

EXHIBIT 7

CONFIDENTIAL

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF PENNINGTON)

IN CIRCUIT COURT
 SEVENTH JUDICIAL CIRCUIT

IN THE INTERESTS OF,

No. 110-50

[REDACTED]

[REDACTED],

Minor Child(ren)

and concerning

[REDACTED] and)

[REDACTED], Respondents

INDIAN CHILD
 WELFARE ACT (ICWA)
 AFFIDAVIT

Comes now, Family Services Specialist [REDACTED], being first duly sworn upon Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the children from the children's home.
4. That [REDACTED] DOB [REDACTED]
 [REDACTED] DOB [REDACTED]
 [REDACTED] DOB [REDACTED]
 [REDACTED] DOB [REDACTED]

are residents of Pennington County, South Dakota.

5. That [REDACTED] is an enrolled member with the Rosebud Sioux Indian Tribe or is eligible for enrollment with that Tribe according to [REDACTED].
6. That on January 11, 2010, Family Services Specialist [REDACTED] notified the Rosebud Sioux Tribe by FAX

that the above-named children were placed in the protective custody of the South Dakota Department of Social Services.

- 7. That [REDACTED] is the birth mother of [REDACTED] and [REDACTED]**
- 8. That [REDACTED] is the birth father of [REDACTED]**
- 9. That [REDACTED] and [REDACTED] were taken into emergency protective custody and were placed in licensed foster care on January 9, 2010.**
- 10. Family Services Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences:**
 - Inquired about potential relative placement resources in close Proximity to the parent or child.**
 - Explored availability of Native American foster homes in close Proximity to the parent or the child.**
- 11. That returning [REDACTED] and [REDACTED] Indian children, to their parents care would result in serious emotional or physical damage to the children; for the reasons stated below:**
 - On January 9, 2010, [REDACTED] was assaulted by [REDACTED] and was taken to the Emergency room. It was reported that [REDACTED] assaulted [REDACTED] in an apartment and then continued to assault [REDACTED] outside the apartment. There were no appropriate caretakers to care for the children.**
- 12. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED]:**
 - Specialist [REDACTED] will complete an initial family assessment to further assess the safety concerns and needs of the family**
 - Specialist [REDACTED] will provide regular visitation for the parents as appropriate**
- 13. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest, is**

CONFIDENTIAL

continued placement in foster care.

Further Affiant sayeth not.

Dated this 11th day of January, 2010.

Affiant

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF)

Subscribed and sworn to before me on Jan 11, 2010.

Christie E Bryant
(Magistrate)(Circuit Judge)(Notary Public)

My commission expires on 5-30-10

(SEAL)

OST et al. vs. Van Hunnick et al,
Civ. 13-5020

Pennington County, SD
FILED
IN CIRCUIT COURT
JAN 15 2010
Ranae Truman, Clerk of Courts
By [Signature] Deputy

CONFIDENTIAL

STATE OF SOUTH DAKOTA)	IN CIRCUIT COURT
) SS	SEVENTH JUDICIAL COURT
COUNTY OF PENNINGTON)	
)	
The People of the State)	
of South Dakota in the)	
Interest of)	

A10-177

ICWA AFFIDAVIT

Child(ren) and concerning

Comes now Family Services Specialist, [REDACTED], being first duly sworn on oath, deposes and says:

1. That the affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That the affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the affiant was consulted and involved concerning the removal of the children from the children's home.
4. That [REDACTED] and [REDACTED] are residents of [REDACTED], South Dakota according to DSS records and [REDACTED].
5. That [REDACTED] is affiliated with the Cheyenne River Sioux Tribe according to [REDACTED].
6. That [REDACTED] is enrolled in the Cheyenne River Sioux Tribe according to [REDACTED].
7. That [REDACTED] is enrolled in the Cheyenne River Sioux Tribe according to [REDACTED].
8. That [REDACTED] and [REDACTED] were taken into Emergency Protective Custody in accordance to a Pick Up and Place Order on February 1, 2010, and placed into kinship care by Family Services Specialist [REDACTED] with their maternal aunt [REDACTED] on this date.
9. That on February 2, 2010, [REDACTED] of the Cheyenne River Sioux Tribe's ICWA Office was notified by telephone and fax of the children's custody and placement.

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CONFIDENTIAL

10. Family Services Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences.
- Specialist [REDACTED] placed the children together with their maternal aunt, [REDACTED], following the necessary safety checks.
 - Specialist [REDACTED] made a family locator referral to Specialist [REDACTED] on February 2, 2010 to attempt to locate family resources.
 - There are no Native American foster homes available at this time according to licensing worker, [REDACTED].
 - Specialist [REDACTED] will speak with the Cheyenne River Sioux Tribe further to inquire about other available relative resources.
11. That returning [REDACTED] and [REDACTED], Indian children, to their mother's care would result in serious and emotional or physical damage to the children for the reasons stated below.
- On November 13, 2010, [REDACTED] was arrested for possession of Methamphetamine and Prescription Pain Killers.
 - [REDACTED] admits to Specialist [REDACTED] and her CSO [REDACTED], to smoking Meth in her home with her children present.
 - Upon [REDACTED] arrest, the home was found to be in poor condition, with feces in the vents, and garbage and clothes covering the floor. There was no appropriate food in the home, according to [REDACTED], and [REDACTED] diaper was found to be "sagging to the floor".
 - [REDACTED] admits that she has neglected her children due to her drug addiction.
 - [REDACTED] remains in the Pennington County Jail due to her use and is unable to provide for her children.
12. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED]
- Specialist [REDACTED] will complete an Initial Family Assessment to further assess the safety threats and needs of the family.
 - Specialist [REDACTED] will provide regular visitation for the parents.
 - Specialist [REDACTED] will continue to research possible relative resources.
13. Family Services Specialist [REDACTED] requests that this Court find that for purposes of the continued custody of the child, DSS has met the ICWA requirements and will continue to do so and that the least restrictive alternative available in the child's best interest is placement Kinship Care with their maternal aunt and uncle, [REDACTED].

Further Affidavit sayeth not.

This 3rd day of February.

[REDACTED]
[REDACTED] Family Services Specialist

CONFIDENTIAL

STATE OF SOUTH DAKOTA)

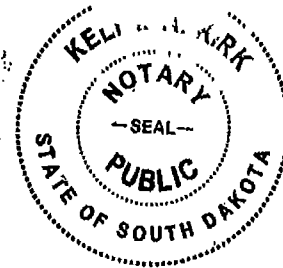
SS

COUNTY OF PENNINGTON)

On this 3rd day of February, 2010, before me personally appeared Family Services Specialist [REDACTED] known to be the person who is described in and who executed the within instrument, and acknowledged to me that she executed the same.

Kelli A. Kirk
Notary Public

My commission expires on 3/6/2013



Pennington County, SD
FILED
IN CIRCUIT COURT

FEB 05 2010

Ranae Truman, Clerk of Courts
By [Signature] Deputy

CONFIDENTIAL

STATE OF SOUTH DAKOTA)

COUNTY OF PENNINGTON)

The People of the State
of South Dakota in the
Interest of)

SS

IN CIRCUIT COURT
SEVENTH JUDICIAL COURT

ICWA AFFIDAVIT

Child(ren),
and concerning)

A10-270

Comes now Specialist [REDACTED] being first duly sworn on oath, deposes and says:

1. That the affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That the affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the affiant was consulted and involved concerning the removal of the children from the children's s home.
4. That [REDACTED] (DOB: [REDACTED])
[REDACTED] (DOB: [REDACTED])
[REDACTED] (DOB: [REDACTED])
[REDACTED] (DOB: [REDACTED])

The children are all residents of Pennington County, South Dakota.

5. That [REDACTED] are enrolled members with the Oglala Sioux and Cheyenne River Sioux tribes or are eligible for enrollment with the above named tribe according to [REDACTED]
6. That on February 24, 2010, Specialist [REDACTED] notified the Oglala and Cheyenne River Sioux Tribes by FAX, phone and letter that the above named children were placed in the protective custody of the South Dakota Department of Social Services
7. That [REDACTED] is the birth mother to all 4 children.
8. That [REDACTED] is the birth father to all 4 children.

