

**Alyce Spotted Bear and Walter Soboleff Commission on Native Children**

**August 17, 2021**

**Alaska Regional Hearing**

**Virtual Site Visit: Office of Children's Services, State of Alaska**

**Recording:**

<https://commissiononnativechildren.org/hearings-testimony/alaska-regional-hearing-media-advisory/>

**Commissioners Present In-person:**

Gloria O'Neill (Chair), Dr. Tami DeCoteau (Vice-Chair), Anita Fineday, Donald Gray, and Melanie Staebner.

**Commissioners Present Virtually:**

Carlyle Begay, Dr. Dolores (Dee) Subia BigFoot, Jesse Delmar, Dr. Leander R. McDonald, and Elizabeth Morris.

**Commissioners Absent:**

Stephanie Bryan.

**Detailees, Staff, and Contractors:**

Eileen Garry, Department of Justice

Ronald Lessard, Department of Education

Regina Gilbert, Department of the Interior

Tiffany Taylor, Department of the Interior

Joshua Franks, Cook Inlet Tribal Council

Lisa Rieger, Cook Inlet Tribal Council

Miriam Jorgensen, Native Nations Institute, University of Arizona

Kyra James, Native Nations Institute, University of Arizona

Stacy Leeds, Leeds Consulting

Briana Moseley, Kearns & West

**Agenda: 8:00 AM – 9:00 AM – Virtual Site Visit: Office of Children's Services, State of Alaska**

**[Transcript]**

Chair O'Neill

00:05

Let's give everyone another minute to join. I'm going to go ahead and begin our day, we may have a few other Commissioners join us virtually. But again, I want to thank all the Commissioners, our staff, and others who support us in doing this very important work. And we're really excited that we were able to begin a hybrid site visit both in person and virtually in Alaska. We began our journey in trying to do site visits as the legislation has directed us to host at least one in the various regions around the nation. We started this work last March, literally the week that the pandemic was called. And so we were not able to complete that full week of site visits and meetings, and just really happy that we're able to begin our work

again. Although, you know, we've had to make some adjustments in our schedule last minute here in Alaska as well. So just really appreciate the panelists for joining us in such an early morning call. We have several panels today. We have site visits, tomorrow, both with the Native Village of Eklutna, and the Ernie Turner Center, that Cook Inlet Tribal Council operates. And then we have a full-on day of site visits on Thursday here in Anchorage area. And then we'll have public testimony and a hearing from our community members, and we'll finish Saturday with a Commission meeting. So we appreciate that we're able to get a little bit more active in our site visits, as over the last year and a half, we've really put a lot of time and attention on talking with experts across the nation, as it relates to various aspects of the success and well-being of Native children. So, we're really excited about this morning. I'm going to have Dr. McDonald, one of our Commissioners, who's joining us from his home, say a prayer. And then what we will do is we'll open it and I'm going to ask the Commissioners to introduce themselves along with our guests and those who support us in this work. Dr. McDonald.

Commissioner  
McDonald  
03:36

Thank you, Madam Chair. Good morning, everyone. I just ask that you all, let's all pray together this morning. [Native language] we come before you in thanksgiving for this day and thanksgiving for the many blessings. We thank you for grace upon us. We thank you for bringing us together to have important discussion, presentation with regard to protection of our children. I pray that you come and be with us and bless each and every one of us. Bless our thoughts and words and actions that here will be done today. That you give us direction and give us wisdom, regard to our activities and how we pull together all this important information, to pull that report together for the end result, our outcome for this important work over the past couple years. We pray that you continue to put up protection upon all of us with regard to the pandemic and in regard to the virus. That we may stay safe, that we may get immunized, we might take advantage of what's available to us, what you've given to us to keep our community safe. We pray that you help us to mask and to sanitize and to do these things that you've put in front of us to help us to offset that virus. We know that through you that there's a protection on us as well. We pray that you call for each and every one of our communities that we visit, either virtually or in person, that everything will be well for them. That everything will be prosperous for them, that a blessing will be upon them to move forward. And that we especially, again, we especially remember the importance of our children, especially as we go back to school, that will help us our school systems, whether pre-K through 12 or daycares, or colleges, that you just help us to have everything safe there. And we do our best to take care of our children, and our families, and our communities, and our nations as we move ahead. Thank you for again for all that you do. [Native language] And all my relatives. [Native language.]

Chair O'Neill  
05:38

Thank you, Dr. McDonald. I'd like to ask our Commissioners who are joining us virtually, please introduce yourself.

Commissioner McDonald 05:52 I guess I can get started since I got done praying along. I'm Russell McDonald, I'm President for United Tribes Technical College located in Bismarck, North Dakota. Good morning, everybody.

Commissioner Morris 06:11 I'm Elizabeth Morris. Oh, excuse me. I'm Elizabeth Morris. I'm a Commissioner, and the Chairwoman of Christian Alliance for Indian Child Welfare.

Commissioner BigFoot 06:25 Good morning. Glad to join you. I'm Dee BigFoot and I'm at the University of Oklahoma Health Sciences Center. I'm with the Caddo Nation of Oklahoma and grateful to serve on this Commission.

Chair O'Neill 06:49 Commissioner Delmar.

Commissioner Delmar 06:53 Yes, good morning. Jesse Delmar, Navajo Nation. I'm with the Navajo Nation Division of Public Safety. Good morning. I am a Commissioner too as well. Good morning, everyone.

