



Governor Terry E. Branstad

Lt. Governor Kim Reynolds

San Wong, Director

**Iowa Commission on Native American Affairs Meeting  
Iowa Department of Public Safety  
215 E 7<sup>th</sup> Street Des Moines - First Floor Conference Room  
Wednesday, February 20, 2013  
9:00 a.m. – 4:00 p.m.**

**Vote of temporary chair:** Apala-Cueves motions for Lasley to be temporary chair, Mackey second, unanimous yes, motion carries

**Call to Order- Chair Lasley**

**Commissioners Present:** Theresa Mahoney, Larry Lasley, Vicky Apala-Cueves, Joe Dan Coulter, Karen Mackey

**Commissioners Absent:** Judy Allen, Judy Yellowbank, Franklin Phillips

**Public:** Raul Cueves

**Staff:** Jill Filitano Avery, Executive Officer; San Wong, Director of Department of Human Rights (DHR) and ex-officio member; Heidi Smith, Deputy Director/Division Administrator

**Approval of Minutes**

Chair Lasley motioned to approve the October 12, 2012 minutes, Coulter approves, Mackey second, vote unanimous to approve, motion carries

**Reports**

- Chair - Allen is not present at the meeting, no report was given.
- Department of Human Rights – Filitano Avery/Smith/Wong
  - Filitano Avery stated the Governor's office is filling commission vacancies and are looking for recommendations from the community. This was Theresa Mahoney's last meeting. Filitano Avery thanked her for her service on the commission. Mahoney stated she will continue to support the commission in the future. Filitano Avery reminded commissioners that if they are unable to make the commission meeting to let her or the chair know so they know if there is going to be quorum for the meeting. Filitano Avery deferred to Director Wong, about the DHR Open House. Wong shared that the Open House is tomorrow from 7:30 a.m. - 9 a.m. at the DHR office in the Lucas building. Everyone is welcome to come. Filitano Avery reminded the commission that at the next meeting they were going to need to elect a new chair and to be thinking about who they wanted.



Governor Terry E. Branstad

Lt. Governor Kim Reynolds

San Wong, Director

- Smith shared about the Outreach meetings that have been completed. There will be 13 reports, one from each community, and a final report about the state, compiling information from across all the meetings that are issues trending in the state of Iowa. Coulter asked about the status of the Native American commission website for the state. Wong stated that the contractor is about a year behind other projects and this is something we can't control. We are on the list of priorities. Coulter stated that social media is much cheaper and strongly encouraged the state to get the website up and working. Chair Lasley asked if there was any timeline and Wong stated that there is an accessibility requirement that goes in effect next year and this will push for this project to get completed. Wong will have her assistant, Danielle Ploughman check on the status of this.
- Capitol Display – Committee
  - Coulter reports he has been communicating with Fulitano Avery about this project. He reminded the commission about the work that was done upfront on this project. He reminded the commission that they have in their possession some of the tribe flags, but he's not sure that they should be collecting more flags until they know for sure the status of placing them in the capitol. Fulitano Avery has been working with the Governor's liaison Jake Ketzner, as he is back now working with the Governor. Fulitano Avery stated that Michael Boussetot didn't follow up on the project. Her request to Ketzner was to get all the correct parties together to discuss using the glass display at the capitol. Coulter suggested asking he be asked to come to the next commission meeting. Fulitano Avery stated that she invited him to the meeting and he didn't respond. Wong suggested being more deliberate about getting Ketzner to the commission meeting. Fulitano Avery mentioned that she sent the agendas to the Governor's liaisons at the Commissions' request. Apala-Cueves suggested that Seven Feathers provide flag poles and stands, but Fulitano Avery stated that the poles have already been secured. Lasley asked about the ability for Ketzner to make something happen during the session, as he may be very busy. Fulitano Avery agreed that he likely will be less busy after the legislative session. Coulter stated he was uncomfortable going around Director Wong, but would like to get this done. Wong suggested that it may be helpful for Governor to hear from



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

them directly. Lasley suggested scheduling a meeting with the Governor and the Capitol Display Committee (He and Coulter). Lasley stated he could make time to meet with the Governor and discuss issues. Fulitano Avery stated she would schedule a meeting with the Governor, Lasley and Coulter.

- Indian Child Welfare Act and Juvenile Justice – Committee
  - Mackey reports that she doesn't have a prepared report for the commission. Mahoney shared the through her work she is working on a couple of projects. The American Indian Center in Minnesota has created a checklist for Iowa Child Welfare Act (ICWA) compliance. The idea is the judge goes through the questions to determine ICWA compliance with each case. The idea is to hit larger counties in Iowa first. With Iowa's ICWA laws stronger than federal, Iowa will be customizing the list. Mahoney also stated through her children's justice initiative she will be doing ICWA training to all new judges. Apala-Cueves requested the website address for ICWA and Mahoney stated she would get it to her. Fulitano Avery wondered how many states were using the checklist. Mahoney stated there were about 6-10 states using the checklist in the country, however Iowa has the strongest ICWA laws nationally. Coulter stated that this is a model for the country and has the potential as a commission accomplishment.
- Commemorative Project – Committee
  - Mackey reported the event took place on December 26<sup>th</sup>, 2012. Three movies were shown about the Minnesota rising. Mackey stated the museum was great to work with. The movies were shown from 1:00 p.m. - 5:30 p.m. with discussion between movies. There was more participation from the general public this year. After the movies, the event was moved to Four Directions for the evening event and the reading of the names. There was a delay because of the medicine man using the sweat lodge. There were about 100 participants. Apala-Cueves asked if Briar Cliff participated in the event and Mackey stated not formally. There was a general discussion about checking into Iowa Cultural Affairs Humanities Board and the Iowa Arts Council for grants for the next event.
- Tribal Community Collaborations – Coulter



