



Recommendations for Improving Child Abuse and Neglect Data and Services for American Indian and Alaska Native Children

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The following policy and research recommendations have been developed by the National Indian Child Welfare Association. They follow NICWA's over 25 years of experience and knowledge in working with tribal governments to address these issues in Indian Country.

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Develop a Mechanism for Tribes to Participate in a Nation Wide Reporting System

Currently data on child abuse and neglect regarding American Indian/Alaska Native children is not collected and reported to a national data system. Amending CAPTA to require participation by the Bureau of Indian Affairs that collects some tribal child abuse and neglect data and facilitating participating of tribal governments and incorporation of their data will help inform policy level decisions regarding funding and services.

Promote Research in Indian Country to Develop Critical Data Regarding Child Abuse and Neglect

The lack of data and appropriate research models to answer important policy and practice questions regarding abuse of American Indian/Alaska Native children is significant and impedes reform efforts that could benefit Indian children, families, and tribes. Support of these efforts should involve not only the federal government but tribal organizations, states, and private organizations. Partnerships between these entities should be encouraged, but tribal governments and Indian organizations must be a significant partner in any effort to stimulate improved research methods and ensure that research findings are interpreted carefully and accurately. Research is indicated in the following areas.

- Underlying causes of abuse and neglect in Indian Country (current)
- Effects of child maltreatment on child development and family and community functioning in tribal communities
- Intervention strategies (primary and secondary) that have proven successful in Indian Country

Bringing Provisions of the Indian Child Protection and Family Violence Prevention Act Under CAPTA for Purposes of Appropriation and Alignment of National Policy

The primary recommendation in the area of policy is to improve implementation of the Indian Child Protection and Family Violence Prevention Act (ICPFVPA) passed in 1990 (P.L. 101-630, Title IV). This Act, designed to provide requirements for child protection investigation and reporting in Indian Country, has never been fully implemented. Tribal grant programs for prevention and treatment of victims authorized under the law have not received appropriations and therefore have not been available to eligible tribes. The current law does not specifically provide funding support for tribal data collection, but could benefit from consideration of new provisions to support these efforts. Definitions under this law are not consistent with CAPTA. Linking ICPFVPA with CAPTA for the purposes of appropriation would increase the likelihood of funding as well as bringing consistency in federal definitions of child abuse and neglect.



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Establishing Access to Core Funding for Tribal Governments to Provide Child Abuse and Neglect and other child welfare services

The key to prevention is making sure that services are community-based, culturally appropriate, and adequately funded. Promoting awareness of child abuse and neglect is the starting place. Once the awareness has been established, facilitating community ownership of the problem is the next step. Every person or program working to prevent child abuse should have access to technical assistance and the best knowledge available. The work should be evaluated, and effective practices should be disseminated nationally. Currently, tribal governments rely almost solely on child welfare funding sources that are discretionary. A number of existing federal child welfare programs, such as Title IV-E Foster Care and Adoption Assistance and Title XX Social Services Block Grant, are not directly available to tribes. This creates an environment that makes it very difficult for tribes to create new services or expand existing services, especially prevention related services. Existing funding that could be used for prevention has to be dedicated to other child welfare services, such as child protection and placement services. Specific recommendations to achieve adequate funding for child welfare services to American Indian and Alaskan Native children include:

- Creating a National Indian Children's Trust Fund - Children's trust funds create a pool of resources that use public dollars to leverage private money. They provide an endowment-like resource that can withstand budget fluctuations and economic cycles. By establishing the trust fund as a public corporation, the administration of the program could be efficient and effective. Besides raising funds, state children's trust funds have been effective in raising awareness of child abuse and neglect issues with the general population and policymakers and stimulating creative solutions. Indian children would benefit greatly from such a resource too.
- Establishing direct access for tribal governments to existing federal child welfare related programs – Creating direct access to federal entitlement programs, such as Title IV-E and Title XX could help ease the stress on existing tribal government child welfare funding, providing more opportunities to create new or expand existing prevention services.
- Providing Access to Funding for Treatment of Victims - Being the victim of child sexual abuse is highly correlated with behavior disorders, poor school performance, depression, and suicide. Untreated, victims risk further abuse and long term mental, behavioral and physical health problems. Indian Health Service (IHS) has run successful treatment demonstration projects. Non-Indian treatment programs have been shown to be effective. The current barrier to effective treatment is the lack of funding. Medicaid, IHS behavioral health, Indian Child Protection and Family Violence Prevention Act grants, and crime victims funding are all potential sources that should be brought to bear in this effort.

Improve Coordination Among Federal Departments to Support Tribal Prevention Activities

Current programs in HHS, Interior, Justice, Education, and HUD have some function in the prevention of child abuse in Indian Country. However, there is no mechanism to coordinate or consolidate these program resources into a meaningful and focused effort. Pooling small, diverse funding resources into a shared cost arrangement could allow immediate attention to this issue while a more comprehensive approach, as discussed in recommendation 1, is being developed.

Technical Assistance and Training in Child Protection

Child protection in Indian Country involves a greater variety of agencies and bodies of law than in any other jurisdiction and involves unique, sensitive cultural issues that are not covered in mainstream curricula. To be the most effective and to ensure that what is developed can contribute to an overall reduction of child abuse in Indian Country, Indian people need to be involved in the development, implementation, and evaluation of training and technical assistance. This involvement must include tribes, tribal organizations, and Indian organizations with special expertise. Training curricula and technical assistance need to cover all aspects of child protection in Indian Country and need to address the unique cultural issues involved in this activity as well as all the potential policies and agencies that may have a role.