Chair O'Neill 07:06 Other Commissioners who are joining us virtually, I think everyone's introduced themselves. Right? Okay, I'll go here to the room. Can you make sure your mics are on? Can you introduce yourself? Okay.

Commissioner McDonald 07:28 It looks like Anita is in the waiting room.

Commissioner Staebner 07:30 Hi, I'm Commissioner Melody Staebner and I am enrolled in Turtle Mountain Reservation and I coordinate the Indian Education for Fargo and West Fargo School District. Glad to be here today.

Commissioner Gray 07:43 Morning. My name is Don Gray, I'm a Commissioner and I'm with the Inupiat Corporation of Utqiagvik.

Vice-Chair DeCoteau 07:59 Good morning. I'm Dr. DeCoteau, Commission Vice Chair.

Chair O'Neill 08:10 We lost you just for a minute, but I think you heard us. Correct. Okay, great. Commissioner Fineday, could you please introduce yourself?

Commissioner Fineday 08:19 Yes, thank you. Good morning. My name is Anita Fineday and I'm a Commissioner.

Chair O'Neill 08:25	Thank you and my name is Gloria O'Neill and I have the great pleasure of serving both as Chair of the Commission and as CEO of Cook Inlet Tribal Council. So let's quickly introduce those online and who are working with us. So who would like to start?
Kim Swisher 08:55	Hi this is Kim Swisher. I'm the Deputy Director at the Office of Children's Services located in Anchorage.
Sarah Abramczyk 09:10	Sarah Abramczyk. I'm the Social Services Program Administrator here in our Juneau State Office.
Clinton Lasley 09:18	Morning. My name is Clinton Lasley, I'm Deputy Commissioner for the Department of Health and Social Services.
Brooke Katasse 09:25	Good morning I'm Brooke Katasse, Program Officer with the Office of Children's Services located in the Juneau State Office.
Chair O'Neill 09:33	Brooke we didn't hear, I couldn't hear who you're with, the Office of Children's Services where?
Brooke Katasse 09:39	In the Juneau State Office.
Chair O'Neill 09:41	Thank you. Anyone else online? Detailees?
Eileen Garry 09:51	Eileen Garry, detailee from the Department of Justice. I'm in the Office of the Assistant Attorney General.
Ron Lessard 09:59	Good morning, Ron Lessard, Mohawk, Mohawk. I'm the Acting Executive Director for the White House Initiative on American Indian and Alaskan Native Education in the Department of Education. Good morning to everyone.
Miriam Jorgensen 10:20	Good morning. This is Miriam Jorgensen. I'm part of the team that's the expert, technical consultant to the Commission assisting in the composition of the report. And good morning to everyone. Thanks for convening us today, Chairwoman.
Chair O'Neill 10:37	I see that we have another Commissioner who's just joined us online. Commissioner Begay. Could you please introduce yourself?
Commissioner Begay 10:45	Good morning, Madam Chair. Good morning, everyone. Glad to join you here this morning. Just arrived in Anchorage at 1 a.m. this morning. And look forward to the coming week.

Chair O'Neill 11:01	Thank you. Anyone else online who has not introduced themselves, please do.
Vi Schurman 11:12	Good morning. I'm Vi Schurman. I'm just visiting. Anita Fineday invited me. I work with the Alaska Tribes and OCS as well. So I just wanted to observe. Thank you.
Chair O'Neill 11:24	Thank you for joining. And it looks like we have Miss Tania Blackburn also joining us online as well. So just as we're getting into our precious time, I'm going to ask folks to quickly introduce themselves here in the room, so you'll need to come up. Okay.
Stacy Leeds 11:53	Good morning. I'm Stacy Leeds. I'm serving as a facilitator to support the Commissioners in their work.
Briana Moseley 12:01	Good morning, I'm Briana Moseley. I'll be taking notes today and also supporting the facilitation team.
Regina Gilbert 12:07	Good morning. Regina Gilbert, Department of the Interior.
Josh Franks 12:13	CITC.
Kyra James 12:19	Kyra James from NNI.
Chair O'Neill 12:30	Thank you. So just before we get our panel this morning, just a few words about the Commission. We are an 11-member Commission established by Congress to conduct a comprehensive study of all issues affecting American Indian, Alaska Native, and Native Hawaiian children from prenatal to age 24. The bill that created us was co-sponsored by former Senator Heidi Heitkamp from North Dakota and Senator Lisa Murkowski from Alaska. We all know that Native children and youth experience severe health and social economic disparities compared to other racial and ethnic groups in the U.S. And though the federal government has a trust responsibility to provide for the education, health, and safety of Native children, complex programs and limited resources have not been successful to address all of these disparities. We also know that historical trauma and intergenerational cycles of poverty contribute to the disproportionate health and well-being faced by Native children and families today. We also know that our children have incredible strength, resiliency, and joy in our communities. So we were created to address these challenges and build on the strengths to find creative ways to change the trajectory of all Native children for the better. We'll be looking at all these issues affecting Native children and youth including health, mental health, education, early childhood development, child welfare, and juvenile justice. In doing so, we'll be taking a deep look at data and research, identifying best practices and models of

collaboration, and hearing directly from our community members, in particular Native children. So we have a really huge, broad charge in front of us on this Commission. And we really look to your experience working within the State of Alaska Office of Children's Services, and I know we don't have a lot of time. So, I'd like to turn it over to our panel and Kim, are you leading the panel?

