

**FOSTERING
PARTNERSHIPS: TRIBES
AND PROBATION
WORKING TOWARDS
FAMILY PRESERVATION**

**SAN DIEGO COUNTY
PROBATION DEPARTMENT**

**SPO CLARA LAPASTORA
SPO YVONNE SALGADO**

TONGVA & ACJACHEMEN LAND ACKNOWLEDGEMENT

- Land acknowledgments honor and respect contemporary Indigenous peoples and their connections to their traditional territories. From Indigenous point of view, it's important for people to know about the deep histories of the lands on which they reside and work.
- This is an expression of gratitude and appreciation to those on whose territory we reside, and a way of honoring the indigenous peoples who have been living and working on the land and the significant contributions to our communities.
- With honor and respect we acknowledge our presence on the traditional, ancestral territory of the Acjachemen and Tongva peoples.

Cite: State of California Native American Heritage Commission, The Digital Atlas of California Native Americans, <https://nahc.ca.gov/cp/>



WELCOME

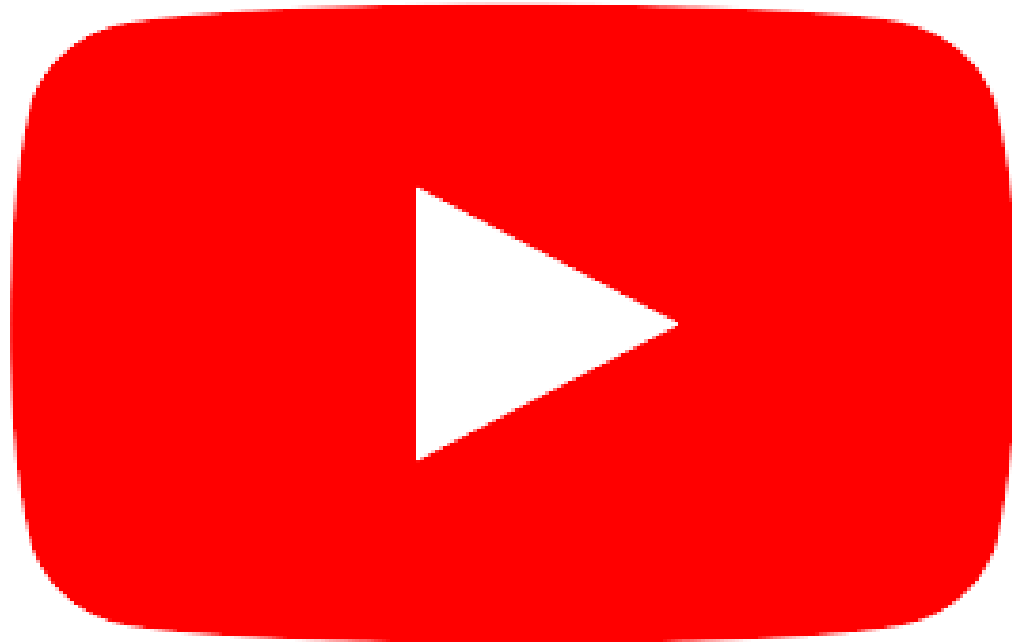
- Trainer Introduction – Involvement with ICWA
- Acknowledge present tribal members
- We welcome you to share anything related to your heritage or experiences
- Who here has worked with ICWA cases?



SESSION OBJECTIVES

- This presentation will provide an overview of the Indian Child Welfare Act (ICWA).
- Attendees will explore new strategies to strengthen their current family preservation efforts through engagement with Indian children and their tribes.
- San Diego County Probation will share their approach to working with tribal families and representatives through engagement, collaboration and partnership while adhering to ICWA mandates.

ICWA VIDEO



PURPOSE OF ICWA

Indian Child Welfare Act (ICWA) of 1978 is a federal law codified in the United States Code at 25 U.S.C. 1901 *et seq.* It was created to protect the best interests of Indian children and to promote the stability and security of Indian tribes and families by the establishment of minimum Federal standards for the removal of Indian children from their families and the placement of such youth in foster or adoptive homes which will reflect the unique values of Indian culture, and by providing for assistance to Indian tribes in the operation of child and family service programs (Title 25 U.S.C. Sec. 1902).

ICWA CHALLENGES

Inconsistent implementation of ICWA in California despite:

- California Senate Bill 678 (incorporates federal law into state law and allows the court to permit non-federally recognized tribes to participate)
- Assembly Bill 3176 (inquiry and notice)
- Federal Indian Child Welfare Act (ICWA) (25 U.S.C. § 1901 et seq)

These inconsistencies undermine tribal sovereignty and have detrimental impacts on Indian children, tribes and tribal communities.

