to Indian children, families and tribes. As attacks on ICWA continue throughout the Nation, California’s codification of its provisions may also be threatened.

SOLUTION

In answer to these threats, ICWA and its California counterpart (Cal-ICWA) must be strengthened where possible to continue protecting Indian children, families, and tribes. AB 81 seeks to reinforce California’s commitment to Indian children, families and tribes by acknowledging the past harms caused by California policies and practices by mirroring language from [Executive Order N-15-19](#). AB 81 will also safeguard existing state statutes protecting Indian children, families and the rights of tribes in child welfare cases.

SUPPORT

Morongo Band of Mission Indians (Co-Sponsor)
California Tribal Families Coalition (Co-Sponsor)

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¹ 25 U.S.C 1902