9. That on, February 23, 2010, the children were taken into emergency protective custody and were placed in licensed foster care.
10. Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences,
- Inquired about potential relative placement resources in close proximity to the parent/child.
 - Explored availability of Native American Foster homes in close proximity to the parent/child.
 - Referred this case to Kinship Specialist [REDACTED] on February 24, 2010, for the purpose of ongoing relative searches.
11. That returning [REDACTED], Indian children, to their parent's care would result in serious emotional or physical damage to the children; for the reasons stated below.
- On February 23, 2010, law enforcement took custody of these four children because they had been residing with relative caretaker, [REDACTED] for about a month. [REDACTED] is unable to care for the children or meet basic needs any longer.
 - [REDACTED] arrived at [REDACTED] home when law enforcement was there. [REDACTED] was intoxicated and not able to care for her children. [REDACTED] was later admitted to Detox for the second time in 1 week.
 - [REDACTED] whereabouts were unknown at the time of placement.
12. The following efforts have been made to rehabilitate and reunite the family by Specialist [REDACTED].
- Specialist [REDACTED] notified the Oglala and Cheyenne River Sioux Tribes regarding the custody and placement of the children.
 - Specialist [REDACTED] will continue to explore relative placement options for the children.
 - Specialist [REDACTED] will conduct visitation between the parents and children
 - Specialist [REDACTED] will be available to assist the family with their needs and will provide this family with support and resources in order to actively pursue reunification.

CONFIDENTIAL

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF Pennington)

IN CIRCUIT COURT

7th JUDICIAL CIRCUIT

IN THE INTERESTS OF,)

No. A10-321-358

██████████ and)

██████████)

Minor Children)

and concerning)

██████████ and)

██████████ and)

██████████)

INDIAN CHILD
 WELFARE ACT (ICWA)
 AFFIDAVIT

Respondents

Comes now, Family Services Specialists, ██████████ and ██████████
 being first duly sworn upon Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That the Affiants are Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiants were consulted and involved concerning the removal of the children from the children's home.
4. That ██████████ DOB ██████████
 ██████████ DOB ██████████
 are residents of Pennington County, South Dakota.
5. That ██████████ and ██████████ are possibly eligible for enrollment with the Cherokee Sioux, Winnebago Santee Sioux, or another Indian Tribe according to their mother, ██████████.

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CONFIDENTIAL

6. That on February 16, 2010, [REDACTED], Kinship Specialist notified BIA and Secretary of the Interior via letter that the above-named children were placed in the protective custody of the South Dakota Department of Social Services.

7. That [REDACTED] is the birth mother of [REDACTED] and [REDACTED].

8. That [REDACTED] is the birth father of [REDACTED] and is on the birth certificate as father to [REDACTED] but reports that he is not the biological father of [REDACTED].

9. That [REDACTED] is reported to be the birth father of [REDACTED] and may be affiliated or enrolled with the Winnebago Santee Sioux.

10. That [REDACTED] and [REDACTED] were taken into emergency protective custody and were placed in licensed foster care on February 16, 2010 by specialist [REDACTED].

11. Family Services Specialists [REDACTED] and [REDACTED] have made the following efforts to comply with ICWA placement preferences:

- Specialist [REDACTED] and specialist [REDACTED] have inquired about potential relative placement resources proximity to the parent or child, however, there are no appropriate resources identified at this time
- On March 8, 2010, specialist [REDACTED] referred the case to Family Locator Specialist, [REDACTED]
- On March 8, 2010, specialist [REDACTED] made a Team Decision Making referral
- Specialist [REDACTED] and Specialist [REDACTED] have explored availability of Native American foster homes in close Proximity to the parent or the child, however, there are none available at this time

12. That returning [REDACTED] and [REDACTED], Indian children, to their parents care would result in serious emotional or physical damage to the children; for the reasons stated below:

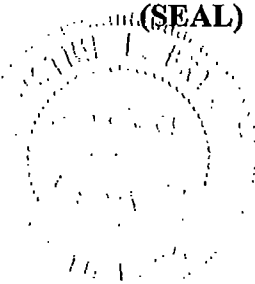
- On February 16, 2010, [REDACTED] tested positive for cocaine, Meth, and marijuana.
- On February 16, 2010, [REDACTED] was driving a car with her children through Sioux Falls, SD and got into a car accident while these drugs were in her system
- [REDACTED] admitted to specialist [REDACTED] to abusing these drugs
- [REDACTED] lives in the State of Illinois and not able to care for the children who reside in South Dakota

GQ2113

CONFIDENTIAL

Christine E Bryant
(Magistrate)(Circuit Judge)(Notary Public)

My commission expires on 5-30-10



Pennington County, SD
FILED
IN CIRCUIT COURT

MAR 19 2010

Ranae Truman, Clerk of Courts
By [Signature] Deputy

A10-514
CONFIDENTIAL

STATE OF SOUTH DAKOTA)
COUNTY OF PENNINGTON)

SS

IN CIRCUIT COURT
SEVENTH JUDICIAL COURT

The People of the State
of South Dakota in the
Interest of

ICWA AFFIDAVIT

Child(ren),
and concerning

Comes now Specialist [REDACTED] being first duly sworn on oath, deposes and says:

1. That the affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That the affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the affiant was consulted and involved concerning the removal of the children from the child's home.
4. That [REDACTED] (DOB: [REDACTED])
[REDACTED] (DOB: [REDACTED])
[REDACTED] (DOB: [REDACTED])
is residents of Pennington County, South Dakota.
5. That [REDACTED] and [REDACTED] are enrolled members with the Oglala Sioux tribe or are eligible for enrollment with the above named tribe according to [REDACTED].
6. That on May 3, 2010, Specialist [REDACTED] notified the Oglala Sioux Tribe by phone and FAX that the above named children were placed in the protective custody of the South Dakota Department of Social Services
7. That [REDACTED] is the birth mother to [REDACTED] and [REDACTED].
8. That [REDACTED] is the birth father to [REDACTED].

Pennington County, SD
FILED
IN CIRCUIT COURT

MAY 05 2010

Ranae Truman, Clerk of Courts

By [Signature] Deputy

GQ2936

9. That [REDACTED] is the father to [REDACTED]
10. That [REDACTED] is the father to [REDACTED]
11. That on May 1, 2010, [REDACTED] was taken into emergency protective custody and was placed in licensed foster care and that on May 3, 2010 the Department of Social Services requested a pick up and place order regarding [REDACTED] and [REDACTED] (Pending).
12. Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences.
 - Inquired about potential relative placement resources in close proximity to the parent/child.
 - Explored availability of Native American Foster homes in close proximity to the parent/child.
 - Notified the Oglala Sioux Tribe of the custody and placement.
13. That returning [REDACTED] and [REDACTED] Indian children to their parent's care would result in serious emotional or physical damage to the children; for the reasons stated below.
 - On May 1, 2010, [REDACTED] was found to be intoxicated in her home with other unknown adults whom were also intoxicated.
 - There were no sober caretakers available for [REDACTED] and he was placed in licensed foster care.
 - The location of the other children and fathers were unknown at the time.
14. The following efforts have been made to rehabilitate and reunite the family by Specialist [REDACTED].
 - An Initial Family Assessment will be completed regarding this family.
 - Visitation between the parents and children are available to this family.
 - Specialist [REDACTED] will be available to assist this family with resources and other services in efforts toward reunification.
 - Efforts to locate possible relative placement options will continue to be explored.

15. That Specialist [REDACTED] finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest, is continued placement in foster care.

Further Affidavit sayeth not.

This 3rd day of May, 2010.

[REDACTED]

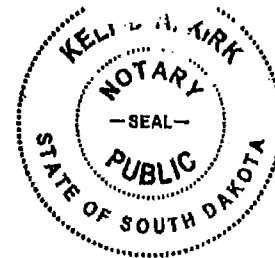
Lead Family Services Specialist

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF PENNINGTON)

On this 3rd day of May, 2010, before me personally appeared [REDACTED] known to be the person who is described in and who executed the within instrument, and acknowledged to me that she executed the same.

Kelli D. Kirk
Notary Public

My commission expires on 3/6/2013



STATE OF SOUTH DAKOTA

COUNTY OF PENNINGTON

The People of the State
of South Dakota in the
Interest of

) SS

IN CIRCUIT COURT
SEVENTH JUDICIAL COURT

A10-773

ICWA AFFIDAVIT

Child(ren) and concerning

Comes now Family Services Specialist, [REDACTED], being first duly sworn on oath,
deposes and says:

1. That the affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That the affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the affiant was consulted and involved concerning the removal of the children from the children's home.
4. That [REDACTED] is the birth mother to all children, according to [REDACTED] and the Department's records. That [REDACTED] is the birth father to [REDACTED] and [REDACTED] according to [REDACTED] and [REDACTED]. That [REDACTED] is the birth father to [REDACTED] and [REDACTED] is the birth father to [REDACTED], according to [REDACTED].
5. That [REDACTED] and [REDACTED] were born in Rapid City, SD. [REDACTED] was born in Sioux Falls, SD.
6. That [REDACTED], [REDACTED], [REDACTED] and [REDACTED] are affiliated with the Cheyenne Sioux Tribe according to [REDACTED]. [REDACTED] is affiliated with the Oglala Sioux Tribe, according to [REDACTED]. [REDACTED] and [REDACTED] are affiliated with the Hopi Tribe according to [REDACTED].