**I. Panel: Office of Children's Services, State of Alaska**

- **Kim Swisher, Deputy Director at the Office of Children's Services (Anchorage)**
- **Sarah Abramczyk, Social Services Program Administrator, Juneau State Office**
- **Clinton Lasley, Deputy Commissioner for the Department of Health and Social Services**
- **Brooke Katasse, Program Officer with the Office of Children's Services, Juneau State Office**

Kim Swisher  
14:58                      Yes, we're going to open actually with our Deputy Commissioner, and we do have a presentation to share.

Chair O'Neill  
15:10                      Deputy Commissioner Lindsay? Oh, it's not Lindsay, I'm sorry.

Clinton Lasley  
15:16                      Lasley, that's fine, Madam Chair. Thank you, Madam Chair.

Chair O'Neill  
15:18                      I couldn't read your name on the screen.

Clinton Lasley  
15:24                      Commission, we just wanted to take this opportunity to thank you for the opportunity to discuss this really monumental and important work that's happening in the State of Alaska, with goals of better serving Alaska Native families in our state. So as Deputy Director Swisher mentioned, we do have a presentation that we would like to share with you today. And the team has put together some data, we'd like to talk a little bit about our successes, and then finish off with some opportunities for growth. So, I'm going to pass it off to Kim and the team.

Kim Swisher  
16:11                      Thank you. So this morning, we wanted to start with a little bit of a discussion around some of our strengths. After we go through some of the strengths of things that are working well, in serving Native children, we're going to frame that with a little bit of data, and then move on to some opportunities that we've been discussing as a team. We have a strong Tribal-state partnership that dates back to 1990, when we signed our first Tribal-state agreement, and over the years, it's really developed and blossomed into a really robust system that's focused on maintaining strong relationships, open communication, and data sharing. We have multiple different meetings that serve a variety of different focus areas in our work together, but with the ultimate goal of reducing disproportionality, and also reducing the number of children coming into care, reducing the time to

reunification, and if children are in care and unable to reunify, that they're reaching permanency in a first preference placement with family. So some of the different types of collaboration that we have we think are strengths are our Tribal-state advisory team, Tribal-state collaboration, and our Tribal-State Child Welfare Compact. Many of these topics involve leadership from across our Tribal co-chairs and co-leads, as well as a management running different regions of the Office of Children's Services and out of state office. And so the focus is always driving towards how do we serve Native families and children better, and maintain cultural continuity and connections. And so I know that Deputy Commissioner Lasley did want to make a statement about the compact, so I'm going to turn it over to him for just a minute and then I'll go on.

Clinton Lasley  
18:09

Thank you, Kim. Yeah, as the Deputy Director just mentioned, you know, we have a lot of great work happening in the State of Alaska. We have a robust government-to-government relationship with our Tribes. As you mentioned, I would like to highlight one of those in particular, and that is our Alaska Tribal Welfare Compact (Compact) The State of Alaska in 2017, entered in a historic government-to-government agreement with 18 Alaska Native Tribes and Tribal organizations. Those 18 Tribes and Tribal organizations represent 161 of the 229 federally recognized Tribes in the State of Alaska. The goal of this Compact was set out to improve the life and outcomes of Alaska Native children and reduce the disproportionate number of Alaska Native children entering into Alaska's child welfare system. So, since 2017, we have been working to stand up this Compact and there was five scopes of work that were outlined and have been implemented over those four years, or I think we're entering our fourth year now. One of those is diligent relative searches, ongoing relative search, family contact, licensing assist, and safety evaluations. You know, I think with as with any new endeavor and implementation project, the Compact has come with some learning opportunities and areas for improvement. I think as we are entering this fourth year, it's what we are trying to do as a state and along with our Tribal partners, is really take a step back a little bit and evaluate those items that are working well, areas of improvement, items that maybe we could look for some help at the federal level and improving processes. As we all know, child welfare agencies in their design are designed as reactionary agencies. Report of harm comes in, a report of harm or neglect, and then that agency is responsible for investigating that report and then taking necessary action, if required. And so, as we start looking at this Compact and really, if we're going back to what the goal of the Compact was, and we really want to reduce the number of children coming into this state custody or coming into the system, what are items that are really going to make significant improvements, and we really think that we need to start focusing a lot of our attention on the front end? We need to start putting more energy and efforts in resources into prevention, and really trying to work at the community level and trying to reduce the number of reports that ever come to the attention of the Office of Children's Services. So I think as we go through this today, we'll talk a little bit about even with that, what are some of those challenges, and what are some of the

opportunities as we look forward, as we're committed as a state agency to expanding this historic agreement that we have, and really working to see change in the State of Alaska. So, Kim?

Kim Swisher  
21:52

Another strength that we wanted to highlight was the work that we've invested in revamping training and just internal processes related to diversity, equity, inclusion. This work began in June of 2020. We had multiple meetings with a broad section of our internal staff as well with Tribal partners, and a group of internal OCS staff as well as some of our Tribal co-leads, entered into a workgroup process to really dive into what was the training that was happening for OCS staff, to really be digging into examining implicit bias in decision making. And the results of that has developed a new diversity, equity, and inclusion training, that actually starts with foundational information for everyone who works for our agency, from people working at the front desk, all the way up to senior leadership. And then there are layers to that training that continue, the longer that you're here. And as you move into different levels of decision making in this organization, to ensure that you're always examining implicit bias throughout the different types of jobs that you might have in child welfare. And really engaging in that process of self-awareness in learning and being open to other perspectives outside the one that you may have grown up in. And so that work is just actually beginning, we have our first leadership training to set the tone and then that curriculum will be rolling out here in the fall. And we're really proud of that work that we've done, and the feedback loops that we're going to be inserting into that training process to be able to get feedback from our stakeholders on how we're doing in terms of keeping diversity, equity and inclusion at the forefront of what we do.