WHY ARE WE ASKING ABOUT ICWA STATUS?

- Federal mandate – it's the youth's and family's right
- Promote the stability and security of Indian tribes and family preservation
- Respects tribal sovereignty
- ICWA reflects the values and ideals of tribal cultures, history and teachings
- Engaging tribes allows for a culturally responsive approach to case planning and court proceedings
- Creates a partnership and collaboration with the youth's tribe
- Allows for additional resources and natural supports for the youth and family
- Force multiplier! Case planning opportunities

CALIFORNIA AMERICAN INDIAN POPULATION

- According to most recent census data, CA is home to more people of Native American/ Alaska Native heritage than any other state in the Country.
- There are currently 109 federally recognized Indian tribes in California and 62 non-federally recognized tribes. **Office of Federal Acknowledgment:** <https://www.bia.gov/as-ia/ofa>

California Tribes by Region

Northern Region	Central Region Continued	Southern Region
Alturas Indian Rancheria	Federated Indians of the Graton Rancheria	Agua Caliente Band of Cahuilla Indians
Bear River Band of Rohnerville Rancheria	Fort Independence Indian Community	Augustine Band of Cahuilla Mission Indians
Big Lagoon Rancheria	Greenville Rancheria	Barona Group of the Capitan Grande
Blue Lake Rancheria	Grindstone Indian Rancheria	Cabazon Band of Mission Indians
Cedarville Rancheria	Guidiville Rancheria	Cahuilla Band of Mission Indians
Cher-Ae Heights Indian Community of the	Habematolel Pomo of Upper Lake	Campo Band of Mission Indians
Trinidad Rancheria	Hopland Band of Pomo Indians	Chemehuevi Indian Tribe
Elk Valley Rancheria	Ione Band of Miwok Indians	Colorado River Indian Tribes
Fort Bidwell Indian Community	Jackson Rancheria of Me-Wuk Indians	Ewiiapaayp Band of Kumeyaay Indians
Hoopa Valley Tribe	Kashia Band of Pomo Indians	Fort Mojave Indian Tribe
Karuk Tribe	Klitsel Dehe Wintun Nation	Iipay Nation of Santa Ysabel
Pit River Tribes	Koi Nation of Northern California	Inaja Band of Diegueño Mission Indians
Quartz Valley Indian Community	Lone Pine Paiute Shoshone Reservation	Jamul Indian Village
Redding Rancheria	Lytton Rancheria	La Jolla Band of Mission Indians
Resighini Rancheria	Manchester band of Pomo Indians	La Posta Band of Mission Indians
Susanville Indian Rancheria	Mechoopda Indian Tribe	Los Coyotes Band of Mission Indians
Tolowa Dee-ni' Nation	Middletown Rancheria	Manzanita Band of Kumeyaay Nation
Wiyot Tribe	Mooretown Rancheria of Maidu Indians	Mesa Grande Band of Diegueno Mission
Yurok Tribe	North Fork Rancheria of Mono Indians	Indians
	Paskenta Band of Nomlaki Indians	Morongo Band of Mission Indians
Central Region	Picayune Rancheria of Chukchansi Indians	Pala Band of Mission Indians
Berry Creek Rancheria of Maidu Indians	Pinoleville Pomo Nation	Pauma Band of Luiseno Indians - Pauma &
Big Pine Paiute Tribe of the Owens Valley	Potter valley Tribe	Yuima Reservation
Big Sandy Rancheria of Western Mono Indians	Redwood Valley Indian Tribe	Pechanga Band of Mission Indians
Big Valley Band of Pomo Indians	Robinson Rancheria	Quechan Tribe of the Fort Yuma Reservation
Bishop Paiute Tribe	Round Valley Indian Tribes	Ramona Band of Cahuilla Mission Indians
Bridgeport Indian Colony	Santa Rosa Indian Community of the Santa Rosa	Rincon Band of Mission Indians
Buena Vista Rancheria of Me-Wuk Indians	Rancheria	San Manuel Band of Mission Indians
Cachil Dehe Band of Wintun Indians of the Colusa	Scotts Valley Band of Pomo Indians	San Pasqual Band of Diegueno Mission
Rancheria	Sherwood Valley Rancheria of Pomo Indians	Indians
Cahto Tribe of the Laytonville Rancheria	Shingle Springs Band of Miwok Indians	Santa Rosa Band of Cahuilla Indians
Calaveras Valley Miwok	Table Mountain Rancheria	Santa Ynez Band of Mission Indians
Chicken Ranch Rancheria of Me-Wuk Indians	Tejon Indian Tribe	Soboba Band of Mission Indians
Cloverdale Rancheria of Pomo Indians	Tule River Indian Community	Sycuan Band of the Kumeyaay Nation
Cold Springs Rancheria	Tuolumne Band of Me-Wuk Indians	Torres-Martinez Desert Cahuilla Indians
Coyote Valley Band of Pomo Indians	United Auburn Indian Community	Twenty-Nine Palms Band of Mission Indians
Death Valley Timbi-Sha Shoshone Tribe	Ute Ute Gwaitu Paiute Benton Tribe	Viejas Band of Kumeyaay Indians
Dry Creek Rancheria of Pomo Indians	Washoe Tribe of Nevada and California	
Elem Indian Community	Wilton Rancheria	
Enterprise Rancheria of Maidu Indians	Yocha Dehe Wintun Nation	