7. That [REDACTED] is enrolled in the Cheyenne River Sioux Tribe, according to [REDACTED]
8. That [REDACTED] is eligible for enrollment in the Hopi Tribe in Arizona.
9. That [REDACTED] and [REDACTED] were taken into emergency protective custody by Law Enforcement on July 2, 2010.
10. That on July 6, 2010, Family Services Specialist [REDACTED] sent a fax to the Cheyenne River ICWA Office and the Oglala Sioux Tribal ONTRAC Office to notify of the placement. Specialist [REDACTED] further contacted the Cheyenne River ICWA Office by phone to discuss this case on August 3, 2010.
11. Family Services Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences:
 - There are no Native American foster homes available at this time according to licensing worker, [REDACTED]
 - Specialist [REDACTED] has notified the Oglala Sioux Tribe and the Cheyenne Sioux Tribe to further inquire about any available relative resources.
 - Specialist [REDACTED] has placed children with family members.
12. That returning [REDACTED] and [REDACTED], Indian children, to her parents' care would result in serious and emotional or physical damage to the child for the reasons stated below:
 - On July 2, 2010, [REDACTED] and [REDACTED] were taken into custody by Law Enforcement as there were no appropriate sober caretakers. [REDACTED] PBT results were .223 at 7:00am, and was unable to care for the children.
 - [REDACTED] hid from Law Enforcement as a result of having a warrant from Minnehaha County stemming from driving with a suspended license after his second DUI. [REDACTED] admits to consuming alcohol and Marijuana prior to going to sleep on July 2, 2010. [REDACTED] left his home, while Law Enforcement was at his home, leaving his children without appropriate supervision.
 - [REDACTED] and [REDACTED] were found to be awake on the couch when Law Enforcement arrived to the home.
 - [REDACTED] and [REDACTED] currently face charges of Non-Support of a Child (x4), Possession of Marijuana and Paraphernalia, and Possession of Meth and Paraphernalia.
13. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED].
 - Specialist [REDACTED] will complete an Initial Family Assessment to further assess the safety threats and needs of the family.
 - Specialist [REDACTED] will provide regular visitation for the parents.
14. Family Services Specialist [REDACTED] requests that this Court find that for purposes of the continued custody of the child, DSS has met the ICWA requirements and will continue to do so and that the least restrictive

alternative available in the child's best interest is placement in appropriate relative care or foster care.

Further Affidavit sayeth not.

This 3rd day of August, 2010.

[REDACTED]
Family Services Specialist

STATE OF SOUTH DAKOTA)

COUNTY OF PENNINGTON)

SS

On this 3rd day of August, 2010, before me personally appeared Family Services Specialist [REDACTED] known to be the person who is described in and who executed the within instrument, and acknowledged to me that s executed the same.

Notary Public

My commission expires on _____

Pennington County, SD
FILED
IN CIRCUIT COURT

FEB 18 2014

Ranee Truman, Clerk of Courts
By [Signature] Deputy

CONFIDENTIAL

STATE OF SOUTH DAKOTA)

COUNTY OF PENNINGTON)

The People of the State
of South Dakota in the
Interest of)

SS

IN CIRCUIT COURT
SEVENTH JUDICIAL COURTICWA
AFFIDAVIT

A10-783

Child(ren),
and concerning)

Comes now Family Services Specialist, [REDACTED], being first duly sworn on oath, deposes and says:

1. That the affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That the affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the affiant was consulted and involved concerning the removal of the children from the children's home.
4. That [REDACTED] and [REDACTED] are residents of Rapid City, South Dakota according to the Rapid City Police Department and the Department of Social Services.
5. That [REDACTED] and [REDACTED] are enrolled members with the Oglala Sioux Tribe or are eligible for enrollment with the above named tribe according to their mother, [REDACTED].
6. That [REDACTED] and [REDACTED] were taken into emergency protective custody by Officer [REDACTED] of the Rapid City Police Department on July 10, 2010. [REDACTED] was placed into licensed foster care by Family Services Specialist [REDACTED] on July 11, 2010 after being treated at Rapid City Regional Hospital. [REDACTED] was placed in licensed foster care by Family Services Specialist [REDACTED] on July 11, 2010 after he was kept overnight in Rapid City Regional Hospital for observation of a skull fracture.
7. That on July 12, 2010, Family Services Specialist [REDACTED] and Specialist [REDACTED] notified the Oglala Sioux Tribe by FAX, phone, and certified letter that the above named children was placed in the protective custody of the South Dakota Department of Social Services

CONFIDENTIAL

8. That [REDACTED] is the birth mother to [REDACTED] and [REDACTED]
9. That [REDACTED] is the birth father to [REDACTED] and [REDACTED].
10. Family Services Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences.
 - Inquired about potential relative placement resources in close proximity to the parent/child.
 - Explored availability of Native American Foster homes in close proximity to the parent/child.
 - A referral was made to Kinship Specialist [REDACTED] on July 12, 2010.
 - Two relatives have been identified an aunt, [REDACTED], and a maternal grandmother, [REDACTED]. The appropriate checks will be completed to determine if either can be a placement option at this time.
11. That returning [REDACTED] and [REDACTED], Indian children, to their parent's care would result in serious emotional or physical damage to the children; for the reasons stated below.
 - On July 10, 2010, [REDACTED] was intoxicated and driving her vehicle on St. Cloud Street in Rapid City where she was involved in a head on collision with another vehicle. This caused her vehicle to leave the road and roll down an embankment. [REDACTED] suffered a skull fracture and was admitted to Rapid City Regional Hospital for observation.
 - [REDACTED] has a pending DUI charge from July 3, 2010 and is facing a second DUI charge from July 10, 2010.
 - [REDACTED] is currently incarcerated in the Pennington County Jail.
 - [REDACTED] and [REDACTED] could not be placed with their biological father because his current location is unknown and he was unable to be reached at the time of placement.
12. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED]
 - Specialist [REDACTED] will complete an initial family assessment to further assess the safety concerns and needs of the family.
 - Specialist [REDACTED] will provide regular visitation for the parents as appropriate.
 - Specialist [REDACTED] will continue to research possible relative resources.

CONFIDENTIAL

13. That Family Services Specialist [REDACTED] finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest, is continued placement in foster care.


Further Affidavit sayeth not.

This 12th day of July, 2010.

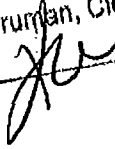
[REDACTED]
[REDACTED] Family Services Specialist

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF PENNINGTON)

On this 22nd day of April, 2010, before me personally appeared Family Services Specialist [REDACTED] known to be the person who is described in and who executed the within instrument, and acknowledged to me that she executed the same.


Notary Public

My commission expires on 04-20-2011

Pennington County, SD
FILED
IN CIRCUIT COURT
JUL 15 2010
Ranae Truman, Clerk of Courts
By  Deputy

CONFIDENTIAL

STATE OF SOUTH DAKOTA)

COUNTY OF PENNINGTON)

The People of the State
of South Dakota in the
Interest of)

) SS

IN CIRCUIT COURT
SEVENTH JUDICIAL COURT

A10 - 901

[REDACTED]

ICWA AFFIDAVIT

Child(ren) and concerning

[REDACTED]

Comes now Family Services Specialist, [REDACTED] being first duly sworn on oath, deposes and says:

1. That the affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That the affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the affiant was consulted and involved concerning the removal of the children from the children's home.
4. That [REDACTED] is the birth mother to all three children, according to [REDACTED] and the Department's records. That [REDACTED] is the birth father to [REDACTED]. [REDACTED] is the birth father to [REDACTED]. [REDACTED] is the birth father to [REDACTED], according to [REDACTED] and the Department's records.
5. That [REDACTED] is an enrolled member of the Standing Rock Sioux Tribe according to [REDACTED] and the Department's records.
6. That [REDACTED] is an enrolled member of the Standing Rock Sioux Tribe according to [REDACTED] and the Department's records.
7. That [REDACTED] has pending enrollment status with the Standing Rock Sioux Tribe, according to the Department's records.

