



# Iowa Department of Human Rights

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

Division of Community Action Agencies | Division of Community Advocacy and Services | Division of Criminal and Juvenile Justice Planning  
Offices of  
Asian and Pacific Islander Affairs | Deaf Services | Latino Affairs | Native American Affairs | Persons with Disabilities | Status of African Americans | Status of Women

## Iowa Commission on Native American Affairs (ICNAA) Minutes of Meeting

Friday, April 6, 2012  
Meskwaki Casino - Red Earth Room  
1504 305<sup>th</sup> Street  
Tama, IA

**Present:** Judy Yellowbank, Vice Chair; Vicky Apala-Cuevas; Keith Carpenter; Joe Dan Coulter; Karen Mackey; Larry Lasley; Franklin Phillips; Theresa Mahoney (arrived 11:19 a.m.)

**Staff:** Jill Fulitano Avery, Linda Scott

**Guests:** Raul Cuevas, Cara Hoener, Regina Tsosie and Michelle Baugher

**Department of Corrections:** Judy Morrison

**Absent:** Judy Allen, Thomas Cornwell, Tiffany Lewis; San Wong, Department of Human Rights Director and ExOfficio

**Invocation** provided by Larry Lasley.

**Meeting called to order** by Vice Chair Yellowbank at 9:19 a.m. with quorum.

### **Approval of Minutes from January 6, 2012:**

Change the January 6, 2012 minutes with regard to the spelling of Commissioner Apala-Cuevas' name. Cuevas should be spelled with an "a", not an "e" as indicated. Change noted.

**Coulter made a motion to add an amendment to page two, under DHR, as follows: After preliminary discussion with regard to the ICNAA budget with Director San Wong, discussions could no longer proceed as Director Wong left the meeting. Phillips seconded the motion. Motion carried by voice vote.**

**Avery** suggested that from today forward, when someone arrives late or must leave early, that time should be noted in the minutes.

**Apala-Cuevas** also asked that it be noted in the January 6, 2012 minutes that **"as stated in the Code, one of the duties of the DHR Director is to secure grants and funding for the Boards and Commissions under the Department of Human Rights"**.

**Coulter made a motion to approve the changes as indicated. Apala-Cuevas seconded. Motion carried by voice vote.**

### **Approval of Minutes from February 2, 2012:**

Change the February 2, 2012 minutes with regard to the spelling of Commissioner Apala-Cuevas' name. Cuevas should be spelled with an "a", not an "e" as indicated. Change noted.

On page one, the word Ponco should be changed to Ponca. So noted.

**Mackey made the motion to approve the minutes with changes as indicated. Lasley seconded. Motion carried by voice vote.**

**Reports:**

**Chair – No report**

**Department of Human Rights**

- Director Wong is not present at this meeting because interviews are taking place to hire the Administrator of Community Advocacy and Services (CAS) which our offices fall under. The person selected will be supervisor between Avery and the Director.
- Avery outlined the reorganization of the CAS Division into Clusters. She is the Executive Officer of Cluster Three which includes the offices of Native American Affairs (ICNAA), Persons with Disabilities (PWD) and Deaf Services (DS). Cluster One with Alba Perez as Executive Officer includes the offices of Latino Affairs (LA) and Status of African Americans (SAA); Cluster Two with Henny Ohr as Executive Officer includes the offices of Asian and Pacific Islander Affairs (APIA) and Status of Women (SW).
- Avery advised the commission that Tom Cornwell has resigned and there is now a vacancy. Commissioners were informed that when someone leaves the commission, it is up to the Governor's office to replace that individual. If anyone knows of someone who would like to serve, they are welcome to give suggestions to the Governor's office. Appointments are made by looking at geographic balance, gender balance, political balance, etc. Coulter would like to have a memo along with pertinent information necessary to make application sent to all commissioners as well as others in the Native community.
- Jake Kesner left the Governor's office this past week. Michael Boussetot is now the contact in the Governor's office until Jake returns. Avery will be contacting Mr. Boussetot to set a meeting to update him on issues about the display, the Spirituality Policy, etc. At the request of the Vice Chair, Avery will forward his contact information to the commissioners.
- Avery will begin working on a tutorial setting out meeting rules for all of the commissions and boards so there is some uniformity as far as how we operate as to motions, agendas, and minutes.
- Avery will be traveling to Arizona next week to attend a National Native American Conference in Phoenix. She has been asked by the Department of Education (DOE) to attend. She will share any information she brings back with the commission.

**Capitol Display**

Carpenter asked for contact information on companies that might make a Blackfeet Nation flag for him. It's his nation's flag and he would like it displayed at the Capitol. He will personally pay for the flag. Avery will send him the information.

