

U.S. Supreme Court upholds Indian Child Welfare Act in Baby Girl case

RENO, Nev. – In a 5-4 decision in *Adoptive Couple v. Baby Girl*, the U.S. Supreme Court upheld the Indian Child Welfare Act (ICWA) but reversed and remanded this case back to the South Carolina courts on a technicality.

The narrow decision announced on June 25 focused on the standard to determine whether this particular father’s parental rights could be terminated.

Jefferson Keel, president of the National Congress of American Indians (NCAI), delivered the following statement from the organization’s conference in Reno:

“Today’s decision sends a clear message that there is no question of ICWA’s role as the most important law to protect Native children and families. The decision also affirms congressional authority to protect Indian children.

“While we are pleased the court has upheld ICWA, we’re very disappointed for Dusten, Veronica and the Brown family that the court has ruled to send the case back to the South Carolina courts

on a technicality. However, the courts in South Carolina have previously affirmed that Dusten Brown is Veronica’s father and that he is a fit parent. We are confident that his parental rights will be upheld and that Veronica will stay with her family.

“We remain committed to Native families and we will continue to support Dusten Brown’s fight for his rights as a father and for Veronica to remain with her loving father, grandparents and community. Dusten loves his daughter and has never given up in this process, and neither will we.”

Background

In mid-April 2013, the Supreme Court justices considered an appeal by the South Carolina couple and their lawyers to the South Carolina Supreme Court decision that held the following:

1. That it was in Veronica’s best interests to be placed with her father
2. That ICWA applied and was not unconstitutional

3. The “Existing Indian Family” doctrine was inapplicable as an exception to the application of the ICWA in this case
4. That the father did not voluntarily consent to the termination of his parental rights or the adoption
5. The appellants failed to prove by clear and convincing evidence that father’s parental rights should be terminated or that granting custody of baby girl to father would likely result in serious emotional or physical damage to baby girl.

In advance of the oral arguments, support for the position to uphold the lower court rulings and the protections of ICWA was characterized as historic.

U.S. Solicitor General Donald Verrilli and 19 states and state attorneys general were joined by a large array of groups that submitted 24 separate briefs. Not one state submitted briefs in support of the adoptive couple.

The overwhelming support included 17 former and current members of

Congress; Casey Family Programs; the Children’s Defense Fund and 16 other child welfare organizations; the American Civil Liberties Union; broad coalitions of psychology associations, child advocates and legal experts; adult American Indian adoptees; and Tribal amicus briefs that included 333 American Indian Tribes.

Two national Tribal amicus briefs were submitted. The first, which focused on the legislative history and importance of ICWA, was submitted by the Association on American Indian Affairs, NCAI and the National Indian Child Welfare Association (NICWA). They were joined by 30 Indian Tribes and five Indian organizations.

A second national Tribal amicus brief addressed the constitutional issues raised by the petitioners and also included 24 Tribal nations and organizations. The members of the Tribal Supreme Court Project – the Native American Rights Fund and NCAI, in partnership with NICWA – joined together to organize the briefs in support of the father.

Summer food safety: Handle food carefully during picnics, barbecues

From Adrienne Crookes, Community Health Advocate

Foodborne illness is common during the summer months when warm temperatures promote bacterial growth.

Pregnant women, young children, older adults and people with AIDS, cancer and other diseases that affect the immune system are particularly susceptible.

Moist, protein-rich foods (such as fried chicken, roast beef, ham, baked beans, potato and pasta salads, deviled eggs and cream pies) need to be handled carefully. To keep picnic food safe to eat, keep these hints in mind.

Picnic Shopping

Buy perishable foods last and get them home right away. If you’re on your way to the picnic site, put them right into a portable ice chest or insulated bag with coolants (You can make your own ice pack by freezing water in a milk carton). Never leave perishable food in a hot car.

Picnic Setup

Cleanliness is as important at the picnic site as it is at home. If running water won’t be available, take soap and a jug of water along. Everyone should wash their hands before preparing food. Disposable hand wipes can be used if you’ll be hiking some distance from your vehicle.

Microorganisms can cling to raw fruits and vegetables. Be sure to wash the fruits and vegetables at home or at the picnic site before you eat them.

Keep perishable food cold until you’re ready to serve it. When possible, put the cooler in the shade and keep the lid on it. Plan to eat the food soon (preferably within an hour or two).



Source: extension.oregonstate.edu/lane

Barbecuing

Cook meat and poultry thoroughly to destroy bacteria that grow in animals’ intestinal tracts. Ground meat should be well-done (brown throughout). Poultry shouldn’t be pink. For a backyard barbecue, meat can be partially cooked in the oven or microwave just before grilling.

Don’t spread bacteria from raw meat and poultry to other food. Wash your hands after handling meat and poultry. Use clean plates and utensils when you take the cooked meat and poultry off the grill.

Handling Leftovers

Perishable food shouldn’t be held at lukewarm temperatures (40 to 140 degrees F) longer than 2-3 hours. Put it back into the cooler as soon as you finish eating. Don’t leave the food out when you go for a swim or a hike. If perishable foods haven’t been kept at the right temperature, throw leftovers out. It’s not safe to save them for another meal at home.

When you won’t have a way to keep perishable picnic food cold, choose foods that don’t need refrigeration. Canned and dried foods are good choices. These include canned tuna or Vienna sausages, corned beef, peanut butter, nuts, raw or dried fruits, raw vegetables, bread, crackers, cookies, canned pudding and packaged snacks.

National Indian Child Welfare Association’s statement on U.S. Supreme Court decision

We are relieved that the Indian Child Welfare Act was upheld today. This opinion confirms that Congress retains the authority to protect Indian children. The case has been sent back to the South Carolina Supreme Court based on a technicality. Although we are deeply disappointed that this case is not over, Dusten will continue to fight for his daughter and we believe that he will prevail. Veronica will stay with her family.

Confederated Tribes of Siletz Indians Annual Nesika Illahee Pow-Wow

August 9th-11th, 2013

Pauline Ricks Memorial Pow-Wow Grounds, Government Hill, Siletz, OR
Everyone Welcome!

Thursday, August 8th

Royalty Pageant - 6pm

Friday, August 9th

Memorials/Giveaways - Noon to 5pm
Presentation of Crowns - 6pm
Grand Entry - 7pm

Saturday, August 10th

Parade - 10am
Dance Competition Points awarded for Parade Participation
Grand Entry - 1pm & 7pm

Sunday, August 11th

Grand Entry - Noon
Salmon Dinner

All Dancers & Drummers Welcome
Drummers, Please Bring Your Own Chairs

The Nesika Illahee Pow-Wow is a drug and alcohol free event. We are not responsible for accidents, lost or stolen items, break-ups or fry bread melt downs.

Vendor registration is required.

Camping fee \$25; \$5 pet fee / per pet (camping area)

Camp Grounds open Thursday at 7am

For more information call
800-922-1399
Buddy Lane Ext. 1230
Nick Sixkiller Ext. 1757



Categories

Golden Age, Adult, Teen and Youth
Each category pays 5 places.

Specials

- Team Dance
- Women’s Basketcap (Open)
- Round Bustle (Open)
- Women’s All-Around
- Stanson Yazzie Men’s All-Around (Grass, Fancy, & Chicken 18 years and older)