CONFIDENTIAL

8. That [REDACTED] is affiliated with the Standing Rock Sioux Tribe according to [REDACTED] and the Department's records.
9. That Emergency Response Specialist [REDACTED] responded to [REDACTED] [REDACTED], for custody that had been taken of three children. [REDACTED] [REDACTED] was arrested on an outstanding warrant.
10. That on August 9, 2010, Specialist [REDACTED] telephonically informed [REDACTED] [REDACTED] of the Standing Rock Sioux Tribe's ICWA Office of the placement of said children. Specialist [REDACTED] will further send a fax to the Standing Rock Sioux Tribe's ICWA Office.
11. Family Services Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences.
 - Specialist [REDACTED] made a family locator referral to Specialist [REDACTED] on August 9, 2010, to attempt to locate family resources.
 - There are no Native American foster homes available at this time according to licensing worker, [REDACTED]
 - Specialist [REDACTED] will speak with the Standing Rock Sioux Tribe further to inquire about any available relative resources.
12. That returning [REDACTED] and [REDACTED], Indian Children, to their parents' care would result in serious and emotional or physical damage to the child for the reasons stated below:
 - [REDACTED] has a history of unaddressed drug and alcohol use that has been a priority above the care of her children.
13. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED]
 - Specialist [REDACTED] will complete an Initial Family Assessment to further assess the safety threats and needs of the family.
 - Specialist [REDACTED] will provide regular visitation for the parents.
 - Specialist [REDACTED] will continue to further research additional relative resources.
14. Family Services Specialist [REDACTED] requests that this Court find that for purposes of the continued custody of the child, DSS has met the ICWA requirements and will continue to do so and that the least restrictive alternative available in the child's best interest is placement in appropriate relative care, at this time.

Further Affidavit sayeth not.

This 9th day of August, 2010.

CONFIDENTIAL

[REDACTED]
Family Services Specialist

STATE OF SOUTH DAKOTA)

SS

COUNTY OF PENNINGTON)

On this 9th Day of August, 2010, before me personally appeared Family Services Specialist [REDACTED] known to be the person who is described in and who executed the within instrument, and acknowledged to me that she executed the same.


Notary Public

My commission expires on 04-20-2011

Pennington County, SD
FILED
IN CIRCUIT COURT

AUG 11 2010

Ranae Truman, Clerk of Courts

By  Deputy

CONFIDENTIAL

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF PENNINGTON)

IN CIRCUIT COURT
 SEVENTH JUDICIAL CIRCUIT

IN THE INTERESTS OF,

No. A10-955

[REDACTED]

Minor Child(ren)

and concerning

[REDACTED]

and)

, Respondents

INDIAN CHILD
 WELFARE ACT (ICWA)
 AFFIDAVIT

Comes now, Family Services Specialist [REDACTED] being first duly sworn upon Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the child from the child's home.
4. That [REDACTED] DOB [REDACTED]
 [REDACTED] DOB [REDACTED]
 [REDACTED] DOB [REDACTED]

are residents of Pennington County, South Dakota.

5. That [REDACTED] is an enrolled member with the Black Feet Nation Indian Tribe or is eligible for enrollment with that Tribe according to [REDACTED]
6. That on August 18, 2010, Family Services Specialist [REDACTED] notified the Black Feet Nation Tribe by Phone and FAX that the above-named child was placed in the protective custody of the South Dakota Department of Social Services.

Pennington County, SD
 FILED
 IN CIRCUIT COURT

SEP 01 2010

Ranae Truman, Clerk of Courts

By [REDACTED] Deputy

7. That [REDACTED] is the birth mother of [REDACTED].
8. That [REDACTED] is the birth father of [REDACTED].
9. That [REDACTED] was taken into emergency protective custody and was placed in licensed foster care on August 16, 2010.
10. Family Services Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences:
 - Inquired about potential relative placement resources in close Proximity to the parent or child.
 - Explored availability of Native American foster homes in close Proximity to the parent or the child.
11. That returning [REDACTED] an Indian child, to his parents care would result in serious emotional or physical damage to the child; for the reasons stated below:
 - On August 16, 2010, [REDACTED] was arrested for two warrants. [REDACTED] was unable to be located by the caretaker of her son [REDACTED] did not attempt to contact [REDACTED] caretaker or inquire about his whereabouts.
12. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED]:
 - The Department will meet with [REDACTED] at a later time to complete the Initial Family Assessment to further determine the needs of the family and the appropriate services that may be needed in the home.
 - The Department will provide regular visitation for the parents as appropriate.
13. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest, is continued placement in foster care.

CONFIDENTIAL

Further Affiant sayeth not.

Dated this 19th day of August, 2010.

Affiant

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF)

Subscribed and sworn to before me on 08-19, 2010.

~~(Magistrate)~~(Circuit Judge)(Notary Public)

My commission expires on 04-20-2011

(SEAL)

CONFIDENTIAL

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF PENNINGTON)

IN CIRCUIT COURT
 SEVENTH JUDICIAL CIRCUIT

IN THE INTERESTS OF,

No. A-10-1035

[REDACTED]

Minor Children

and concerning

[REDACTED]

and

, Respondents

INDIAN CHILD
 WELFARE ACT (ICWA)
 AFFIDAVIT

Comes now, Family Services Specialist [REDACTED] being first duly sworn upon Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the children from the children's home.
4. That [REDACTED] DOB [REDACTED]
 [REDACTED] DOB [REDACTED]
 [REDACTED] DOB [REDACTED]
 are residents of Pennington County, South Dakota.
5. That [REDACTED] is an enrolled member with the Oglala Sioux Indian Tribe or is eligible for enrollment with that Tribe according to [REDACTED]
6. That on September 16, 2010, Family Services Specialist [REDACTED] notified the Oglala Sioux Tribe by FAX and phone

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CONFIDENTIAL

that the above-named children were placed in the protective custody of the South Dakota Department of Social Services.

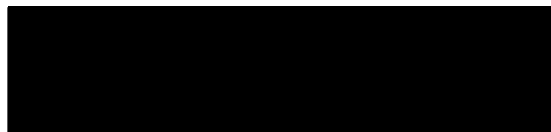
7. That [REDACTED] is the birth mother of [REDACTED] and [REDACTED].
8. That [REDACTED] is the birth father of [REDACTED].
That [REDACTED] is the birth father of [REDACTED].
9. That [REDACTED] and [REDACTED] were taken into emergency protective custody and were placed in licensed foster care on September 16, 2010.
10. Family Services Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences:
 - Inquired about potential relative placement resources in close Proximity to the parent or child.
 - Explored availability of Native American foster homes in close Proximity to the parent or the child.
11. That returning [REDACTED] and [REDACTED], Indian children, to their parents care would result in serious emotional or physical damage to the children; for the reasons stated below:
 - On September 16, 2010, [REDACTED] brought [REDACTED] and [REDACTED] to the Department and reported that she does not want the children and can not provide for them. [REDACTED] wants the children placed with someone who can take care of them. [REDACTED] reports that the children cry a lot and she doesn't know what to do. [REDACTED] described getting nervous and irritable due to their crying and ends up screaming at the children. The children were placed in a licensed foster home.
12. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED]:
 - Specialist [REDACTED] will complete an initial family assessment to further assess the safety concerns and needs of the family.
 - Specialist [REDACTED] will provide regular visitation for the parents as appropriate.

CONFIDENTIAL

13. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest, is continued placement in foster care.

Further Affiant sayeth not.

Dated this 20th day of September, 2010.



Affiant

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF)

Subscribed and sworn to before me on 9-20, 2010.

Christopher E Bryant
(Magistrate)(Circuit Judge)(Notary Public)

My commission expires on 6-10-16

(SEAL)



Pennington County, SD
FILED
IN CIRCUIT COURT

SEP 21 2010

Ranae Truman, Clerk of Courts
By [Signature] Deputy

CONFIDENTIAL

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF PENNINGTON)

IN CIRCUIT COURT
SEVENTH JUDICIAL CIRCUIT

IN THE INTERESTS OF,

[REDACTED]

Minor Child(ren)
and concerning

Biological Parents:

[REDACTED]

Relative Caretaker:

[REDACTED]

INDIAN CHILD
WELFARE ACT (ICWA)
AFFIDAVIT

A10-1064

Comes now, Specialist [REDACTED], being first duly sworn upon
Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the child from the child's home.
4. That [REDACTED] DOB: [REDACTED] is a residents of Pennington County, South Dakota.
5. That [REDACTED] is an enrolled member with the Yankton Sioux Indian Tribe or is eligible for enrollment with that Tribe according to grandfather, [REDACTED].
6. That on September 23, 2010, [REDACTED] Family Services Specialist notified the Yankton Sioux Tribe by FAX that the above-named child was placed in the protective

CONFIDENTIAL

custody of the South Dakota Department of Social Services.

7. That [REDACTED] is the birth mother of [REDACTED]
8. That [REDACTED] is the birth father of [REDACTED].
9. That [REDACTED] was taken into emergency protective custody and were placed in licensed foster care on September 22, 2010.
10. Family Services Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences:
 - Inquired about potential relative placement resources in close Proximity to the parent or child.
 - Explored availability of Native American foster homes in close Proximity to the parent or the child.
11. That returning [REDACTED], an Indian child, to their parents care would result in serious emotional or physical damage to the child; for the reasons stated below:
 - [REDACTED] was found unsupervised, away from his home.
 - [REDACTED] was staying with a relative however the relative was not caring for the child as he was not noticed to be gone.
12. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED]:
 - Specialist [REDACTED] notified the Yankton Sioux Tribe regarding the placement of [REDACTED].
 - Specialist [REDACTED] has will continue to explore relative placements for [REDACTED].
 - Specialist [REDACTED] will conduct visitation between the parents and the child.
 - Specialist [REDACTED] will provide this family with support and resources in order to actively pursue reunification.