Because of the changes within the Governor's office and the resignation of Cornwell, it seems as though we need to start on this project from the beginning. This is an important project for the commission and has been a priority to get the display in place. With Cornwell's resignation, Lasley volunteered to serve on the committee with Coulter and Mahoney and will contact Cornwell for updates. Avery thinks she has the most updated file on the project and will send out the information to the committee.

**Carpenter moved that a letter of commendation be sent to Cornwell for his service to the commission and the committee. It should state that he was a wonderful resource and the commission appreciates his service. Lasley seconded the motion. Motion carried by voice vote.**

Coulter asked that Avery provide a draft of the letter to Cornwell be sent to the commissioners for their review and return. Once in final form, Avery has been asked to forward to the commissioners for their approval.

**Indian Child Welfare Act (ICWA) and Juvenile Justice:**

Mackey, Mahoney and Yellowbank have shared some brief e-mails it appears that there is no specific path on which to go with this. There's been a lot of discussion and its priority, but there are still questions as to what should be addressed. There is still ICWA training in discussion, but now they want to know if

there is a particular direction the commissioners want the committee to take. Discussion ensued on what information needs to be maintained and where and how often the information should be shared and with whom. Commissioners felt that the Department of Human Services (DHS) and Justice (DOJ) should be contacted for data and information on the State Children's Justice Council within the Supreme Court, if it still exists.

Morrison arrived at 10:00 a.m.; Lasley left the meeting at 10:20 a.m.

Mackey felt that it was important to have some educational training on ICWA, especially in the Sioux City/Woodbury County area. She suggested that the commission have one of their meetings in Sioux City and ICWA training could be provided for both commissioners and community. Morrison also felt that it would be a good educational piece for DOC counseling staff who work with offenders. Training for DOC would have to be done in the Des Moines area since there is a lot of staff to travel. DOC may even send someone to the Sioux City/Woodbury County training and turn around and train the counselors and central staff. Avery noted that they should consider who they're going to target with this training. There could be different levels of training if you have judges and people in the court system attending over those coming for the training from the community. She suggested that they look at different times for different levels being trained. Apala-Cuevas liked the idea of a desk manual as a reference tool.

Yellowbank and Carpenter would like some boundaries set on who they talk with, how they handle situations, etc. Avery indicated that the Code sets out what the commission should be doing as a body. When you take on individual cases, that's case management, and that's not what this commission is set up to do. Individually in their communities commissioners can give out resources and referrals and we welcome that, but if unsure, they can contact our office as we provide outreach and resource information all the time. Phillips has attended three (3) ICWA trainings and he still refers back to the policy put in place on what is expected of a commissioner and the commission. If anyone needs a copy, one can be found and forwarded on request. Morrison felt that as individuals you can do anything that they see fit to do, but as a commissioner you're bound by Code.

There being no further discussion, commission took a break at 10:45 a.m.

Returned from break at 11:00 a.m.

#### **Commemorative Project:**

Mackey would like to see a Proclamation from the Governor in November or early December of 2012 and she will also be working on doing the same on a local level. At this time there is no particular wording to be placed on the document but Mackey felt that it should talk about the role the state of Iowa had. She will begin working on wording, but will be sending out the draft for everyone to edit and come up with a final document agreeable to everyone.

Since this is such an important time in the history of Iowa and it's Native people, Morrison asked for everyone's ideas about documenting the tour – she has a videographer she uses for her non-profit and she has offered those services if the commission would agree. It would be the commission's to do with as they wanted, but would be of the quality that could be used for educational purposes to schools/classrooms. If it turned out well, Carpenter would like to see if Public Broadcast System (PBS) or Iowa Public Television (IPTV) would want to air the video.

**Motion made by Carpenter that the commission attempt to get the videographer to video and document the upcoming tour and commemoration/spiritual ceremony, whatever was within limits. Coulter seconded the motion. Motion carried by voice vote.**

Commission discussed the next commission meeting and events surrounding the massacre of male tribal members at Camp McClellan. Apala-Cuevas spoke to the Mayor's office and they are very interested in hosting the next meeting. As soon as a date is set, the Mayor's office will find a meeting place and have the library research their records. She has taken the liberty of inviting the Mayor as an honored guest. If he is unavailable, a representative from his office will attend. Apala-Cuevas also suggested that an

invitation be extended to the community of Mankato, Minnesota to be a part of the tour and meeting. Morrison suggested that the commission also invite Raymond Owens. Apala-Cuevas said that it had been discussed that he be invited to do the opening ceremony. After some brainstorming, the meeting date has been set for **Friday, July 6, 2012 in Davenport, Iowa**. The agenda will contain information on the tour, but should be put under Old Business.

Mackey hopes that Sioux City will be able to do something as a group, but a group will be meeting in the coming weeks to begin the planning of an event.