So, the next thing that we wanted to just set the stage with our discussion today, is just the most recent data that we have of children in out of home care as of yesterday and also our current disproportionality rates. So, currently statewide, we have 3,057 children in the custody of the State of Alaska. And that is a disproportionality rate of 66.1 percent. And we have got to do better. And so much of the work that we're engaged in today is really around improving, you know, preventing Native children from coming into care and really looking at trying to partner with Tribes in a way to keep children at home. And so, the next bit of data we wanted to share, Sarah's going to talk us through a little bit of this.

Sarah Abramczyk  
24:55

So our federal partners each year require us to report in our annual progress and services report on the population at greatest risk of maltreatment. And as you can see, this chart will show you the age ranges of children in Alaska, the percentage of each age group that are Native or non-Native, and the percentage of that age group compared to all ages of children who had a substantiation. And then, the last column is the percentage of the age group that experienced a maltreatment. OCS continues to focus on the zero to five age group as they do experience the most substantiation, compared to older age groups, and have the highest percentage of maltreatment for their populations. Next.

Kim Swisher  
25:46

So, we wanted to spend a little bit of time talking about opportunities for growth or areas where we would love to see additional support. And the first area that we think is worthwhile investing in is really in this partnership through the Tribal Child Welfare Compact. Like I mentioned, it's been in place since 2017. But what we're finding is that an investment in this process really needs to be long-term, it can't be dependent on current administrations or changing administrations, on one administration to carry forward the charge, or just one budget cycle. That the investment in the longevity of the Compact is really primary to the work that we're doing with our Tribal partners. And so this long-term investment and financial commitment really needs to be there in order for us to be able to do the long-term work together. And it does require a long-term investment in relationship building, in a commitment to addressing past wrongs and repairing, so that we can move forward together. And so when you're engaged in work that really has a longevity component, but may not have the financial support for the long term, or that financial support may wax and wane with state budgets. It becomes very difficult to engage in the process of trust building, which is really essential to the work that we're doing through the Compact and through our Tribal state collaboration. I'm going to hand it over to Sarah to talk, or I'm sorry, to Brooke to talk about FFPSA.

Brooke Katasse  
27:29

Good morning. Another place we've really identified as hopefully as an opportunity would be to see some changes in some of the rules surrounding FFPSA. So of course, like many states and communities, when FFPSA was launched, we were really excited about it, to see this opportunity to have funding in prevention. As an agency, prevention is a goal of one of ours. We want to put more funding and we are working on putting more work there, and so this seemed like a really good opportunity for us. But of course, as we, you know, dug deeper and started working on it, we realized that a lot of barriers were in the way for us. One, of course, being some of the evaluation requirements, you know, evaluating all of the service providers and all of the work that went into that, and a bigger one was the evidence-based practices. Not only are they difficult to find in Alaska, because of our geographic, the vast geographic world we have here, but really, we found that the services within the clearinghouse, they don't meet our population. We have over 60 percent of our population we serve are Alaska Native. And these services are really more of a, for lack of a better way to put it, a western world approach, one size fits all. And really prevented us from utilizing cultural and traditionally based services that we know are proven to work with our Native families. The review process through the clearinghouse, again, prevents those, because a lot of times our populations, right, of our Native services, they aren't even big enough for me to sample. So these services and traditional cultural services that have been delivered to our families for hundreds of years will never meet the requirements, so we can never use them. And so that has really been a challenge for us in looking at how we can use Families First within Alaska. And so that's where we really identified as maybe an opportunity, if there could be some growth federally there, or some changes there to allow, not this one size fits all approach, but to allow a

different view of services, so we can deliver to our cultural, our Native families, those cultural and traditional services that we know work for them.

Sarah Abramczyk  
29:58

We truly believe that additional creative ways to prevent Alaska Native children from entering the foster care system is critical, which is why when we were developing our state prevention plan, we did reach out to our Tribal partners, and ask them what services they were currently providing in their communities that they felt worked. And we did include those services within our state plan, despite them not being allowed. So as you can see, here's a list of all of the, well not even all, some of the services that our Tribes provided to us that they're currently doing in their communities that they find effective for their people.

Kim Swisher  
30:41

One additional avenue that we have for providing services is through a cultural support mentor stipend, to be able to pay traditional healers and elders in communities, a small stipend to be able to work with families directly. We're just in the beginning phases of that process. But again, it is difficult to launch statewide when you think about the vastness of our state and getting the word out. But it's starting to show some success.

So then, the next thing that we wanted to spend a little bit of time on is actually just revisiting some of the opportunities that the federal government may have in supporting the work that we're trying to do here in Alaska. Our hope is really, for us to see an opportunity for the federal government in our current administration to invest in practices that have the potential really of honoring cultural traditions and Tribes leading their own child welfare systems that are not really designed on a western model, but really built by and for Indigenous people. So I'm going to hand it back over again to Brooke to talk about some of these opportunities.