PROBATION'S REQUIREMENTS

- **Inquire** about a youth's Indian status.
- When Indian youth are identified, **notice** and **include** the family and tribe throughout the juvenile justice process.

INQUIRY PROCESS

- Initiate when youth enters the juvenile justice system
 - In custody or out of custody – determine a local process, which involves your institutional and field staff
 - Justice partners
- Revisit ICWA eligibility throughout the life of the case
 - ICWA status may be fluid
- Follow ICWA notice process

HOW TO ASK

- If you are American Indian or Alaska Native there are additional services available to support you. Are you or any of your family members a member, eligible for membership, or affiliated with a tribe?
- Does your tribe go by any other names? (Check spelling)
- Have you or your family members ever resided on a reservation, rancheria, or Native Alaskan Village?
- Are you a member or eligible for membership in more than one tribe?
- If the family confirms they are tribal members, you may ask, “Do you have a tribe enrollment or citizenship number?”
- Is your tribe a federally recognized tribe?
- Have you ever received any tribal funds or services (e.g., capita/trust funds/ Indian Health Clinic) or been involved in a Tribal court matter?
- Is there a tribal representative your family is working with or has worked with in the past?

***EVEN IF THE FAMILY DOES NOT WANT THE TRIBE TO KNOW OF THE YOUTH'S INVOLVEMENT WITH THE JUSTICE SYSTEM, THE TRIBE HAS A RIGHT TO KNOW**

WORKING TOWARD FAMILY PRESERVATION THROUGH FAMILY PRESERVATION (ACTIVE EFFORTS)

- Early, affirmative, active, thorough, and timely efforts intended to maintain or reunite an Indian child with his or her family.
- Before seeking court intervention:
 - Partner with the parent(s), extended family members, Indian custodian, and other tribal representatives to case plan and identify culturally responsive and tribal preferred resources
 - Efforts must be consistent with the prevailing social and cultural conditions and way of life of the Indian child's tribe
 - Customized responses to the specific facts and circumstances of the case.



THESE ARE NOT ACTIVE EFFORTS

- Failing to involve the tribe in early case planning sessions and CFT meetings
- Referring the Indian child to a locally known program
- Informing the family of available services
- Ignoring cultural preferences or identified barriers
- Directing the family to contact the tribe
- Calling tribal representatives to inform of court proceedings without providing written notice
- Selecting county-preferred placements over tribal-preferred placements
- Passive inquiry efforts
- Taking on the “expert role”



FOSTERING PARTNERSHIPS

Actively collaborate

- Engage tribal leadership and ensure they're always at the table
- Respect elders, tribal leaders (elected and otherwise) and spiritual leaders
- Attend tribal events
- Partner with tribal police/SWs/ICWA agent, local LE, school representatives, after school programs, and other tribal programs/clinics/resource centers

Cultivate and build trust

- Allow the tribes to take the lead – they are the experts on tribal matters, ask tribal leaders to make opening/welcoming remarks at meetings
- Be flexible – these cases may not follow traditional Probation paths
- Make yourself available
- When unsure - ask rather than assume
- Be patient, understand, and allow for trust to develop

STRATEGIES FOR WORKING WITH INDIAN CHILDREN AND THEIR FAMILIES

- Maintain family preservation or family reunification at the forefront
- Include natural supports identified by the youth, family and tribe
- Do not be afraid to reach out to tribal community members
- Defer to the tribe on preferred services and if necessary, placements
- Be respectful of cultural preferences
- Consider alternative ways to address the needs of the Indian child which may not fit the traditional probation trajectory
- Adapt individual services, and programs to fit the cultural context of their individual, family, or tribal community
 - Use culturally responsive resources

NON-FEDERALLY RECOGNIZED TRIBE

The spirit of ICWA includes, but is not limited to:

- Culturally responsive services
- Active efforts to engage families affected by trauma in reunification efforts with representatives of local and state governments (i.e., county Child Family Well-Being and state courts)
- Placing youth in homes with extended family members or other Indian or tribal families. If there are none available, ensuring the youth is placed in a setting dedicated to promoting the youth's connections to his or her extended family, tribal culture and tribal community

SUCCESS STORIES



WHAT YOU CAN DO TO INCREASE FAMILY PRESERVATION

- Create a list of contacts for local tribal leaders and ICWA agents
- Consult and partner with local tribal leaders
- Attend tribal-led trainings and conferences, participate in service mapping efforts
- Engage staff in ICWA discussions – assess system gaps, review data, develop a work group of ICWA subject matter experts to take the lead on implementation
- Consult with local CFWB agency and review their established policy and protocols
- Engage Tribes in development of strategies and plan development
- Formalize policy and procedures, provide training to all sworn officers, and implement QA measures
- Set up recurring meeting with tribes in your county

RESOURCES

- Probation Requirements
 - <https://courts.ca.gov/sites/default/files/courts/default/2024-08/icwaprobatorequirements.pdf>
- ICWA State Plan
 - <https://www.cdss.ca.gov/Portals/9/Additional-Resources/ICWA/ICWA-State-Plan.pdf>
- CDSS ICWA Desk Reference
 - https://www.cdss.ca.gov/Portals/9/Additional-Resources/ICWA/ICWA%20Desk%20Reference_whb_9-30-20.pdf
- Bureau of Indian Affairs - Find ICWA Agent
 - <https://www.bia.gov/bia/ois/dhs/icwa>
- Indian Child Welfare Act (ICWA) hotline in California: **1-844-796-6283**.
 - Email the hotline at CDSSICWASupport@dss.ca.gov.
- California ICWA Expert Witness List from the California Courts Judicial Branch
 - <https://courts.ca.gov/programs-initiatives/tribalstate-programs/indian-child-welfare-act-icwa/california-icwa-expert>

ADDITIONAL RESOURCES FOR CONTACTING TRIBES

US Department of the Interior
www.DOI.gov
1849 "C" Street, N.W.
Washington, D.C. 20240

Bureau of Indian Affairs
www.BIA.gov
Pacific Regional Office
2800 Cottage Way, Room W-2820
Sacramento, CA 95825
ATTN: Regional Director

ICWA DESIGNATED AGENT PAGE

- <https://biamaps.geoplatform.gov/ICWA-Agents-Directory/>

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ICWA Designated Agent Listing

Contact Information

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Absentee-Shawnee Tribe of Indians of Oklahoma
105 N. Kimberly Ave.
Shawnee, OK 74801
ICW Director Shawnee Martinez
Phone: (405) 395-4492 Fax: (405) 395-4490
Email: icw@astribe.com
Affiliated Tribes:
Shawnee

Agdaagux Tribe of King Cove
Aleutian Pribilof Islands Association Inc. 1131 East International Airport Road
Anchorage, AK 99518-1408
Family Services Coordinator Amanda McAdoo
Phone: (907) 276-2700 Fax: (907) 279-4351
Email: amandam@pini.org
Last update: 1 minute ago

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ICWA Agents
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In Frame

The ICWA Designated Agent Listing will be updated quarterly on the following dates each calendar year: January 15th, April 15th, July 15th and October 15th.

List of Designated Tribal Agents by BIA Region

This notice presents the names and addresses of current designated Tribal agents for service of notice and includes each designated Tribal agent received by the Secretary of the Interior prior to the date of this publication. The lists

designated Tribal agents by BIA Region and alphabetically by Tribe within each BIA Region.

In addition to the BIA's annual **Federal Register** publication, the ICWA Designated Agent List will also be available on the *Indian Affairs.gov* website at <https://www.bia.gov/bia/ois/>

dhs/icwa and will be updated every three months.

1. Alaska Region

Alaska Regional Director, Bureau of Indian Affairs, Attn: Human Services, 3601 C St., Ste. 1200, MC-403 Anchorage, Alaska 99503; Telephone: (907) 271-4111; Fax: (907) 271-4090.