Morrison informed everyone about the 150<sup>th</sup> Anniversary Celebration and Memorial PowWow in Mankato, Minnesota for September 21-23, 2012. They will be honoring the men who died at Camp McClellan.

Apala-Cuevas noted that Tiffany Lewis had been absent the last three (3) meetings and our guidelines and regulations call for some action on that. Avery indicated that since Lewis had been absent the last three (3) meetings, she needs to report that to the Governor's office and they may look at replacing her, unless there have been extenuating circumstances.

#### **Community Initiative for Native Children and Families (CINCF) and Meeting with the Governor:**

- Commission talked about meeting with the Native Americans on a monthly basis to discuss cases and address issues.
- Have been informed by Tom Bouska that the budget is looking similar to last year so ICNAA will still be ongoing FY2013.
- Talked about Great Plains Tribal Council and Access to Recovery Program.
- Briefly discussed meetings with the Governor's office, and an invitation extended to the Governor to visit Sioux City and the community members.

Lunch Break – 12:00 noon; Returned from Lunch Break – 1:40 p.m.

Lasley returned at 1:42 p.m.

#### **New Business:**

**Review Meeting Rules** – Avery said this would be placed on a future agenda.

**Proclamations – Native American Heritage Month and Walk for Lost Children** – In the absence of the Chair, this item will be tabled at this time.

**Health Disparities** – Coulter presented a Power Point overview of Health Disparities within the Native American population and provided a handout and CD entitled Iowa Health Fact Book 2011 for each commissioner.

Break – 2:40 p.m.; Returned from break – 2:54 p.m.

#### **Leverage with Tribes –**

Lasley spoke to engaging the tribes directly on issues with the example of ICWA being easy to identify. He spoke of applying best practices from one area of the state to another. He mentioned the importance of learning lessons from government to government relationships and using those examples to create or advocate for policies and legislation. He attended the State Children's Justice Council and is representing tribal interests and encourages others to become aware and a part of other committees. Lasley also shared about being a part of the White House Rural Council on Native Foods and Agriculture, attending the National Indian Education Association Annual Convention and working with the private sector on financial literacy, all of which benefits Native Americans in Iowa.

**Motion made by Coulter that tribal community collaborations become a standing agenda item. Mackey seconded the motion. Motion approved by voice vote.**

**Collaborations** – Mackey announced that the Sioux City Human Rights Commission is working with Four Directions Community Center and other organizations to do a series of Fair Housing trainings this year. The evening of April 25<sup>th</sup> will be the first training. Time of the training has not yet been finalized.

**Old Business:**

**Response to Mascot Letter** – Avery placed a letter in the commission packets. Department of Education response indicates that they encourage schools not to use inflammatory, derogatory, racial inflammatory statements for mascots. Morrison indicated the city of Indianola has hired an attorney to address this issue and at this time, it is low priority.

**Department of Corrections (DOC) Issues:**

Morrison and the DOC thanked Phillips and Apala-Cuevas for their attendance at the Native American Cancer Support Group training on March 7-8. There was a good turnout from around the state, South Dakota and Nebraska. The decision has been made that the training will take place every six months in Des Moines. DOC has made sure that training has been done in correctional facilities as well. The men at one institution have made cradle boards to send home to their families and Morrison had an example to display at this meeting. DOC is making sure that health issues are addressed at all the institutions as well as connecting with families.

DOC has finally agreed to another meeting on our Spirituality Policy and that meeting will be held on the 13<sup>th</sup>. They have agreed to have the same commissioners present as were at the last meeting – Allen, Phillips and Apala-Cuevas. Morrison looks for the Spirituality Policy to move forward and be implemented in full. She thinks the biggest roadblock has been the Attorney General's (AG) office, but their representative was not actually familiar with federal law concerning Native people, spirituality along with Native American offenders, etc. so she looks forward to having the Policy adopted. DOC has agreed that it's their responsibility to provide the wood and rock for institutions to do a sweat lodge. This is the first time in state history that they've come to that agreement.

Morrison has been working on writing grants. The DOC doesn't give them funds to provide programs to the offenders, so outside funding is being secured. They have a number of projects that they will be doing in the institutions for both men and women. She asked that the commission not forget their relatives that may end up in institutions. She encouraged any of the commissioners to contact her if they would like to visit any of the institutions. She's been getting questions on when will the commission or commissioners be coming to make a visit.

**Announcements:**

Coulter reminded everyone that the University of Iowa American Indian Student PowWow begins this weekend at the field house – 1:00 p.m.

**Public Comment:**

No public comment.

**Motion to adjourn meeting by Coulter and seconded by Mackey.**

Meeting adjourned at 4:26 p.m.