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Office of Ombudsperson for American Indian Families

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<https://mn.gov/oaif/>

AT A GLANCE

- New agency created by the legislature in 2021
- Collaborates with the Minnesota Indian Affairs Council
- Monitors cases and investigates complaints of non-compliance from American Indian families negatively impacted by child welfare social service agencies

PURPOSE

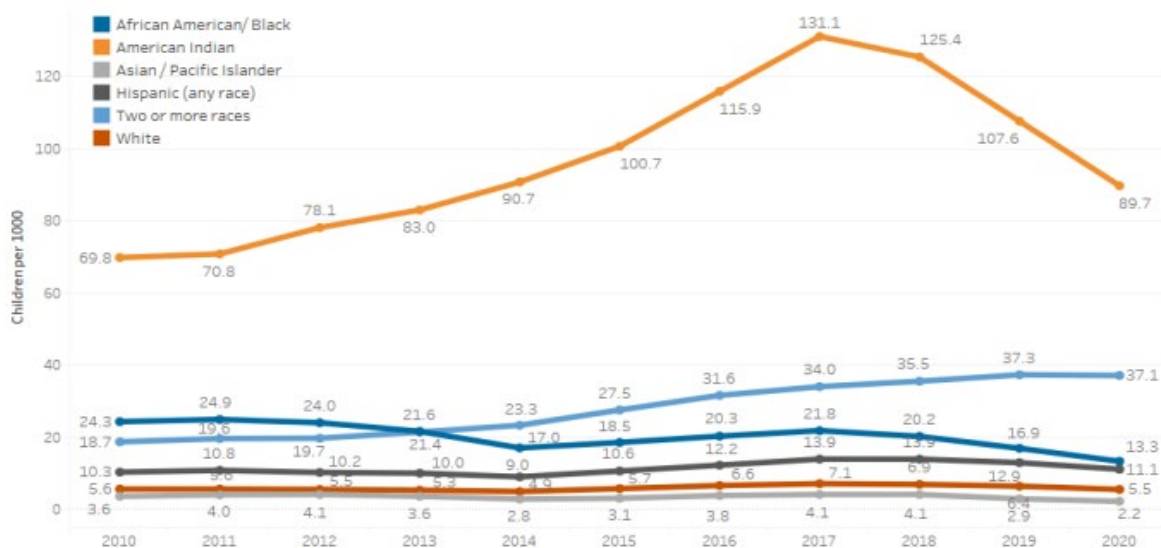
According to Minnesota's 2020 Out-of-Home Care and Permanency Report (published January 2022):

- 13,442 children were placed in out-of-home care; 2,563 (19%) of those were American Indian.
- American Indian children stay in care for two years or longer compared to other groups.

As shown in the figure below, the rate per 1,000 children in out-of-home care has been declining since 2017, and the rate of American Indian children has seen a dramatic reduction from a high of 131.1 per 1,000 children in the Minnesota population in 2017 to 89.7 per 1,000 in 2020.

[Note: Native children remain the most likely group in the state and nation for removal from their homes.]

Rate of Minnesota Children in Out-of-Home Care, 2010-2020 (by race/ethnicity)



The Office of Ombudsperson for American Indian Families (OAIF) is a new independent agency, created by legislation in July 2021. However, since 1991, there has been an Ombudsperson for American Indian Families working to serve American Indian Families involved in child protection. The OAIF works independently and in collaboration with the American Indian Community-Specific Board. The Board is appointed by the Minnesota Indian Affairs Council. The Ombudsperson monitors cases and investigates complaints of non-compliance of statutes, rules, and laws, and educates the legal community and the American Indian Community about the Child Protection Process. The OAIF mission is "Preserving the Indian Family."

BUDGET

The OAIF's budget was seeded in July 2021 with \$190,000. Since this is a newly created agency, there is no historic data to report.

STRATEGIES

As shown in the above figure, there is great disparity and over-representation of American Indian children who are in out-of-home care. The OAIF seeks to close the gap and emphasize the importance of an antiracist child welfare system that dedicates resources to enable Minnesota's American Indian children and families to achieve their full potential. Effective strategies are needed at every stage of the child welfare continuum process: prevention, screening and assessment, decision-making, providing culturally specific and responsive services, ensuring that fathers are being provided notice and a case plan, and including the tribes at every stage when a child is tribally affiliated.

