



State-Tribal Relations Committee

64th Montana Legislature

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June 13, 2016

To: STRC Members
Fr: Hope Stockwell, Research Analyst
Re: ICWA case data in Yellowstone County

The STRC asked at its October 2015 and March 2016 meetings for specific data on Indian Child Welfare Act cases in Montana. DPHHS says it is unable to provide data on incidence of ICWA cases, the percent in which parent rights are terminated, or cases by tribal affiliation, because it does not currently track this data in this way.

Yellowstone County (YC) is tracking its ICWA cases manually. The data is attached to provide some perspective for the STRC. This memo summarizes that data.

Total Dependent/Neglect (DN) cases in YC in 2015 = 452

- This is a 386% increase since 2009.
- YC handled 22% of all DN cases in Montana in 2015.

Average age of all children removed in 2015 = 5.16 to 5.66 years

- 30% of all children are one year of age or younger.

ICWA cases in 2015 = 43.8% of removals

- ICWA cases in 2007 accounted for 27% of removals.
- American Indians and Alaska natives comprised 4.5% of YC's estimated population in July 2014, according to the U.S. Census Bureau.

Primary causes or significant contributors to removal of children:

- Drugs = 64.4% of all removals and 66.7% of ICWA cases
- Alcohol = 20.8% of all removals and 33.8% of Indian child cases
- Physical abuse or domestic abuse between care providers or parents = 52.9% of all removals
- Domestic violence = 32.3% of ICWA cases
- Physical abuse = 9.1% of Indian child cases

Removals from a home where one or more parents or care providers are incarcerated at the time of removal or as a result of the case:

- 42.4% of Indian child cases
- 40.9% of Non-Indian child cases