CONFIDENTIAL

- 13. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest, is continued placement in foster care.**

Further Affiant sayeth not.

Dated this 24rd day of September, 2010.

Affiant

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF PENNINGTON)

Subscribed and sworn to before me on September 23, 2010.

Charles E. Bryant
(Magistrate)(Circuit Judge)(Notary Public)

My commission expires on 6-10-16

(SEAL)

Pennington County, SD
FILED
IN CIRCUIT COURT
SEP 28 2010

Ranae Truman, Clerk of Courts
By Deputy

CONFIDENTIAL

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF PENNINGTON)

IN CIRCUIT COURT
 SEVENTH JUDICIAL CIRCUIT

IN THE INTERESTS OF,

[REDACTED]

Minor Child(ren)
 and concerning

Biological Parents:

[REDACTED]

Indian Custodian:

[REDACTED]

AIO-1116

INDIAN CHILD
 WELFARE ACT (ICWA)
 AFFIDAVIT

Comes now, Specialist [REDACTED] being first duly sworn upon
 Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the child from the child's home.
4. That [REDACTED] DOB: [REDACTED],
 is a resident of Pennington County, South Dakota.
5. That [REDACTED] is an enrolled member with the
 Cheyenne River Sioux Indian Tribe and Chippewa-Cree Tribe or is
 eligible for enrollment with these Tribes according to biological parent,
 [REDACTED] and the Department's records.
6. That on October 13, 2010, Family Services

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CONFIDENTIAL

Specialist [REDACTED] and Supervisor [REDACTED] notified the Cheyenne River Sioux and Chippewa-Cree Tribes by phone and fax that the above-named child was placed in the protective custody of the South Dakota Department of Social Services.

7. That [REDACTED] is the birth mother of [REDACTED]
8. That [REDACTED] is the birth father of [REDACTED].
9. That [REDACTED] was taken into emergency protective custody and were placed in licensed foster care on October 13, 2010.
10. Family Services Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences:
 - Inquired about potential relative placement resources in close Proximity to the parent or child.
 - Explored availability of Native American foster homes in close Proximity to the parent or the child.
11. That returning [REDACTED] an Indian child, to his parents' care would result in serious emotional or physical damage to the child; for the reasons stated below:
 - [REDACTED] and [REDACTED] have ongoing domestic violence within their relationship as well as alcohol and drug addictions. [REDACTED] has severely assaulted [REDACTED] on several occasions throughout their relationship.
 - The Department worked with the family on a non-court basis for ten months to address the foreseeable danger related to the violence and substance abuse, and the parents were not successful.
 - The Department's non-court case was closed on September 15, 2010, and legal guardianship of [REDACTED] was voluntarily given to maternal grandmother, [REDACTED] as reunification with the parents was not possible.
 - The Department has since received referrals indicating both [REDACTED] and [REDACTED] are using drugs, specifically methamphetamine. Upon hearing this information, [REDACTED] immediately gave [REDACTED] back to his parents and left the area. She cannot be located at this time.

CONFIDENTIAL

- [REDACTED] is not protective of [REDACTED] and has placed him in an unsafe environment with his parents. [REDACTED] and [REDACTED] are not protective and have exposed [REDACTED] to violence and substance abuse in the past.

12. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED] and Supervisor

- Specialist [REDACTED] notified the Chippewa-Cree Tribe regarding the placement of [REDACTED].
- Supervisor [REDACTED] notified the Cheyenne River Sioux Tribe of the placement of [REDACTED].
- Specialist [REDACTED] has will continue to explore relative placements for [REDACTED].
- Specialist [REDACTED] will conduct visitation between the parents and the child.
- Specialist [REDACTED] will provide this family with support and resources in order to actively pursue reunification.

13. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest, is continued placement in foster care.

Further Affiant sayeth not.

Dated this 13th day of October, 2010.

Affiant

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF PENNINGTON)

Subscribed and sworn to before me on this 13th day of October, 2010.

CONFIDENTIAL

Charles E. Bryant
(Magistrate)(Circuit Judge)(Notary Public)

My commission expires on 6-10-16

(SEAL)

Pennington County, SD
FILED
IN CIRCUIT COURT

OCT 14 2010

Ranae Truman, Clerk of Courts

By [Signature] Deputy

CONFIDENTIAL

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF PENNINGTON)

IN CIRCUIT COURT
 SEVENTH JUDICIAL CIRCUIT

IN THE INTERESTS OF,

A10-1119

Minor Child(ren)
 and concerning

INDIAN CHILD
 WELFARE ACT (ICWA)
 AFFIDAVIT

Biological Parents:

Comes now, Specialist [REDACTED], being first duly sworn upon
 Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the child from the child's home.
4. That [REDACTED] DOB: [REDACTED] is a resident of Pennington County, South Dakota.
5. That [REDACTED] is an enrolled member with the Oglala and Rosebud Sioux Indian Tribe or is eligible for enrollment with these Tribes according to biological parents, [REDACTED] and [REDACTED].
6. That on October 13, 2010, [REDACTED], Family Services Specialist notified the Oglala and Rosebud Sioux Tribes by FAX that the above-named child was placed in the protective custody of the South Dakota Department of Social Services.

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7. That [REDACTED] is the birth mother of [REDACTED]
[REDACTED]
8. That [REDACTED] is the birth father of [REDACTED]
9. That [REDACTED] was taken into emergency protective custody and were placed in licensed foster care on October 13, 2010.
10. Family Services Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences:
 - Inquired about potential relative placement resources in close Proximity to the parent or child.
 - Explored availability of Native American foster homes in close Proximity to the parent or the child.
11. That returning [REDACTED], an Indian child, to their parents care would result in serious emotional or physical damage to the child; for the reasons stated below:
 - [REDACTED] has been diagnosed as having [REDACTED] [REDACTED] and will suffer severe brain damage if not cared for properly.
 - [REDACTED] parents have been unwilling or unable to give her the best care to ensure that [REDACTED] will not occur.
12. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED]:
 - Specialist [REDACTED] notified the Oglala and Rosebud Sioux Tribes regarding the placement of [REDACTED]
 - Specialist [REDACTED] has will continue to explore relative placements for [REDACTED].
 - Specialist [REDACTED] will conduct visitation between the parents and the child.
 - Specialist [REDACTED] will provide this family with support and resources in order to actively pursue reunification.

GQ2956

CONFIDENTIAL

STATE OF SOUTH DAKOTA)

COUNTY OF PENNINGTON)

The People of the State
of South Dakota in the
Interest of)

[REDACTED]

Children),
and concerning)

[REDACTED]

) SS

IN CIRCUIT COURT
SEVENTH JUDICIAL COURT

A10-1170

ICWA AFFIDAVIT

Comes now Specialist [REDACTED] being first duly sworn on oath, deposes and says:

1. That the affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That the affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the affiant was consulted and involved concerning the removal of the children from the children's home.
4. That [REDACTED] (DOB: [REDACTED])
[REDACTED] (DOB: [REDACTED])
are residents of Pennington County, South Dakota.
5. That [REDACTED] and [REDACTED] are enrolled members with the Oglala Sioux tribe or are eligible for enrollment with the above named tribe according to [REDACTED]
6. That on November 2, 2010 Specialist [REDACTED] notified the Oglala Sioux Tribe by FAX and phone that the above named children were placed in the protective custody of the South Dakota Department of Social Services
7. That [REDACTED] is the birth mother to both children.
8. That [REDACTED] is the birth father to both children.

CONFIDENTIAL

9. That on November 1, 2010, both children were taken into emergency protective custody and were placed in licensed foster care.
10. Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences.
 - Inquired about potential relative placement resources in close proximity to the parent/child.
 - Explored availability of Native American Foster homes in close proximity to the parent/child.
11. That returning [REDACTED] and [REDACTED], Indian children, to their parent's care would result in serious emotional or physical damage to the children; for the reasons stated below.
 - On November 1, 2010, [REDACTED] was arrested for Non Support of a Child and placed in the Pennington County Jail.
 - Witnesses reported to the police that [REDACTED] grabbed [REDACTED] by the front of his coat and threw him to the ground. Witnesses also reported that [REDACTED] slapped [REDACTED] in the face.
 - Officers report administering a PBT which registered .252.
 - [REDACTED] made verbal threats to the officer while enroute to the Pennington County Jail and kicked the inside of the patrol car.
 - Absent parent is believed to be in Minnesota.
12. The following efforts have been made to rehabilitate and reunite the family by Specialist [REDACTED].
 - Specialist [REDACTED] notified the Oglala Sioux Tribe of the custody and placement of the children.
 - Specialist [REDACTED] notified [REDACTED] as an older sibling is currently placed in a kinship home through their office.
 - The Department of Social Services will continue to explore relative placement options for the children.
 - Visitation will be available to the family.
 - Specialist [REDACTED] will be available to assist the family with their needs and will provide this family with support and resources in order to actively pursue reunification.
 - Specialist [REDACTED] will complete an Initial Family Assessment on this family.
 - This case has been referred for Team Decision Making and to the Kinship Specialist for ongoing relative searches.

