

Resolution Urging Washington to Support Indian Tribes in "Baby Veronica" Case

1 **WHEREAS** a primary purpose of the Native American Caucus of the Washington State
2 Democrats is "to advocate and promote issues important to Native Americans in
3 Washington State and in the Democratic Party" (By-Laws Article II); and
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5 **WHEREAS** the Washington State Democratic Party's 2012 Platform states that "Local,
6 state, and federal governments must respect Native American nations" and calls upon
7 those governments to "reaffirm rights derived from sovereign treaties and state
8 compacts and oppose attempts to diminish sovereignty and cultures" (Plank 18); and
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10 **WHEREAS** on April 16, 2013 the United States Supreme Court heard oral arguments in,
11 *Adoptive Couple v. Baby Girl, Birth Father, and Cherokee Nation*, commonly known as the
12 "Baby Veronica" case and will rule on the importance of tribal interests in custody
13 disputes by the end of June 2013; and
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15 **WHEREAS** the Court may choose to rule against tribal interests by adopting the so-
16 called existing family doctrine which would severely undermine the 1978 Indian Child
17 Welfare Act; and
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19 **WHEREAS** Congress passed the Indian Child Welfare Act to stop the large-scale
20 removal of Indian children from their homes and communities who were then placed in
21 foster care and adoptive homes that were primarily non-Indian; and
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23 **WHEREAS**, Congress found in enacting the Indian Child Welfare Act "that there is no
24 resource that is more vital to the continued existence and integrity of Indian tribes than
25 their children"; and
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27 **WHEREAS** the placement of Indian children in non-Indian homes is still a pervasive
28 issue; and
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30 **WHEREAS** at the request of Indian tribes many States, including Washington, filed an
31 amicus curiae brief with the Court in support of the Respondent urging the Court to
32 affirm the decision of the South Carolina Supreme Court which rejected the existing
33 family doctrine,
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35 **THEREFORE BE IT RESOLVED** that we request the State of Washington through its
36 Attorney General and with the support of its Governor to monitor the actions of the
37 United States Supreme Court in the *Baby Veronica* case and, if the decision of the Court
38 limits the sovereignty of tribes or the scope of the Indian Child Welfare Act, to
39 immediately consult with tribes and tribal advocates in formulating an appropriate
40 course of action; and
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42 **BE IT FURTHER RESOLVED** that we thank the Washington Attorney General Bob
43 Ferguson, Governor Jay Inslee, and other State officials for signing the States' amicus
44 brief supporting tribal interests in the *Baby Veronica* case.
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47 Submitted by the Native American Caucus to the Washington State Democratic Central Committee for
48 consideration at its April 27, 2013 meeting in Chelan. (Date Submitted 4/24/2013)
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50 The WSDCC Resolutions Committee "RECOMMENDED A PASS" on this resolution at its April 27, 2013
51 meeting in Seattle.
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53 The WSDCC "PASSED" this resolution at its April 27, 2013 meeting in Seattle.