



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

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

Friday, July 6, 2012
Credit Island Lodge
2200 W River Drive
Davenport, Iowa

Present: July Allen, Chair, Vicky Apala-Cuevas, Keith Carpenter, Joe Dan Coulter, Larry Lasley and Theresa Mahoney

Absent: July Yellowbank, Vice Chair, Tiffany Lewis, Karen Mackey and Franklin Phillips

Staff: Jill Fulitano Avery, Heidi Smith and Linda Scott

Department of Corrections: Jerry Bartruff, Deputy Director and Judy Morrison, Native American Spiritual and Cultural Consultant

Guests: Michelle Baugher, Mac Covey, Paul Cuevas, Jerry Garrison, Jim Mahoney, Jody Norris and Melissa Supple

Invocation provided by Judy Allen.

Meeting called to order by Chair Judy Allen at 9:11 a.m. In the absence of quorum, Chair will be voting at this meeting.

Approval of Minutes from April 6, 2012:

Motion to approve minutes as presented. **Coulter/Carpenter Motion carried by voice vote.**

Agenda: Chair asked for any additions to the agenda as presented. Coulter asked to talk about Eagle feathers. Allen placed the item under Other Business.

Reports:

Chair: Had no report to share, but thanked everyone for their support in monitoring commission business in her absence and excusing her from the last meeting. Announced that Seven Feathers has provided morning snacks and drinks along with lunch. Anyone who would like to make a donation can do so with appreciation.

Chair Allen recognized new faces to the meeting. Jerry Bartruff, Deputy Director, Department of Corrections. Mr. Bartruff is working with the commission on the Spirituality Policy. Heidi Smith, Deputy Director/Administrator of the Division of Community Advocacy and Services (CAS) within the department and Linda Scott is secretary to the CAS division.

Chair also recognized guests, asked that they sign the sign-in sheet provided and asked that the commissioners introduce themselves.

DHR Report – Fulitano Avery:



Governor Terry E. Branstad
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San Wong, Director

Avery thanked Apala-Cuevas for making arrangements for the day's meeting and also others who contributed to the day. Thanked Smith for attending the meeting and reminded the commission that CAS has been without an administrator for quite some time, so it's exciting to have a new administrator "on board".

Let the commission know that the department also has a new Disability Consultant by the name of Lysie Crawford. Ms. Crawford will be working 90% of the time on deaf issues and 10% on other issues within the division.

At the last commission meeting, Avery talked about the Native American Conference she had attended in Phoenix, Arizona. She passed around a brochure and informational pieces on the conference for commissioners to look over. She wanted to draw their attention to the youth agricultural project with an emphasis on youth "at risk". The program was being used to get the young people's lives back on track.

Avery announced that because the CAS division had some unfilled vacancies for a while there was some surplus money that has been used to purchase, on the commission's behalf, 12 wooden flagpoles each with a brass bottom and a brass eagle for the top. Flag Spreaders were also purchased so that flags could be spread out.

Capitol Display:

Coulter, Lasley and Mahoney serve on the committee. Coulter suggested that Mahoney be the spokesperson for the committee. Mahoney had nothing to report, but it does appear that Avery has made some progress. Coulter felt that the committee should now go ahead and get the appropriate flags for some of the nations. They seem to have some of them, but not all and that needs to be made a priority.

Indian Child Welfare Act (ICWA) and Juvenile Justice:

Not a lot has been done. In May, Mahoney was selected to join the Steering Committee of the Children's Justice Initiative. The committee guides the activities of the district teams. The Initiative is an effort of the Supreme Court to approve the outcomes for children in the foster care system. Their first meeting will be held in September.

Mahoney felt that the ICWA training is quite broad and we need some guidance on what that is, who is it we're training and when it should be done. Further discussion took place on availability, possible training of attorneys, social workers and counselors of the Department of Corrections (DOC) who work directly with men and women with children.

Allen asked the committee members of all committees within ICNAA provide a written report to be placed in the commission packets. The report needn't be long, just a paragraph or two on what's going on within the committee so that commissioners can physically have it rather than having the reports presented orally at each meeting.

Commemorative Project:

On display was a document that pardoned some at Camp McClellan. This framed document will be taken to Mankato, Minnesota in September. Apala-Cuevas' sister, Jody Norris, researched the incident and provided the commission with an overview of her findings. Jerry Garrison provided the artwork and framed and matted the piece. Allen recognized him for his efforts.

Chair Allen told the commissioners that Sarah James Childers had contacted her about the proposed memorial recognition concerned that the commission or committee had not contacted anyone about the



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project. Allen told Childers that committee members would be in contact with interested tribal members in the coming weeks. It might even be possible to have some representation from the tribes at the next meeting.

There being no further discussion, commission took a break at 9:50 a.m.

Returned from break at 10:00 a.m.

New Business:

Proclamations: Chair Allen discussed the Proclamations for Native American Heritage Month and the Walk for Our Lost Children. Commission needs to move on the Proclamations in order to get the wording in place and over to the Governor's Office for signature. Chair asked if there were any additions or corrections from those Proclamations of last year.

Motion made and seconded that wording remain the same, with the only change would be the dates on each document. **Coulter/Mahoney. Approved by voice vote.**

Tribal Community Collaborations:

Lasley reported that there are a few things going on in the Meskwaki community. Financial literacy and agricultural items, for instance. He suggested that the commission encourage all tribal communities to look at their options and ways to better themselves in very simple ways which will help their community develop.

