

**Children/Youth  
Advocacy**

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**Three Levels of Advocacy  
for Youth and Children**

Three different but interconnected levels of advocacy

- **Institutional**
  - *Advocacy to address problematic practices that many youth and children experience*
- **Community**
  - *Advocacy to change social norms – (attitudes, beliefs, and behaviors)*
- **Individual**
  - *Advocacy to support individual youth and children*

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**Institutional Advocacy**

*To better meet the needs of children and influence change in how systems respond...*

- Advocates need to fully understand what workers do & why they do it
- It helps to know what matters to practitioners & what they can realistically do

**Problematic Responses:**

1. Law enforcement (State/Tribal/BIA)
2. Child Protective Services (CPS) (Tribal/State)
3. Indian Child Welfare (ICWA)
4. Criminal/legal system (federal, state, tribal)

**What problems could arise for youth/ children in any of these systems?**  
Chat it in...

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*Only when we know the true nature of the problem and precisely how it comes about can we begin to explore possible solutions and recommendations for change.*

- Child Protection
- Mandated Reporting
- Indian Child Welfare

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### **Responsibility of Child Protection**

Tribal and county child protection programs perform four essential functions:

- Receive and screen reports of child maltreatment
- Assess or investigate cases they've accepted as reports of child maltreatment
- Provide child protective and family support services as needed
- Contact and work with Indian Child Welfare worker if appropriate

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### **How Child Protection Workers Assess for Child Abuse or Neglect**

Introduction to Exercise

- Have varying degrees of discretion/autonomy but required to use a particular processes and *forms* to assess risk
- Once a *form* is completed, it becomes part of a permanent record
- Based on outcome, workers develop case plans
  - usually for primary care-giver
  - usually for a non-offending parent
  - Frequently work with the criminal/legal system
- *Forms* have potential for institutionalized racism, sexism, classism, etc.

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**Mandated Reporting**

- Your name, phone number, relationship to the family/child
- Where child is now. Is s/he in immediate danger?
- Description of when/where incident occurred
- Description of injuries and present condition of child
- Names/addresses of child, parents, or caregivers
- Report of any witnesses and their names
- Any additional information you have
- Whether you know of any immediate family, relative or community resources that would offer protection or support

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**1978 Indian Child Welfare Act (ICWA)**

**Overriding Purpose of ICWA**

To protect Indian culture and tribal integrity from the unnecessary removal of Indian children by state and federal agencies.

*“There is no resource that is more vital to the continued existence and integrity of Indian tribes than their children.”*

-Association on American Indian Affairs

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**When Does the ICWA Apply?**

- The ICWA applies to four types of Indian child custody proceedings:
  1. Foster care placement
  2. Termination of certain parental rights
  3. Pre-adoption placements
  4. Adoption placements

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**ICWA Placement Provisions**

- Placement to reflect values of culture
- Govern both voluntary and involuntary placements
- Tribes can change the order of ICWA's placement preferences
  - *Must consult with each tribe*
- Member of child's extended family (including non-Indian members)
- A foster home approved by child's tribe
- An Indian foster home licensed or approved by a non-Indian agency
- An institution for children approved by the tribe

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**Advocacy if ICWA Rights are Ignored**

*Contact:*

- An attorney (Indian law experience preferred)
- Legal services
- The child's tribe

The court may order different services or a different placement if it is determined that ICWA is not being applied correctly

Resources:

- *American Bar Association - [abanet.org](http://abanet.org)*
  - *Search for Indian Child Welfare Act*
- *National Coalition for Child Protection Reform (NCCPR) - [nccpr.org](http://nccpr.org)*
- *National Indian Child Welfare Association - (NICWA) - [nicwa.org](http://nicwa.org)*

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**Child Advocacy Centers**

- Part of the criminal justice system
- Can be part of a multi-disciplinary approach
- Do not exist in all tribal communities

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## Community Organizing/ Community Advocacy

Advocacy work to reverse the destructive social norms adapted from mainstream culture that support and perpetuate VAW and children

Changing attitudes, beliefs, and *responses* within tribal nations and society as a whole

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## Individual Advocacy: For Children and Youth

- Keep the focus on the offender
- Educate and raise awareness with non-offending parent(s)/family/community
- Provide information so non-offending parent can make informed decisions
- Help navigate systems that intervene

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## What Children and Youth Need

- Immediate tribal response to those who cause harm to women and children
- Strengthen the *sacred bond* between mother and child(ren)
- Advocacy to prevent children from being removed from the non-offending parent
- Work to *restore tribal life-ways*
- Help to strengthen connection to non-offending family members, community and tribal life-ways
  - *Helpful (not hurtful) responses from family and community*
- Kindness, discipline and information – not punishment
- Restored to sacred status

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## What Children Need to Hear: From family, community, systems

- It's okay to be scared, angry, ashamed...(or however child/youth is feeling right now)...
- You did nothing wrong.
- Thank you for telling me.
- I/we will do everything I/we can to keep you safe so this doesn't happen again.

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## Help for Secondary Victims/ Non-offending Parent

- Don't take child's anger personally - find outlets for your own anger
- Be consistent and fair with discipline
- Empower child(ren)
  - Provide choices.
  - Perhaps have child set the consequences for acting out*
- Model appropriate touching, ask for touches, show affection, and acknowledgment of child's experience
- Give it time, have patience
- Don't let topic rule the home, create new experiences

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## De-colonizing

*As we work to restore tribal identity, values, and tribal life-ways, we are in the process of de-colonizing and we restore the status of women and children*

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