CONFIDENTIAL

13. That Specialist [REDACTED] finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest, is continued placement in foster care.

Further Affidavit sayeth not.

This 3rd day of November, 2010.

[REDACTED]

Family Services Specialist

STATE OF SOUTH DAKOTA)
)
COUNTY OF PENNINGTON) SS

On this 3rd day of November, 2010, before me personally appeared [REDACTED] known to be the person who is described in and who executed the within instrument, and acknowledged to me that she executed the same.

Christa E. Bryant
Notary Public

My commission expires on 6-10-16



Pennington County, SD
FILED
IN CIRCUIT COURT

NOV - 4 2010

Ranae Truman, Clerk of Courts

By R-GQ2350 Deputy

CONFIDENTIAL
DELIVERED

NOV 24 2010

10-1191

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF Pennington)

IN CIRCUIT COURT

Seventh JUDICIAL CIRCUIT

IN THE INTERESTS OF,

No. _____

[REDACTED]

INDIAN CHILD
WELFARE ACT (ICWA)
AFFIDAVIT

Minor Child(ren)

and concerning

[REDACTED]
Respondents

Comes now, Specialist [REDACTED], being first duly sworn upon
Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the child(ren) from the child(ren)'s home.
4. That [REDACTED] and [REDACTED] is/are residents of Pennington County, South Dakota.
5. That the children are enrolled members with the Turtle Mountain Indian Tribe or may be eligible for enrollment with that Tribe according to [REDACTED]
6. That on November 8, 2010, Family Services Specialist [REDACTED] notified the Turtle Mountain Tribe by phone and by fax, that the above-named child(ren) was/were placed in the protective custody of the South Dakota Department of Social Services.
7. That [REDACTED] is the birth mother of the children.
8. That [REDACTED] is the birth father to [REDACTED].

9. That [REDACTED] is the birth father to [REDACTED].
10. That the children was/were taken into protective custody and was/were placed in licensed foster care on November 6, 2010.
11. Family Services Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences:
- Inquired about potential relative placement resources in close proximity to the parent or child.
 - Explored availability of Native American Foster homes in close proximity to the parent/child.
 - Referred this case to Kinship Specialist, [REDACTED] for further relative searches.
12. That returning [REDACTED], Indian child, to her parents care would result in serious emotional or physical damage to the child; for the reasons stated below:
- On November 6, 2010, [REDACTED] called law enforcement because [REDACTED] and [REDACTED] were in a physical altercation.
 - [REDACTED] was highly intoxicated and attempted to assault [REDACTED] with a knife. She was arrested for aggravated assault.
 - Both children were present and witnessed parts of the altercation.
 - Law Enforcement did not feel that [REDACTED] was a protective caregiver as he did not call for assistance; therefore the children were placed in licensed foster care.
 - [REDACTED]'s whereabouts were unknown at the time of removal.
13. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED]:
- Specialist [REDACTED] notified the Turtle Mountain Tribe of the custody and placement of the children.
 - Visitation is available to the family.
 - Specialist [REDACTED] will be available to assist the family with their needs and will provide this family with support and resources in order to actively pursue reunification
 - This case has been referred for Team Decision Making and to the Kinship Specialist for ongoing relative searches.

CONFIDENTIAL

14. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest, is continued placement in kinship care.

Further Affiant sayeth not.

Dated this 8 th day of November, 2010.

[REDACTED]
Affiant, [REDACTED]

STATE OF SOUTH DAKOTA)

COUNTY OF Pennington

Subscribed and sworn to before me on 11-8, 2010

Christine E. Bergant
(Magistrate)(Circuit Judge)(Notary Public)

My commission expires on 6-10-16

(SEAL)

Pennington County, SD
FILED
IN CIRCUIT COURT

NOV 29 2010

Ranae Truman, Clerk of Courts
By [Signature] Deputy

CONFIDENTIAL

STATE OF SOUTH DAKOTA)
COUNTY OF PENNINGTON) SS

IN CIRCUIT COURT
SEVENTH JUDICIAL CIRCUIT

IN THE INTERESTS OF,

No. *A10-1201*

MINOR CHILD

INDIAN CHILD
WELFARE ACT (ICWA)
AFFIDAVIT

and concerning

and
RESPONDENTS

Comes now, Specialist [REDACTED], being first duly sworn upon Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the child from the child's home.
4. That [REDACTED] (DOB: [REDACTED]) is a resident of Pennington County, South Dakota.
5. That the child is an enrolled members with the Lower Brule Sioux Tribe or is eligible for enrollment with that Tribe according to [REDACTED].
6. That on November 15, 2010, Family Services Specialist [REDACTED] notified the Lower Brule Sioux Tribe, by phone and fax, that the above-named child was placed in the protective custody of the South Dakota Department of Social Services.
7. That [REDACTED] is the birth mother of the child.
8. That [REDACTED] is the birth father the child.

AS

CONFIDENTIAL

9. That [REDACTED] was taken into protective custody and was placed in treatment facility on November 12, 2010.
10. Family Services Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences:
- Notified the Lower Brule Sioux Tribe of the custody and placement of the child
 - Inquired about potential relative placement resources in close proximity to the parent or child
11. That returning [REDACTED], Indian children, to his parents care would result in serious emotional or physical damage to the child; for the reasons stated below:
- [REDACTED]'s mother, [REDACTED], is incarcerated in the Brule County Jail in Chamberlain, South Dakota.
 - The family feels that [REDACTED] father, [REDACTED], is not an appropriate caretaker because he is an alcoholic.
 - [REDACTED] was in the care of his sister, [REDACTED]. However, [REDACTED] feels that she is unable to care for [REDACTED] because of his destructive and rage.
 - At this time, there have been no appropriate caretakers identified.
12. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED]:
- Specialist [REDACTED] notified the Lower Brule Sioux Tribe of the custody and placement of the child.
 - Visitation is available to the family.
 - Specialist [REDACTED] will be available to assist the family with their needs and will provide this family with support and resources in order to actively pursue reunification.
 - This case has been referred to the Kinship Specialist for ongoing relative searches.
13. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the child's best interest is continued placement in a treatment facility.

CONFIDENTIAL

Further Affiant sayeth not.

Dated this 15th day of November, 2010.


Affiant

STATE OF SOUTH DAKOTA)

COUNTY OF PENNINGTON

Subscribed and sworn to before me on 15 November 2010.


(Magistrate)(Circuit Judge)(Notary Public)

My commission expires on 04-20-2011

(SEAL)

Pennington County, SD
FILED
IN CIRCUIT COURT

NOV 16 2010

Ranae Truman, Clerk of Courts

By  Deputy

GQ2361

CONFIDENTIAL

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF Pennington)

IN CIRCUIT COURT

Seventh JUDICIAL CIRCUIT

IN THE INTERESTS OF,

No. A10-1238

INDIAN CHILD
WELFARE ACT (ICWA)
AFFIDAVIT

Minor Child(ren)
and concerning

Respondents

Comes now, Specialist [REDACTED], being first duly sworn upon
Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the child(ren) from the child(ren)'s home.
4. That [REDACTED] DOB [REDACTED] and [REDACTED] DOB [REDACTED] are residents of Pennington County, South Dakota.
5. That the children are enrolled members with the Rosebud Sioux Indian Tribe or are eligible for enrollment with that Tribe according to [REDACTED].
6. That on November 16, 2010, Family Services Specialist [REDACTED] notified the Rosebud Sioux Tribe by phone, letter and by fax, that the above-named child(ren) was/were placed in the protective custody of the South Dakota Department of Social Services.