Brooke Katasse  
31:59

Sure, we always talk about some of the federal requirements, right? We're working within a box and we're trying to fit a, what do they say, a square peg in a round hole right? This one size fits all that doesn't work for everyone. I already touched a lot on the, you know, eliminate the stringent requirements of FFPSA or at least loosen them so we can create prevention programs that work for all people, and fit within the culture and traditions of not just Native people, but of all people in all different cultures and traditions out there. We feel, we're actually really honored to be a part of these conversations. We feel that the time is right to have these conversations and discussions and appreciate the opportunity to have them with the executive order about racial equity and the new ACF Deputy Commissioner, and also being focused on this. This is such a good time to have these conversations and to advocate for changes within the system that will allow better work across the nation, for the people that live, you know, in all states. So funding programs that meet the needs of Indigenous people, right? A lot of the grants and everything that come out, again, fit in this one size fits all approach. We'd love to see some changes there. Funding ways where to support Tribes and supporting their families. Another place where we have ran into some barriers, is for example,

the federal foster home standards, right? These are another one size fits all, and they don't really fit into the rural living or cultural norms, right? We have some communities that are very strong, wonderful communities, but we can't foster in some of those communities because their homes, although is the absolute norm, and safe in that community, don't fit into what the rules of the federal foster home standards. So those are just really some of the things that that we've been talking about internally. And we really, again, appreciate the opportunity to hopefully open some conversations about some change.

Kim Swisher  
34:21

I also want to highlight two things that we know that are part of the goals under child welfare for the Commission. One is around disproportionality and serving Native families. And there are some things that have occurred in Alaska where Tribal communities have created their own child protection or safety response teams in their community to work with their village, or Tribal police officer with their ICWA worker, with the Tribal council to really intervene when a family may be in crisis, to wrap around those families. Those families don't end up rising to the attention of our organization. But when the Tribe reaches out, it usually is because they're looking for additional assistance that maybe they've exceeded the expanse of whatever team it is. But, many of these teams, one in particular we're thinking about is that they find ways to create safety within the community. If there's a family experiencing the use of substances, or violence is impacting their home, that they come together to wrap support around that family to keep that family connected to culture, to keep them in the community, and really to prevent them from coming into the attention of our organization. And so, there are opportunities to really invest in that process in Tribal communities, creating Tribal safe homes, creating child protection intervention teams, really, that it begins prior to coming to the attention of the state.

Another piece is around the investment in identifying Native social workers or Native child protection workers. And so we wanted to highlight one area to bring this to the attention of the Commission. There is an Indigenous Rural Pathways program, that is a partnership through the University of Alaska, Fairbanks with some of our rural campuses, in particular, the Kuskokwim campus out of the Bethel area, where Indigenous students can move through Rural Human Services AA, up into a Human Services AA and then also straight up into a Bachelor of Social Work program that is a rural cohort model that has elders in the classroom. They meet in person in a cohort, there's a traveling into the campuses and then returning back to their home communities. And those courses are delivered via distance delivery. And so, there is an opportunity there in terms of really focusing on education in traditional ways. And so, I wanted to highlight that that's been successful in many of our partners that we work with. Our Tribal partners have either begun as behavioral health aides out in their home communities and have begun this process through rural human services up into the social work program and then on to the MSW programs. And you'll see the graduates of these programs really creating and developing wellness programs in their home communities serving

their people. And so, there is an opportunity for that, supporting that in a different way. So, I just wanted to make a plug about that.

But I think what we want to leave the Commission with is that we do feel pretty hamstrung by some of the requirements, and it does not lend itself to creativity. We find real creative ways to work within those requirements, and I think that's something that our agency tries to do every single day is to think outside the box and to try to come up with ways that we can meet the requirements while still meeting the needs of the population we serve. But we do feel stuck sometimes. And so, we're hopeful that this information sheds a little bit of light on some of the things that we think would be worthwhile for the Commission to know. And then we wanted to ensure that we had time for questions or comments or provide additional feedback about what we've spoken about today. Thank you.

Chair O'Neill  
38:30

Great. Thank you, I'm just really proud of the panel and the presentation this morning. Really appreciate that you have created a presentation that could give the focus the Commissioners in our conversation and give us clarity around some of the areas that we could put forward in our report when working with our federal partners. And I'm hopeful, Deputy Director Swisher, I'm hopeful that we'll be able to get a copy, if we not already have a copy of the presentation and some of the background information, so that we could make sure that is present in our report and recommendations back to Congress.

Kim Swisher  
39:21

Yes, I can get a copy of that to Caleb at CITC, who I've been working with.

## II. Questions and Discussion

Chair O'Neill  
39:26

That would be fabulous. Thank you. So, I'm going to open it up to my fellow Commissioners and ask if you have any questions or comments. Fineday, excuse me. Commissioner BigFoot, then Commissioner Fineday.