Governor Terry E. Branstad

Lt. Governor Kim Reynolds

San Wong, Director

- Coulter discussed that Lasley has suggested on a regular basis that there be input and participation from the state recognized tribes. Coulter stated he had shared the list of tribes with their hyperlinks with Fulitano Avery. The list also goes beyond the official tribes it also lists other tribes in Iowa and surrounding states as well. This gives the commission a chance to know what is going on with other tribes. Coulter suggested that we continue to invite them and provide resources for their travel depending on where the commission meeting is located. Lasley reiterated the website issue and how it's creating an inability to disseminate information about commission activities. The website can be for global native issues as well as leverage resources that are available. It can also be used to advocate for all Native Americans and human rights issues. It will be good to hear from any tribal official and their information. The commission is part of the executive branch which is a government to government relationship. No other Native American group has that opportunity in the state. Many tribes are overlooked by their own tribal communities. The commission can bridge that gap and address the human rights issues within the Native American culture. Coulter shared the example of violence against Native women and the treatment of Native Americans incarcerated. Coulter also mentioned that fracking and the environment will be coming up in future discussions as it affects Native American trust land. Apala-Cueves reiterated the issues related to the website and that the commission has been waiting since 2008.

### **New Business**

- Meeting with Governor – Allen
  - In the absence of the chair Judy Allen, Fulitano Avery shared that Yellowbank had talked to Allen about revisiting the idea of meeting with the Governor. The commission spoke to this issue earlier and Coulter and Lasley will be doing this.

### **Old Business**

- Native American Prisoners Spiritual Rights – Judy Morrison, Iowa Department of Corrections Native American Spiritual and Cultural Consultant
  - Morrison is ill today and unable to attend the commission meeting and is unable to discuss the Native American Spirituality Policy. Fulitano Avery



Governor Terry E. Branstad

Lt. Governor Kim Reynolds

San Wong, Director

shared that her last email from the Department of Corrections stated that nothing had been updated. Apala-Cueves stated that she is aware of other issues that have developed and Morrison is addressing this issue in the new policy. It's related to the courts taking away children from incarcerated women without proper notice. There was an example of one woman only getting two weeks' notice stating she was losing custody of her children. Coulter also suggested that the physical restraint of pregnant women is also an issue. Wong stated that Criminal and Juvenile Justice Planning is located in the DHR. They might have data information that might be helpful related to incarceration. Coulter reminded the commission that Native Americans are disproportionately incarcerated. Apala-Cueves shared a story of a woman who only had two days of insulin when she was released from prison. She ended up having medical issues and was hospitalized due to high levels of blood sugar. Seven feathers got involved and helped get her settled. Apala -Cueves shared that the prison didn't prepare her for the real world. Apala-Cueves wondered if there was something that DHR could do about this, as it affects human rights. Coulter stated he would like to create a motion that helps identify the issues of Native Americans incarcerated. Lasley stated that the government can't be everything to everybody and that people do fall through the cracks. He encouraged Coulter to consider the role of the commission and the DHR. Perhaps the motion should be based on fact finding. **Coulter motioned to establish a regular reporting on the status of Native people incarcerated in the state of Iowa. Mackey seconded the motion, the vote was unanimous and motion passed.** Further discussion from Apala-Cueves stated that Department of Correction's statistical information is not very accurate according to Morrison. Coulter stated that should always be taken into account, but we need data to know if something is working. Apala-Cueves reminded the commission of the open invitation to visit individuals in prison to get their perspective. She has volunteered for five years and has never had an issue with inmates; in fact they are very respectful. Apala-Cueves stated that while Native American inmates are encouraged by others to take care of each other, the DOC discourages this as it looks like they are a group or a gang. Wong suggested that CJJP provides data to commissions and



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

perhaps a CJJP staff could come and present to the commission and have a discussion about the data. Mackey also mentioned the issues around having wood and rock for inmates. They don't all have access to them. Fort Dodge, for example, is not providing them. Apala-Cueves stated in Mt. Pleasant they had to pay \$350.00 as inmates and the prison would gather the wood and rock for them. Apala-Cueves also stated that several inmates have been writing to her and she forwards them to Paul Stageberg in CJJP.

### **Schedule Next Meeting**

Fulitano Avery stated that the next meeting needed to be held before the end of June. Coulter motioned for the next meeting to be held May 1, 2013 in Des Moines. Apala-Cueves seconded the motion, vote passed unanimously. It was suggested to hold it at the Public Safety conference room.

### **Announcements**

Apala-Cueves stated she is working with a Department of Transportation consulting firm and they are asking for information about difficulties with transportation with minorities. Redmond Jones is heading up this project. He told Apala-Cueves he will come to communities and do surveys.

Lasley mentioned the Indian Violence Conference on June. He will forward information about the conference to the commission. It is being hosted by U.S. Attorney's office including Nebraska, South Dakota, and Northern Iowa region at the Winnebago Casino.

### **Public Comment**

None

### **Adjourn**

Lasley suggested a motioned for adjournment. Mackey made the motion, Joe Coulter seconded. Motioned passed unanimously. Adjournment at 11:31a.m.