5

CONFIDENTIAL

7. That [REDACTED] is the birth mother of the children.
8. That [REDACTED] is the birth father to [REDACTED]
9. That [REDACTED] is the birth father to [REDACTED]
10. That [REDACTED] and [REDACTED] were taken into protective custody and was/were placed in licensed foster care on November 15, 2010.
11. Family Services Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences:
 - Inquired about potential relative placement resources in close proximity to the parent or child.
 - Explored availability of Native American Foster homes in close proximity to the parent/child.
 - Referred this case to Kinship Specialist, [REDACTED] for further relative searches.
12. That returning [REDACTED] and [REDACTED] Indian children, to thier parents care would result in serious emotional or physical damage to the children; for the reasons stated below:
 - On November 5, 2010, [REDACTED] was admitted to Rapid City Regional Hopsital with a perforated bowel and required surgery.
 - Dr. [REDACTED] and Dr. [REDACTED] both noted that this injury was likely "non-accidental" and the parents were not able to provide an adequate explanation.
 - On November 12, 2010, [REDACTED] and [REDACTED] failed their polygraphs at the Pennington County State's Attorney Office regarding how the child was injured.
13. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED]:
 - Specialist [REDACTED] notified the Rosebud Sioux Tribe of the custody and placement of the children.
 - Visitation is available to the family.
 - Specialist [REDACTED] will be available to assist the family with their needs and will provide this family with support and resources in order to actively pursue reunification.
 - This case has been referred for Team Decision Making and to the Kinship Specialist for ongoing relative searches.

CONFIDENTIAL

- Specialist [REDACTED] will complete an Initial Family Assessment on this family.

14. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest, is continued placement in kinship care.

Further Affiant sayeth not.

Dated this 16th day of November, 2010. [REDACTED]

Affiant, [REDACTED]

STATE OF SOUTH DAKOTA)

COUNTY OF Pennington

Subscribed and sworn to before me on 11-16, 2010.

Charles E. Bryant
(Magistrate)(Circuit Judge)(Notary Public)

My commission expires on 6-10-16

(SEAL)



Pennington County, SD
FILED
IN CIRCUIT COURT

NOV 23 2010

Ranae Truman, Clerk of Courts

By [Signature] Deputy
GQ2373

CONFIDENTIAL

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF PENNINGTON)

IN CIRCUIT COURT
SEVENTH JUDICIAL CIRCUIT

IN THE INTERESTS OF,

[REDACTED]

[REDACTED]

Minor Child(ren)
and concerning

Biological Parents:

[REDACTED]

INDIAN CHILD
WELFARE ACT (ICWA)
AFFIDAVIT

A10-1320

Comes now, Specialist [REDACTED], being first duly sworn upon
Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the children from the children's home.
4. That [REDACTED] DOB: [REDACTED] and [REDACTED] DOB: [REDACTED] are residents of Pennington County, South Dakota.
5. That [REDACTED] and [REDACTED] are enrolled member with the Oglala Sioux Indian Tribe or are eligible for enrollment with this Tribe according to biological parents, [REDACTED] and [REDACTED].
6. That on December 10, 2010, [REDACTED], Family Services Specialist notified the Oglala Sioux Tribe by phone and fax that the above-named children were placed in the protective

CONFIDENTIAL

custody of the South Dakota Department of Social Services.

7. That [REDACTED] is the birth mother of [REDACTED] and [REDACTED].
8. That [REDACTED] is the birth father of [REDACTED] and [REDACTED].
9. That [REDACTED] and [REDACTED] were taken into emergency protective custody and were placed in licensed foster care on December 9, 2010.
10. Family Services Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences:
 - Inquired about potential relative placement resources in close proximity to the parent or child.
 - Explored availability of Native American foster homes in close proximity to the parent or the child.
11. That returning [REDACTED] and [REDACTED], Indian children, to their parents care would result in serious emotional or physical damage to the children; for the reasons stated below:
 - [REDACTED] and [REDACTED] continue to involve the children in domestic abuse situations.
 - [REDACTED] is an alcoholic and becomes out of control when he is intoxicated.
 - [REDACTED] allows [REDACTED] in the home and around the children when he is intoxicated.
12. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED]:
 - Specialist [REDACTED] notified the Oglala Sioux Tribe regarding the placement of [REDACTED] and [REDACTED].
 - Specialist [REDACTED] has will continue to explore relative placements for [REDACTED] and [REDACTED].
 - Specialist [REDACTED] will conduct visitation between the parents and the children.

CONFIDENTIAL

- **Specialist [REDACTED] will provide this family with support and resources in order to actively pursue reunification.**

13. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest, is continued placement in foster care.

Further Affiant sayeth not.

Dated this 13th day of December, 2010.

AVAIL

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF PENNINGTON)

Subscribed and sworn to before me on this 13th day of December, 2010.

(Magistrate)(Circuit Judge)(Notary Public)

My commission expires on 04-20-2011

(SEAL)

**Pennington County, SD
FILED
IN CIRCUIT COURT**

FEB 14 2011

Ranae Truman, Clerk of Courts

By Deputy

GQ2391

CONFIDENTIAL

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF PENNINGTON)
)
IN THE INTERESTS OF,)
)
[REDACTED])
MINOR CHILD)
)
and concerning)

IN CIRCUIT COURT
SEVENTH JUDICIAL CIRCUIT

No. 11-480

INDIAN CHILD
WELFARE ACT (ICWA)
AFFIDAVIT

[REDACTED] and
RESPONDENTS

Comes now, Specialist [REDACTED], being first duly sworn upon Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the child from the child's home.
4. That [REDACTED] (DOB: [REDACTED]) is a resident of Pennington County, South Dakota.
5. That the child is an enrolled member with the Oglala Sioux Tribe or is eligible for enrollment with that Tribe according to [REDACTED].
6. That on May 16, 2011, Family Services Specialist [REDACTED] notified the Oglala Sioux Tribe by telephone and fax that the above-named child was placed in the protective custody of the South Dakota Department of Social Services.
7. That [REDACTED] is the birth mother to [REDACTED].
8. That [REDACTED] is the birth father to [REDACTED].

CONFIDENTIAL

9. That [REDACTED] was taken into protective custody and was placed in licensed foster care on May 14, 2011.
10. Family Services Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences:
 - Inquired about potential relative placement resources in close proximity to the parent or children.
 - Explored availability of Native American foster homes in close proximity to the parent or children.
11. That returning [REDACTED], Indian children, to his parent's care would result in serious emotional or physical damage to the child; for the reasons stated below:
 - On May 14, 2011, both [REDACTED] and [REDACTED] were intoxicated, and they were at a party with their four month old son, [REDACTED].
 - Law enforcement responded because [REDACTED] was stabbed, but it was not immediately determined whether [REDACTED] stabbed her or whether her wounds were self-inflicted.
 - [REDACTED] was admitted to the Rapid City Regional Hospital and [REDACTED] was placed in licensed foster care.
 - An Immediate Protective Plan was not implemented because neither [REDACTED] nor [REDACTED] were present at the time that On-Call Specialist [REDACTED] took custody of [REDACTED] so she was unable to determine potential relative placement options.
12. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED]:
 - Specialist [REDACTED] notified the Oglala Sioux Tribe of the custody and placement of the child.
 - Visitation is available to the family.
 - Specialist [REDACTED] will be available to assist the family with their needs and will provide this family with support and resources in order to actively pursue reunification.
 - This case will be referred to the Kinship Specialist for ongoing relative searches.

CONFIDENTIAL

13. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest is continued placement in foster care.

Further Affiant sayeth not.

ated this 16th day of May, 2011.

[REDACTED]

Affiant

STATE OF SOUTH DAKOTA

COUNTY OF PENNINGTON

Subscribed and sworn to before me on 05-16, 2011.

Judy Sweetfield
(Magistrate) (Circuit Judge) (Notary Public)

My commission expires on 04-20-2017

(SEAL)

Pennington County, SD
FILED
IN CIRCUIT COURT

MAY 17 2011

Ranae Truman, Clerk of Courts

By [Signature] Deputy
GQ2144

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF PENNINGTON)

IN CIRCUIT COURT
 SEVENTH JUDICIAL CIRCUIT

IN THE INTERESTS OF,

(DOB:)

Minor Child
 and concerning

Biological Parents:

INDIAN CHILD
 WELFARE ACT (ICWA)
 AFFIDAVIT

411-497

Comes now, Specialist , being first duly sworn upon
 Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the child from the child's home.
4. That DOB: is a residents of Pennington County, South Dakota.
5. That is an enrolled member with the Northern Arapaho Indian Tribe or is eligible for enrollment with that Tribe according to his mother, .
6. That on May 22, 2011, , Family Services Specialist notified the Northern Arapaho Tribe by FAX and PHONE that the above-named child was placed in the protective custody of the South Dakota Department of Social Services.