Commissioner  
BigFoot  
39:48

Thank you. This is wonderful. Thank you for pulling this together and giving us a bit of an insight into the work you're doing, and how important that work is. I have a few items, and I don't know if anyone can actually speak to them, but just in terms of background information. I know when we came in 2014, I was doing the hearings for Defending Childhood Initiative. One of the things that came up was that the State of Alaska was the state that was suing Tribes more than any other state, and it was like 10 times the amount of suits. And so I'm hoping that that has decreased considerably. And especially as you think about diversity, inclusion, and the disruption that has occurred to our Alaskan families. The other thing is, you know, I think there is a real major concern about evidence-based practice. I think that should be a discussion that should be ongoing, and certainly one that I have had. And there's a couple of things about evidence-based practice. So, I have

culturally enhanced evidence-based practice with honoring children, mending the circle and honoring children, respectful ways so we know what is helpful in terms of culturally adapting evidence-based practice. But there's also you know, evidence-based practices that just don't work. And I don't know if you're familiar with Prevent Child Abuse America curriculum, which was a dismal failure in Alaska. And if you Google it, the report is online. And so, being able to utilize that information to indicate, there's so many different lessons learned from the Prevent Child Abuse America curriculum. And I was part of that, so I, you know, take ownership of the fact that we didn't do it right. And through that, again, I think Bethel has set the standard in many different ways, that they have taken that Prevent Child Abuse America to create curriculum and develop their own and that has been just an amazing cultural-based strength, that includes families, and children, and I've been able to participate in about three or four of those trainings. And I would go back, again, the fifth and sixth and eighth and twelfth time if I could. I think that the opportunities that you have for looking at how to enhance the protocols that are available to families is just real critical, you do have through the Indigenous Rural Pathways, various things. So there's the home visitation, and there's the, I can't think of the other one, but zero to three, there's all kinds of other opportunities, I think, for supporting that capacity. And those teachings within the, for example, one thing that someone told me was that it is a cultural practice for people to you know, get dressed in the morning and go out and walk around their homes, and that the purpose of that is to get up, get dressed, you know, be aware, be observant, you know, take stock of what they have. And it's also an important thing for depression. So as we think about the evidence-based practice for depression, being active, doing service for others, you know, having a plan each morning, that is a cultural-based practice that a lot of the villages, a lot of the people the village have taught each other from generation upon generation upon generation. So, I think that there's a lot of things that can be learned from our Native Alaskan communities that have the test of time evidence, that now with science has been confirmed. So, I think there's a big opportunity here. And I don't think that the FFPSA guidelines should be in the way of what the teachings are in terms of Alaska Native teachings, because there's, there's a lot of them. For example, this one said, the mind is a great thing. And that if you imagine it, it can happen. Science has told us that's true. So, I think those teachings are there. It's just figuring out how do we bring those teachings so that we can show that science has proven that the test of time has managed to confirm it, and it's usable. So, I want to commend you again. It's exciting to be part of this effort to recognize the work that's going on.

Chair O'Neill  
45:57

Thank you, Commissioner BigFoot. Oh, excuse me.

Commissioner  
BigFoot  
46:02

Sorry. I was just going to say, thank you, I appreciate the information that you shared.

Chair O'Neill  
46:10

Thank you, Commissioner BigFoot. Do you have any quick response? I know, we have other Commissioners in the queue. I think as it relates to the lawsuits within the state, between the Tribes and the State of Alaska, like every state, we have our own story. And I do know that the Compact was a result of a lawsuit. And so although it's messy at times and lawsuits do not create trust-based relationships, what I have to say is that we're really trying to lean in and sort through, and find our way together between the Tribes and the state. You know, as always, there's a lot of work that continues and needs to be done, as it relates to building those trust-based relationships. But as we have to remember, Alaska has 229 Tribes in this state. So we have half the Tribes, very small, rural communities, and I think it's going to be a long go of it. But I do appreciate the fact that we have, I think, for the first time in my tenure, when I can sit and listen to a panel of folks who are so passionate about providing this care and leaning in and saying that we need to bring Indigenous and cultural-based practices into the work that we do to best support our kids, and who are working with us on helping change or trying to help change some federal guidelines that are too stringent, that's progress. So I just wanted to respond to that. And thanks again, the panelists for your openness and understanding that the only way forward is trust-based relationships and a strong partnership with the Tribal community. So Commissioner, Fineday. Thank you, Commissioner Bigfoot.

Commissioner  
Fineday  
48:16

Thank you, Madam Chair. I wanted to ask a question, I just want to say, great recommendations. And I want to see if you can be a little more specific, if you have some ideas. You talk about finding ways to support Tribes and supporting their families, and funding programs that meet the needs of Indigenous people. And I'm sure I know, you know, Tribes became eligible to have direct IV-E a few years ago. That's not proven to be very successful. I think we have less than 20 Tribes that are approved for direct IV-E. And under direct IV-E I know you know that Tribes could have cultural programming, be reimbursed by Family First. So direct IV-E is not proving to be hugely successful. And many of the Tribes in Alaska are too small, honestly, to successfully operate a direct IV-E program. So what recommendations would you make for how to fund programs that meet the needs of Indigenous people, or to fund ways to support Tribes and supporting their families? And I'll throw out one alternative, this was asked of me by the current administration. What about increasing the funding for IV-B funding? They were looking for pathways that already exist, they don't want to create a new program, they want to increase funding of pathways that are already in existence. And grants are okay. But we know grants come and go. And so what would you think about increasing the funding of IV-B? Is that something that would meet those goals? Thank you.

