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Oregon Senate Finalizes and Strengthens the Oregon Indian Child Welfare Act

SALEM – Today, the Oregon Senate concurred the House amendments to Senate Bill 562A with bipartisan support. The bill codifies provisions from the federal Indian Child Welfare Act (ICWA) in Oregon law and will ensure that Oregon’s practices better serve Indian children. In addition, Senate Bill 562A recognizes customary adoptions, which are adoptions that align with traditional tribal child-rearing practices and the importance of tribal families.

“For too long, Indian communities were disrupted through inappropriate removal of Indian children from their parents and families by the child welfare system,” said Senator Sara Gelser (D-Corvallis), who chairs the Senate Committee on Human Services, Mental Health and Recovery. “Thanks to the leadership of Representative Tawna Sanchez (D-N/NE Portland), Senate Bill 562A will ensure child welfare services are culturally appropriate, respectful of Indian children and families and that interventions only occur when they are necessary. The recognition of customary adoptions will help correct past practices that separated Indian children from tribal families, communities, and culturally significant traditional childhood experiences.”

Nearly a year ago, during the first Special Session of 2020, the Legislature unanimously passed House Bill 4214. That bill was developed following a two-year long workgroup process in response to reports of Indian children’s adverse experiences with the child welfare system. House Bill 4214 required the Department of Human Services (DHS) to provide biennial reports about Indian children in the child welfare system. The bill also modified Oregon's dependency code to conform with the federal Indian Child Welfare Act and promote Indian children's continued connection to culture, family and tribe.

“We can provide care for children and support for families while honoring culture and tradition,” said Senator Riley (D-Hillsboro), who chief sponsored Senate Bill 562A. “When we keep kids connected to their support systems, we can mitigate trauma. When we seek to understand the varied definitions of ‘family’ across people, we add to the tools we have to ensure kids are safe, cared for and connected to what they know.”

Senators Gelser and Riley offered their gratitude for the work of Representative Tawna Sanchez whose leadership brought the Oregon Indian Child Welfare Act to the Legislature this session and to Senator Hansell (R-Athena) who carried Senate Bill 562A in the Senate.

Senate Bill 562A passed the Oregon House on Monday, June 7. The Senate concurred the House amendments 27-3. The bill now goes to the Governor for her approval.

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