Coulter would like to see regular presentations or updates prior to the meetings; contacting each of the tribal committees and inviting them to describe their priority issues in the community and to see if the commission could help in some way.

The commission talked more about leveraging and the vision for tribal communities being able to apply for grants for food studies at the national level and to support health, nutrition and educational issues. The possibility of grant applications and setting up a 501c3 non-profit group was also mentioned. Mahoney suggested that they get letters of support rather than setting up a non-profit group to partner with the communities.

Chair Allen would like to invite the communities to participate and Avery suggested that she forward the commission agendas to the four (4) tribes. Morrison asked that when sending information to the tribes that we ask them to place the information in their monthly newsletter. Allen asked Coulter if he would like to chair a committee to work on tribal community collaborations. Coulter will take on a leadership role, but suggested that all commissioners should be included. He will be happy to take referrals and make regular progress reports.

Old Business:

Native American Spirituality Policy Update:

Bartruff informed the commission that the DOC has moved forward with a document that describes the Policy that will consistently provide the traditions and opportunities to incarcerated Native Americans to practice their traditions and their cultural acts from the institutions. It is DOCs intent to be consistent in the application of the Policy for all tribes.

There have been three (3) meetings during the last year that have moved this Policy forward to where they feel that are near the final draft of the guidelines/policies. They are hoping for a meeting no later



Governor Terry E. Branstad
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than early September with a representative from the Governor's Office, DOC and the Attorney General to finalize the document. It is the intent of the director of DOC that once the document is agreed upon that it is treated like policy. Morrison and Bartruff are willing to travel to every institution to meet with leadership and do some training. The intent is to make sure that DOC gets the institutions to understand what the elements and expectations are and to make sure there's a system in place so that if there are problems, they will be solved.

Response to Mascot Letter:

Chair Allen included a copy of the letter from the law firm Nyemaster Goode on behalf of the Iowa High School Athletic Association. She felt their response was very short, leaving the decision to the local school districts. She is not satisfied with the response and even the Department of Education (DOE) has made the ruling that there will not be any Native American symbols as mascots. Allen would like to take it further and it was suggested that contact be made with the Governor's Office to set a meeting to discuss this issue. Avery will attempt to set up a meeting.

Chair also felt that a letter with stronger language should be composed. She will work with Avery to compose the letter and copies will be sent to those representatives in state government who have been instrumental in helping the commission in the past. Allen will come back to the commission in November with a draft of the letter. Morrison interjected that when the Mascot policy was written for the University of Iowa, it included all cultures so that no team could exhibit their own examples, but rather no cultural group could be represented as a mascot. Allen thought that was a good idea.

There being no further discussion, the group broke for lunch at 11:20 a.m. Resumed at 1:00 p.m.

Old Business (cont'd.):

Other Business:

- 1) Coulter has asked to discuss Eagle feathers with the commission.
- 2) A guest was in attendance who wanted to speak before the commission on the Commemorative Project.

Eagle Feathers:

Over the years, Coulter has had various tribal communities approach him with concerns about what is or isn't allowed with regard to the possession of eagle feathers. He had provided some handouts to the commission by e-mail which included a copy of the Morton policy he referred to in his presentation. He pointed out that the Department of Justice (DOJ) is currently soliciting input from the Native communities and felt that the commission should, at least, be a resource either collectively or individually in expressing their concerns about the policy as it exists. Therefore, he referred to two upcoming meetings either to be held by conference call or in-person meetings, July 11 and July 19, respectively. The July 19 meeting will be held in Tama, IA. He encouraged anyone who wanted to attend, to please do so and provide their input before an exact policy is put into place.

Guest: Sarah Childers introduced herself and wanted to speak to the commission about plans for the commemoration being planned later in the year. She felt that the Dakotas had been left out of the planning and that the commission had gone ahead and made plans without their input. She was of the opinion (through a Facebook post on the Seven Feathers website) that this was a planning meeting today, however Chair Allen advised that this was not a planning meeting, but a commission meeting and that discussion of a memorial had just started two meetings ago. There are no definite plans at this time



Governor Terry E. Branstad
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but rather they are in the planning stages and when additional planning meetings are set everyone will be informed.

Coulter moved that discussion be suspended and the issue be discussed in a closed meeting. For lack of a second, motion died.

Michelle Baugher and commission discussed the MacCovey case that had just been settled with the City of Davenport. Commissioners discussed the need to educate all city/county/state government offices on Native American rights. Allen suggested that the commission draft a letter to city officials stating the commission's opinion on such acts. She asked that this item be placed on the next agenda for discussion and possibly have Michael Boussetot, liaison in the Governor's Office provide a letter as well.

Avery felt that there would always be unfortunate things that happen, those we know about, and those we don't, but it would be a good idea to draft a letter on an educational or policy level addressing the issue, but that the commission should stay away from things that may not be known or things that they should not get involved in.

Motion was made to write an educational letter to city officials regarding spiritual practices of Native Americans. **Allen/Coulter Approved by voice vote.**

Chair Allen reminded everyone that committees can meet at any time without commission approval. She did ask, however, that if committees set a time to meet, that they let both Allen and Avery know.

Next Commission meeting was set for **Friday, October 12, 2012 from 9:00 a.m.- 4:00 p.m. in the Council Bluffs area.** Once a location has been found, commissioners will be advised.

There being no further business, motion made to adjourn at 3:30 p.m. **Lasley/Coulter. Approved by voice vote.**