Brooke Katasse  
50:36

I love your question. And I have to say a quick comment about the direct IV-E, because I think you're right, we're actually working with two Tribes right now that are a long way in their process. And we expect them to have a really successful

direct program, which is amazing. But you're right, I think, from other Tribes that were interested, the barrier there is, as you know, you have to have the money upfront, right? There's no, it's a reimbursement program. So you have to have the money upfront, to be able to access any of the reimbursement. And that's the problem right there. So there's a funding opportunity, right there is to be able to fund Tribes in operating their foster care systems. But in my opinion, yeah, I mean, IV-B we all know IV-B right, that covers the entire array of child welfare system, there's almost any, you can do anything with IV-B. So I mean, I can definitely see that being a good avenue to, you know, get some funds out there to really, you know, build infrastructures, you know, like safe homes in communities. You know, CPT teams. Kim Swisher touched on that a little bit, we have seen Tribes that have built their own child protection team that have gone from having a high number of kids for the community size and foster care to none for years. They handle it. So to be able to really have those funds to invest in that, that seems like a good avenue for that. And also Tribes right are also eligible for IV-B, and so that would fund you know, some Tribes directly, opposed in going through the state all the time. That's not necessarily the best avenue, right? Because when you go through a state, then you have all the state bureaucracy and rules on top of that. And IV-B also allows that funding to go straight to Tribes. I personally love that suggestion.

Kim Swisher  
52:39

I'd also like to add on that it's also a deeper investment across sectors. So if we're talking about a child protection team, it's an investment in Tribal law enforcement, it's an investment in Tribal councils, it's an investment in communities, each of our own 229 federally recognized Tribes having access to build the infrastructure to have a space to hold traditional practices and services. So I think, anything that Tribes were able to tap in to have the infrastructure there to be able to provide what it is that they need to provide to, to their Tribal members, I think is a wise investment. And so I also am a big fan of Tribal IV-B increase.

Commissioner  
Fineday  
53:35

And I have not meant to downplay the Tribes that are pursuing direct IV-E. We work closely with Tlingit/Haida and with St. Paul, and we're supportive of their efforts to obtain direct IV-E and all of the Tribes in obtaining direct IV-E but it's a challenging process.

Kim Swisher  
54:00

It's one pathway. And I think that the lessons we're learning is that we need multiple, we need a variety of pathways because not everyone's path is the same.

Chair O'Neill  
54:11

Thank you. So we have about six-ish minutes left, and I just want to make sure that all the Commissioners have the opportunity to ask their questions.

Commissioner  
Morris  
54:23

This is Elizabeth Morris. North of the high incidence of generational physical and sexual abuse in many communities, I personally strongly oppose attempts to give Native children less protection than that of other children. I have witnessed too much abuse, generational abuse, and that type of thing. So I'm wondering about the effectiveness of your current programs as far as reentry rates of children. How

are you seeing your current programs and your current focus actually, are you having better success than in other times?

Kim Swisher  
55:12

So we do struggle with repeat maltreatment in the State of Alaska, it actually is an issue that we face across all of our populations. And so, it is something that we are working on, I think that, you know, one of the things we talk about on a statewide level is really having access to services that do get trauma, and that are really trauma- focused. And so, some areas of the state have more services available than others. And so, what we find is that there's less access to trauma-informed practices, the further you get out of our urban centers, and so that is something that is a struggle for us. Distance delivered services, are being able to bring services out to rural communities that are culturally sensitive and have cultural practices woven into them, that's definitely an area for growth for our state.

Commissioner  
Morris  
56:16

Okay, I have a couple other questions. In talking about one size fits all and determining that children that have Native heritage need to have a culturally sensitive. I also saw in one of your slides, a comment that normal best practices for foster care and abuse aren't relevant to children, Indigenous children. My question is, how do you deal with children who are identified as Indigenous, but do not practice Tribal, their family. They have not been, maybe they're Christian, maybe they're totally separated from the reservation system? Do you still do a one size fits all as far as, because they're Indian, they need to have Indigenous cultural practices, or are they allowed an individual perspective?

Kim Swisher  
57:19

Yeah, and I would ask if anyone else wants to add to this, but we do honor individual choices and we notify Tribes, we involve Tribes from the beginning because of ICWA, and we only have one reservation here in the State of Alaska, so each individual Tribal entity is its own entity that we communicate with. And so, we do work with those Tribes as closely as possible to have a voice in that. But we have parents that will say, you know, I don't feel connected to my Tribe, or I don't want my Tribal representation there. And we do try to honor that when it does come up.

Commissioner  
Morris  
58:01

Okay, thank you.

Chair O'Neill  
58:11

Commissioner Morris. Do you have one more question? I'm just trying to make sure everyone has a chance to ask their questions. Do you have one more?

Commissioner  
Morris  
58:18

Yeah. And also, we talk about, one of the other things I'm aware of in many small communities, when they're policing child abuse and that type of thing. A lot of times there's a cover up, because Uncle Ed happens to be on the Tribal commission. How is that, how do you see your organization addressing those types of issues?

Kim Swisher  
58:46

Yeah, so I think that, you know, we have to stay curious and ask a lot of questions at the investigative level, when we get reports that come in, we do take in the feedback from the community and our Tribal partners, you know. But within the spirit of ICWA, we try to just follow the guidelines about good partnering, inclusion, and keeping the Tribe involved. But if we do identify a conflict that we're not able to work through, then we try to work with our Tribal partners on how to address that. It does come up from time to time.

Chair O'Neill  
59:22

And I do know that you have joint partnership with the law enforcement community as well. So those situations are dealt with. Other questions from Commissioners? Yes, we have Commissioner Gray.