Tribe	ICWA agent	Mailing address	Phone No.	Fax No.	Email address
Agdaagux Tribe of King Cove.	Amanda McAdoo, Family Services Coordinator.	1131 E International Airport Rd., Anchorage, AK 99518.	(907) 276-2700	(907) 222-9735	amandam@apiai.org .
Akiachak Native Community	Serena Solesbee, ICWA Program Manager.	P.O. Box 219, Bethel, AK 99559.	(907) 543-8691	(907) 543-7644	Ssolesbee@avcp.org .
Akiak Native Community	Olinka Jones, ICWA Director.	P.O. Box 52127, Akiak, AK 99552.	(907) 765-7112	(907) 765-7512	Akiakicwadept@gmail.com .
Alatna Village	Valeen "Niisha" Walsh & Michelle Peter, Tribal Social Services Manager/ ICWA Advocate.	122 First Ave., Suite 600, Fairbanks, AK 99701.	(907) 452-8251	(907) 459-3984	Valeen.walsh@tananachiefs.org .
Algaaciq Native Village (St. Mary's).	Denise Paukan, ICWA Coordinator.	P.O. Box 48 St. Mary's, AK 99658.	(907) 438-2932	(907) 438-2227	algaaciq.icwa@gmail.com .
Allakaket Village	Valeen "Niisha" Walsh & Michelle Peter, Tribal Social Services Manager/ ICWA Advocate.	122 First Ave., Suite 600, Fairbanks, AK 99701.	(907) 452-8251	(907) 459-3984	Valeen.walsh@tananachiefs.org .
Alutiiq Tribe of Old Harbor ...	Julie Kaiser, ICWA Coordinator.	3449 E Rezanof Dr., Kodiak, AK 99615.	(907) 486-1395	(907) 486-1329	Julie.Kaiser@kodiakhealthcare.org .
Angoon Community Association.	Will Kronick, Family Services Administrator.	P.O. Box 25500, Juneau, AK 99802.	(907) 463-7169	(907) 885-0032	wkronick@tingitandhaida.gov .
Anvik Village	Valeen "Niisha" Walsh & Michelle Peter, Tribal Social Services Manager/ ICWA Advocate.	122 First Ave., Suite 600, Fairbanks, AK 99701.	(907) 452-8251	(907) 459-3984	Valeen.walsh@tananachiefs.org .
Arctic Village	Tiffany Yatlin, ICWA Worker.	P.O. Box 22069, Arctic Village, AK 99722.	(907) 587-5240	(907) 587-5128	wellnesstribalcourt22@gmail.com .
Asa'carsarmiut Tribe	Evelyn Darlene Peterson and Madeline Long, Social Service Directors.	P.O. Box 32107, Mountain Village, AK 99632-0107.	(907) 591-2209	(907) 591-2817	atcicwa@asacarsarmiUT.org .
Beaver Village	Valeen "Niisha" Walsh &	122 First Ave., Suite 600,	(907) 452-8251	(907) 459-3984	Valeen.walsh@tananachiefs.org .

2024 Federal Register

<https://www.govinfo.gov/content/pkg/FR-2024-02-28/pdf/2024-04067.pdf>

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A	B	C	D	E	F	G	H	I	J
1	Reservation Name	Tribal Government	Contact	Notes					
2	Barona	Barona Band of Mission Indians	Tawnya Phoenix, Tribal Council Member 619-443-6612 ext: 287	tphoenix@barona-nsn.gov					
3	Campo	Campo Band of Mission Indians of the Kumeyaay Nation	619-445-1188						
4	Capitan Grande	Joint Power Authority between Barona and Viejas	Notify the Barona or Viejas contact						
5	Ewiiapaayp***	Ewiiapaayp Band of Kumeyaay Indians	619-445-6315	***Previously known as 'Cuyapaipe'					
6	Inaja and Cosmit	Inaja Band of Diegueno Mission Indians of the Inaja and Cosmit Reservation	Karan Kolb, Social Services Director and/or Tricia Walsh, Administrative Assistant, 760-749-1410 ext 5324	kkolb@indianhealth.com; pwalsh@indianhealth.com					
7	Jamul Indian Village	Jamul Indian Village. A Kumeyaay Nation	619-669-4785						
8	La Jolla	La Jolla Band of Luiseño Indians	Karan Kolb, Social Services Director and/or Tricia Walsh, Administrative Assistant, 760-749-1410 ext 5324	kkolb@indianhealth.com; pwalsh@indianhealth.com					
9	La Posta	La Posta Band of the Kumeyaay Nation	619-478-2113						
		Los Coyotes Band of Cahuilla/Cupeño	Karan Kolb, Social Services Director and/or Tricia Walsh, Administrative Assistant, 760-	kkolb@indianhealth.com;					

QUESTIONS?

CONTACT INFORMATION

- SPO Clara Lapastora
 - Clara.Lapastora@sdcounty.ca.gov
- SPO Yvonne Salgado
 - Yvonne.Salgado@sdcounty.ca.gov