



Children Youth & Families Department

STATE OF NEW MEXICO

## Children, Youth & Families Department

**MICHELLE LUJAN GRISHAM, GOVERNOR**

Brian Blalock, Cabinet Secretary

Terry Locke, Deputy Secretary

### **FOR IMMEDIATE RELEASE**

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*Improving the Quality of Life for Our Children.*

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### **FOR THE TRIBES, BY THE TRIBES CYFD Fully Supports the New Mexico State Indian Child Welfare Act**

**Santa Fe, NM** – New Mexico Children, Youth and Families Department wholeheartedly endorses the passage of House Bill 209/Senate Bill 278, the New Mexico State Indian Child Welfare Act. This important legislation will greatly benefit the 23 sovereign tribal nations within the state of New Mexico.

The federal ICWA was passed in 1978 in response to the high number of Indian children who were being forcibly removed from their families and placed with non-Indian families by public and private agencies. ICWA provides the minimal standards under which American Indian/Alaskan Native families receive services from a state child welfare system.

Today, American Indian/Alaskan Native children are still four times more likely to be removed from their families; which often results in a disconnect from extended families, their tribal communities, and their cultural identity.

“A New Mexico state ICWA to help keep Indian children with Indian families has been a long time coming,” said CYFD Cabinet Secretary Brian Blalock, “and it is finally possible because the tribes have been in the lead telling government and community organizations what kind of law will work best for them.”

Keeping the most impacted children, families and communities at the center of this legislation has been of paramount importance, and CYFD has supported the expert work of the NM Tribal Indian Child Welfare Consortium, the Coalition to Stop Violence Against Native Women, and Bold Future during this process.

New Mexico’s proposed ICWA law would clarify legal definitions of key terms including *Indian child* and *tribe*, as well as strengthen the legal definitions for *active efforts*, *fictive kin*, *member*, and *relative*, in ways respectful of the tribes’ culture and unique status as sovereign tribal nations.

Circumstances under which the parental rights of an Indian parent can be terminated will also be codified in a way that honors the traditions, cultures, and role of tribes in community and family. Processes for maintaining the cultural traditions and norms for the child once a child is placed for adoption or guardianship will also be clarified.

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“The State Indian Child Welfare Act is an important step in ensuring Native children in the child welfare system can remain connected to their tribal communities and cultures. Having this legislation written by the tribes for the tribes emphasizes the importance of knowing the truly supporting our tribal communities,” said Donalyn Sarracino, CYFD Director of Tribal Affairs.

“The overarching goal of this policy is to provide stronger legal protections for native children, families and tribal communities. Thank you to all those involved in spearheading such an important piece of legislation that will deeply impact our tribal families and communities,” said Lynn Trujillo, Secretary of Indian Affairs Department.

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