



Governor Terry E. Branstad  
Lt. Governor Kim Reynolds  
San Wong, Director

Commission on Native American Affairs meeting  
Friday, October 12, 2012  
9:00 a.m.  
Ponca Tribal Health and Wellness Center, 2602 J St., Omaha, NE

Members Present: Judy Allen, Vicky Apala-Cuevas, Joe Coulter, Karen Mackey, Franklin Phillips (joined at 9:40 a.m.), Judy Yellowbank (joined at 9:55 a.m. which established quorum)  
Members Absent: Keith Carpenter, Larry Lasley, Theresa Mahoney  
Guests: Jill Fulitano Avery, Executive Officer; Heidi Smith, Deputy Director; Danielle Plogmann, staff; Rebecca White, Ponca Tribal Chairwoman; Jill Holt, Ponca tribe ICWA specialist, Raul Cuevas, Christina Youngbear

Invocation and call to order: Chair Allen called the meeting to order at 9:25 a.m.

Jill Holt, Indian Child Welfare Act (ICWA) specialist for the Ponca tribe, provided a history of ICWA (Indian Child Welfare Act) in the state of Nebraska. Currently in Nebraska, supporters are discussing possible amendments to the state's ICWA law, as Iowa's is stronger than Nebraska's. Holt told the commission that Native Americans make up about 1% of Nebraska's population, but make up 8% of youth in foster care. Commissioner Mackey noted that she has seen courts get better over time. Chair Allen recommended the Nebraska ICWA Coalition begin working more closely with the state's Indian Commission. Commissioner Coulter told Holt that attorney Danielle Smith would be a good partner.

Minutes – Phillips asked to receive minutes in a different way, as he was unable to download the attachment. Apala-Cuevas asked to make a change to the draft minutes from the July 6 meeting. Page four, Lakotas was changed to Dakotas.

Motion: Apala-Cuevas moved to approve minutes as corrected.

Second: Counter seconded.

Discussion: Phillips asked the difference between Dakota and Lakota. Counter explained there are language differences as well as geographical differences. Chair Allen noted a lot of discussion took place among commissioners today, perhaps making a good retreat topic.

Vote: Yellowbank – abstain, Apala-Cuevas – yes, Coulter – yes, Mackey – abstain, Phillips – yes, Allen – yes.  
Motion carried.

Jill Fulitano Avery gave a report from the Department. Tiffany Lewis' position is now vacant. Commissioners should encourage potential new commissioners to apply to the Governor's Office, as there are now two vacancies. Danielle Plogmann noted the commission needs one man and one woman, or two men to achieve gender balance and the appointees would need to be Republican or No Party to achieve political balance, as required by law.

Fulitano Avery asked for contact information from tribes so that she can send commission updates to the correct individuals. Coulter said he would work with Fulitano Avery on this.

Fulitano Avery met with Michael Boussetot, the liaison in the Governor's office to discuss the capitol project, proclamations and the mascot issue. Requests for a Native American Heritage Month proclamation and a Sioux City walk certificate are submitted. Fulitano Avery explained the mascot issue is not within the purview of the Governor's Office. Other options would be to pursue legislation or perhaps try to work with the Iowa Association of School Board.

Committee Reports: Chair Allen reminded committee chairs to send reports in writing prior to meetings. Upon request from Coulter, Fulitano Avery will send a reminder prior to meetings. The chair reminded commissioners that can meet any time to do project work, and such meetings do not need to be initiated by the chair.

Coulter provided an update from the Capitol Display Committee. He said the commission needs to collect all the flags. Chair Allen expressed a need for the Governor's Office to help bring resolution to this issue. Chair Allen also asked Fulitano Avery to make sure the Governor's Office will display the Commission flag in the Governor's Office as was done last year. She understood this would be done annually.

Speaking for the ICWA and juvenile justice committee, Mackey said it is important for the commission to know federal and state ICWA law. She recommended training at a commission meeting. Judy Yellowbank mentioned Allison Lasley is the state's ICWA consultant, and the Chair suggested getting her to facilitate training at a two-day commission meeting.

10:45 – break

11:15 – return from break

Mackey provided an update on the Commemorative Project. The 150 anniversary of the Hanging of the 38 in Mankato event will take place December 26 in Sioux City, likely at Four Directions with an alternate site to be established. The event will include a memorial and meal. Richard Lundy will give a history of the event. The event will be intergenerational. Mackey will work with Fulitano Avery and Plogmann to get information on the website and to media. Goal is to publicize at Sioux City march in November. Details will also be shared with other tribes, as more than just Dakota were affected. Chair Allen will provide a statement and Coulter will work with Mackey to craft a statement or resolution to be passed by the commission by teleconference. Rebecca White suggested getting a letter of support from the Santee Sioux.

11:45 – lunch break

Following lunch, commissioners received a tour of the Ponca Tribal Health and Wellness Center, which exists to provide medical care to Native Americans. Some services include well-child screenings, preventative care, dental care and pharmacy services. They provide contract health care, of which 60% is charity care. They have more than 100 identified tribes on their patient roll and receive 20-30 new patients every month.

12:55 – resume meeting

Coulter, speaking on tribal community collaborations, recommended adding a standing item to the agenda, offering tribal leaders an opportunity to speak. If they can't attend, leaders could submit questions, ideas and issues in writing. Allen noted that issues brought to the commission must be statewide issues. Check with Chair Allen and Fulitano Avery if you know of possible guests.

Coulter and the commission acknowledged the contributions of the Ponca Tribe in this meeting. Members are very grateful to the tribe and tribal community and Ponca people for helping host and educate about the things they're doing.

Chair Allen announced her intention not to seek re-appointment when her term expires next April, noting a commitment to her tribe.

Chair Allen provided an update on the Native Prisoners Spiritual Rights effort with the Department of Corrections. Allen explained the draft document from DOC left a few things out, but is almost what the commission had asked for. One important difference: the DOC named the document "procedures and guidelines." The commission wants it deemed a "policy" instead of a "procedure." Allen noted she wants to see stronger support from the Governor's Office in finalizing the policy.

Fulitano Avery explained the detention screening tool, which is being implemented in parts of Iowa with the goal of providing a tool to standardize decisions about when juveniles are entered into the juvenile justice system. Such a tool is showing progress in reducing bias from the process. Mackey noted the system is working in Woodbury County, and by tracking race and ethnicity on the administrative side, the state can make sure the tool is being followed.

Motion: Mackey moved to authorize the chair to draft and sign a letter in support of the tool.

Second: Coulter seconded.

Vote: The motion passed with unanimous support.

Regarding the mascot issue, the group agreed to reach out to the Iowa Association of School Boards (IASB) using the original letter to Department of Education as a starting point.

Motion: Coulter moved that a letter, with any revisions or amendments needed, be sent to IASB.

Second: Mackey seconded.

Vote: The motion carried with unanimous approval.

The next commission meeting will be held December 27 in Sioux City, the morning after the commemorative evening event previously discussed.

Judy Yellowbank reminded commissioners the 10<sup>th</sup> Memorial March is the day before Thanksgiving. Fulitano Avery will send out the certificate of recognition when she receives it. The march will include prayers in courtrooms, ICWA training for judges and a memorial dinner. Families who want to be recognized will contact Yellowbank prior to the event.

Mackey moved to adjourn at 2:35 p.m. Allen adjourned.

Minutes prepared by Danielle Plogmann, staff.