To begin the process, the OAIF will learn national best practices and develop creative messaging so children are not removed from their homes at such high rates. When and if they need to be removed, it is our goal to ensure they are placed with family instead of strangers and to prioritize reunification. The OAIF three-year plan is to:

- Establish new networks to begin building effective coalitions.
- Assess strategies to address over-representation.
- Implement an action plan.
- Propose legislative packages on policy directions.

The OAIF will continue to take complaints and inquiries, monitor cases for non-compliance, investigate cases when necessary, and develop public policy.

RESULTS

The Ombudsperson for American Indian Families was previously with the Office of Ombudsperson for Families (OBFF) and the results below are data for the three-year period prior to the legislation creating the OAIF. This data provides information on the effective work the Ombudsperson for American Indian Families did from 2018 to 2020. When the OBFF reported their data, it was reported cumulatively and did not disaggregate the data for each of the Ombudspersons. The data below is what the Ombudsperson for American Indian Families reported.

<i>Name of Measure</i>	<i>2018 Report</i>	<i>2019 Report</i>	<i>2020 Report</i>
Complaints and Inquiries received*	932	1,035	879
Consultations/resolutions	428	556	583
Investigations	63	60	64

*This measure tracks the number of calls/complaints to make inquiries, to lodge a complaint, or request information about the child protection system and how to navigate it.

The legal authority for the OAIF is Minn. Stat. 3.9215 <https://www.revisor.mn.gov/statutes/2021/cite/3.9215>

The legal authority for the American Indian Community Specific Board is Minn. Stat. 3.9216 <https://www.revisor.mn.gov/statutes/cite/3.9216>

(Dollars in Thousands)

	Actual	Actual	Actual	Estimate	Forecast Base		Enacted Budget	
	FY20	FY21	FY22	FY23	FY24	FY25	FY24	FY25
<u>Expenditures by Fund</u>								
1000 - General			169	211	190	190	336	340
2001 - Other Misc Special Revenue				53	53	53	53	53
Total			169	264	243	243	389	393
Biennial Change				433		53		349
Biennial % Change						12		80
Enacted Budget Change from Base								296
Enacted Budget % Change from Base								61

(Dollars in Thousands)

	Actual FY20	Actual FY21	Actual FY22	Estimate FY23	Forecast Base FY24 FY25		Enacted Budget FY24 FY25	
1000 - General								
Balance Forward In				21				
Direct Appropriation			190	190	190	190	336	340
Balance Forward Out			21					
Expenditures			169	211	190	190	336	340
Biennial Change in Expenditures				380		0		296
Biennial % Change in Expenditures						(0)		78
Enacted Budget Change from Base								296
Enacted Budget % Change from Base								78
2001 - Other Misc Special Revenue								
Balance Forward In				163	133	103	133	103
Transfers In			163	23	23	23	23	23
Balance Forward Out			163	133	103	73	103	73
Expenditures				53	53	53	53	53
Biennial Change in Expenditures				53		53		53
Biennial % Change in Expenditures								
Enacted Budget Change from Base								0
Enacted Budget % Change from Base								0

(Dollars in Thousands)

	FY23	FY24	FY25	Biennium 2024-25
Direct				
Fund: 1000 - General				
FY2023 Appropriations	190	190	190	380
Forecast Base	190	190	190	380
Change Items				
Maintain Current Service Levels		5	9	14
Full - Time Investigator		92	92	184
Part - Time Office Admin Specialist		49	49	98
Total Enacted Budget	190	336	340	676
Dedicated				
Fund: 2001 - Other Misc Special Revenue				
Planned Spending	53	53	53	106
Forecast Base	53	53	53	106
Total Enacted Budget	53	53	53	106

(Dollars in Thousands)

	FY23	FY24	FY25	Biennium 2024-25	FY26	FY27	Biennium 2026-27
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Maintain Current Service Levels

This provision provides additional operating funds to maintain the current level of service delivery for the Ombudsperson for American Indian Families.

1000 - General Fund Cost (Savings)	0	5	9	14	9	9	18
Expenditures	0	5	9	14	9	9	18

Full - Time Investigator

This provision provides funding to hire a full-time investigator to assist the Ombudsperson for American Indian Families.

1000 - General Fund Cost (Savings)	0	92	92	184	92	92	184
Expenditures	0	92	92	184	92	92	184

Part - Time Office Admin Specialist

This provision provides funding to hire a part-time Office Administrative Specialist to assist the Ombudsperson.

1000 - General Fund Cost (Savings)	0	49	49	98	49	49	98
Expenditures	0	49	49	98	49	49	98