Commissioner  
Gray  
59:44

Thank you, Deputy Director Kim. I appreciate your thoughts around the FFPSA revamping and the revision of some of the federal foster home standards. I'm a product of some of those inadequacies. My birth parents were 15 and 14 at the time of my birth, the State of Alaska stepped in and said that they were too young. My Aaka (grandmother) stepped in and said, well, I'll take him. The State of Alaska did a home visit at my Aaka's house and they found caribou hanging from the rafters in entryway and said that that was unsanitary. My niece stepped in, or my aunt stepped in, and said, well, I'll take him and the State of Alaska did a home visit. And she had like, eight people living in a three-bedroom home. And they said that that was unsanitary. I was placed in a foster home where I was the youngest of 17. Somehow that was way more sanitary. I survived. Not all of us did. So I can absolutely appreciate the thoughts and comments around the revision of the federal foster home standards. Do you know if there's been anything specific drafted, that Congress could act on saying, you know, here is some language around what we feel would be a revamping of either FFPSA or some of the federal foster homes standards on language that we could grapple with and look at and be able to submit and say, here's, you know, some recommendations?

Kim Swisher  
1:01:29

I am not familiar, I'm going to turn to my team to see if they have something to add.

Sarah Abramczyk  
1:01:35

I don't know that we necessarily have anything drafted. But we did provide comments from Alaska, from OCS, when the foster home standards were coming down. We could possibly pull that up. That was several years ago. But I think we could pull that up and share it.

Chair O'Neill  
1:01:52

That'd be very helpful if you can share that with us.

Commissioner  
Gray  
1:01:56

Thank you.

Kim Swisher  
1:01:59

One thing that the State of Alaska does provide for the first two months when we place with a relative that is not currently licensed, is our unlicensed relative process, and we have emergency relief support funding that we provide to them while we are trying to work them through the licensing process. And that's another opportunity, I think for investment in supporting relatives to offset the cost of care, while either they pursue licensure or if they choose not to, because some families choose not to, finding a mechanism to help them support financially, bringing their relatives into their homes.

Chair O'Neill  
1:02:41

Great, thank you. All right, well, we are at 9:03. And I just want to ensure that Commissioners, other Commissioners, if you have any last-minute questions, that those of you who haven't spoken or comments, we'd love to hear them right now. But I want to be respectful of our panelists time.

Commissioner  
Delmar  
1:03:01

Yes, Madam Chair. Jesse Delmar.

Chair O'Neill  
1:03:04

Yes. Commissioner Delmar.

Commissioner  
Delmar  
1:03:05

Yes. Good morning. Good morning to everyone. I am Jessie Delmar, I'm a Commissioner too as well. Logging on from the State of Arizona. And thank you for the report and everything else. Just a quick question. I know that you mentioned Tribal law enforcement. I know that we here on the Navajo Nation, you mentioned the vastness of the area that we try to protect daily. And I could just imagine the State of Alaska. But we here, we're fortunate, I think in what you referred to as the lower 48 states, Tribal law enforcement is different than what Alaska has. I know that there's many challenges. I'm aware of the village law enforcement people and their police powers is not really equivalent to the state law enforcement folks, and pretty much, perhaps, they do security work and pretty much in a nutshell. And what is the state's position in trying to improve law enforcement within the Alaska Native communities in strengthening their law enforcement power? Thank you, Madam Chair.

Kim Swisher  
1:04:36

I'm going to turn that over to Deputy Commissioner Lasley as I'm not sure I can comment on that.

Clinton Lasley  
1:04:48

Yeah, thank you Commissioner and Kim. We could get some information back to you. I think this is a little bit outside of Department of Health and Social Services purview. But you're right. It's been an ongoing discussion in the State of Alaska. I know that there's been improvement efforts attempted over the years. But I, unfortunately, don't have any specific information. But we could try to get one of our agencies to provide that to you.

Chair O'Neill  
1:05:19 Commissioner Delmar, we could have an independent conversation on some of the federal initiatives happening right now to recognize the uniqueness of Alaska and try to bring more of that public safety and law enforcement into rural communities. Okay, so I did see in the chat that we had a couple of Commissioners thank the panel for your important information today. And I'll ask my Vice Chair if she has any closing comments.

Vice-Chair  
DeCoteau  
1:06:04 Yes, thank you, Madam Chair. Thank you all so much for your presentations today. This was very informative. And I've made my own notes about some really great points that I think you've made for best practices. So I just thank you all for your time, and the effort and the work that you're doing with our Native communities.

Kim Swisher  
1:06:24 Thank you for the opportunity today.

### **III. Wrap Up**

Chair O'Neill  
1:06:27 Yes, it was wonderful. I really appreciate your thoughtfulness and the time that you put into this. Yes. And I appreciate your presence Deputy Commissioner.

Clinton Lasley  
1:06:41 Yeah, thank you very much, Madam Chair. And, you know, if you need additional information, or if there's more items that we can provide to you, please do not hesitate to reach out. We'll make sure that Kim Swisher will sort of be our point of contact for this group. And I know she's been working with some individuals as we were setting this meeting up. So you know, we would love to share more information. And we just appreciate the opportunity to be able to share.

Chair O'Neill  
1:07:13 All right. Well, have a wonderful day.

**[END OF TRANSCRIPT]**

[Transcript completed by Kearns & West]