7. That [REDACTED] is the birth mother of [REDACTED].
8. That [REDACTED] is the birth father of [REDACTED].
9. That [REDACTED] was taken into emergency protective custody and were placed in licensed foster care on May 22, 2011.
10. Family Services Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences:
 - Inquired about potential relative placement resources in close proximity to the parent or child.
 - Explored availability of Native American foster homes in close proximity to the parent or the child.
11. That returning [REDACTED], an Indian child, to his parents care would result in serious emotional or physical damage to the child; for the reasons stated below:
 - [REDACTED] was brought to the Rapid City Regional Hospital with injuries sustained to his head resulting in a fractured skull and a subdural hematoma.
 - [REDACTED]'s injury was the result of being struck in the head by his father, [REDACTED], who was intoxicated.
 - [REDACTED]'s mother, [REDACTED], has stated to Law Enforcement that she does not want to press charges on [REDACTED] for causing the injury to [REDACTED].
12. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED] [REDACTED]:
 - Specialist [REDACTED] notified the Northern Arapaho Tribe regarding the placement of [REDACTED].
 - Specialist [REDACTED] has will continue to explore relative placements for [REDACTED].
 - Specialist [REDACTED] will conduct visitation between the parents and the child.
 - Specialist [REDACTED] will provide this family with support and resources in order to actively pursue reunification.

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13. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest, is continued placement in foster care.

Further Affiant sayeth not.

Dated this 23rd day of May, 2011.

Affiant

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF PENNINGTON)

Subscribed and sworn to before me on May 23, 2011.

Christen E. Bryant
(Magistrate)(Circuit Judge)(Notary Public)

My commission expires on 6-10-16

(SEAL)

Pennington County, SD
FILED
IN CIRCUIT COURT
MAY 23 2011
Ranae Truman, Clerk of Courts
By [Signature] Deputy

DELIVERED
 CONFIDENTIAL
 JUN 05 2011

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF PENNINGTON)

IN CIRCUIT COURT
 SEVENTH JUDICIAL CIRCUIT

IN THE INTERESTS OF,

[REDACTED]

Minor Child
 and concerning

Biological Parent:

[REDACTED]

INDIAN CHILD
 WELFARE ACT (ICWA)
 AFFIDAVIT

11-645

Comes now, Specialist [REDACTED], being first duly sworn upon
 Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the child from the child's home.
4. That [REDACTED] DOB: [REDACTED] is a resident of Pennington County, South Dakota.
5. That [REDACTED] is an enrolled member with the Oglala Sioux Indian Tribe or is eligible for enrollment with the Tribe according to mother, [REDACTED].
6. That on July 5, 2011, [REDACTED], Family Services Specialist notified the Oglala Sioux Tribe by fax and letter that the above-named child was placed in the protective custody of the South Dakota Department of Social Services.
7. That [REDACTED] is the birth mother of [REDACTED].
8. That [REDACTED] is the birth father of [REDACTED].

6

9. That [REDACTED] was taken into emergency protective custody and was placed in licensed foster care on July 2, 2011.

10. Family Services Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences:

- Inquired about potential relative placement resources in close proximity to the parent or child.
- Explored availability of Native American foster homes in close proximity to the parent or the child.

11. That returning [REDACTED] Indian child, to her parent's care would result in serious emotional or physical damage to the child, for the reasons stated below:

- On July 2, 2011, Law Enforcement obtained custody of [REDACTED] as she was found in the arms of her grandmother, [REDACTED] who was walking down the street intoxicated.
- [REDACTED] had been left in [REDACTED]'s care by her mother, [REDACTED]
- There were no immediate sober caretakers in the home to care for [REDACTED].
- [REDACTED]'s father, [REDACTED] is currently incarcerated in the Pennington County Jail and unable to care for [REDACTED].

12. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED]:

- Specialist [REDACTED] notified the Oglala Sioux Tribe regarding the placement of [REDACTED].
- Specialist [REDACTED] will continue to explore relative placements for [REDACTED].
- Specialist [REDACTED] will conduct visitation between the parent and the child.

- 13. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest, is continued placement in foster care.**

Dated this 5th day of July, 2011.

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF PENNINGTON)

(Magistrate)(Circuit Judge)(Notary Public)

(SEAL)

Ranae Truman, Clerk of Courts
By Deputy

OST et al. vs. Van Hunnick et al,
Civ. 13-5020

CONFIDENTIAL

STATE OF SOUTH DAKOTA)

COUNTY OF PENNINGTON)

The People of the State
of South Dakota in the
Interest of)

[REDACTED]

Biological Parents:
[REDACTED]

) SS

IN CIRCUIT COURT
SEVENTH JUDICIAL COURT

ICWA AFFIDAVIT

A11-1004

Comes now Specialist [REDACTED] being first duly sworn on oath deposes and says:

1. That the affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That the affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the affiant was consulted and involved concerning the removal of the children from the children's home.
4. That [REDACTED] (DOB: [REDACTED])
[REDACTED] (DOB: [REDACTED])
are residents of Pennington County, South Dakota.
5. That [REDACTED] and [REDACTED] are enrolled members of the Rosebud Sioux Tribe according to their enrollment paperwork.
6. That on November 4, 2011, Specialist [REDACTED] notified the Rosebud Sioux Tribe by FAX and phone that the above named children were placed in the protective custody of the South Dakota Department of Social Services.
7. That [REDACTED] is the birth mother to both of the children. She resides in NE.
8. That [REDACTED] is the birth father to both of the children. He resides in OK.
9. That on November 3, 2011, both children were taken into emergency protective custody. [REDACTED] was placed in licensed foster care on November 3, 2011. [REDACTED] was placed in

CONFIDENTIAL

licensed foster care on November 4, 2011, because law enforcement could not locate her on the 3rd.

10. Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences.

- Inquired about potential relative placement resources in close proximity to the parent/ children.
- Explored availability of Native American Foster homes in close proximity to the parent/children.

11. That returning [REDACTED] and [REDACTED], Indian children, to their parent's care would result in serious emotional or physical damage to the children; for the reasons stated below.

- On November 3, 2011, Officer [REDACTED] picked [REDACTED] up for burglary and for being in possession of stolen property. When Officer [REDACTED] tried to locate [REDACTED] and [REDACTED] he was given conflicting information on [REDACTED] and [REDACTED] whereabouts.
- [REDACTED] informed Officer [REDACTED] that [REDACTED] could not care for him because of conflicts with her new boyfriend. [REDACTED] also told Officer [REDACTED] that he and his sister, [REDACTED], had not been in [REDACTED]'s care for approximately two months and have not been in school at all this school year.
- On November 4, 2011, Officer [REDACTED] located [REDACTED] at the Stardust Motel and transported her to the Department of Social Services. [REDACTED] confirmed that she had not been in her mother's care for approximately two months and that she had not been in school at all this school year.
- [REDACTED] is currently residing in Oklahoma. He was under that assumption that the children were in [REDACTED]'s care. [REDACTED] said the children were supposed to be in [REDACTED]'s care.
- It's unclear who was supposed to be the primary caretaker for the children but neither [REDACTED] nor [REDACTED] called the children in as being runaways.
- The Department of Social Services tried to locate family members that would care for the children however no appropriate caretakers could be located leaving no alternative except to place the children in Protective Custody with Child Protective Services.

12. The following efforts have been made to rehabilitate and reunite the family by Specialist [REDACTED].

- Specialist [REDACTED] notified the Rosebud Sioux Tribe of the custody and placement of the children.
- Visitation will be available to the family.
- Specialist [REDACTED] will be available to assist the family with their needs and will provide this family with support and resources in order to actively pursue reunification.
- Specialist [REDACTED] will complete an Initial Family Assessment on this family.

CONFIDENTIAL

- This case will be referred for Team Decision Making and to the Kinship Specialist for ongoing relative searches.

13. That Specialist [REDACTED] finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest is continued placement in foster care.

Further Affidavit sayeth not.

This 7th day of November, 2011

[REDACTED]

[REDACTED], Family Services Specialist

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF PENNINGTON)

On this 7th day of November, 2011 before me personally appeared [REDACTED] known to be the person who is described in and who executed the within instrument, and acknowledged to me that she executed the same.



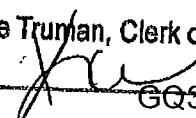
Notary Public

My commission expires on 6-10-16



Pennington County, SD
FILED
IN CIRCUIT COURT

NOV 08 2011

Ranae Truman, Clerk of Courts
By  Deputy
GQ3177

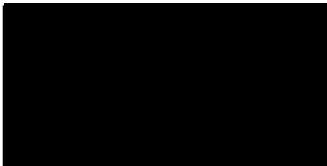
CONFIDENTIAL

STATE OF SOUTH DAKOTA)
COUNTY OF PENNINGTON)

IN CIRCUIT COURT
SEVENTH JUDICIAL CIRCUIT

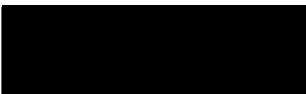
IN THE INTERESTS OF,

No. AI1-1060



Minor Children

and concerning



Respondent Parents

INDIAN CHILD
WELFARE ACT (ICWA)
AFFIDAVIT

.....
Comes now, [REDACTED], being first duly sworn upon
Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the children from the children's home.

4. That [REDACTED] DOB: [REDACTED]
[REDACTED] DOB: [REDACTED]
[REDACTED] DOB: [REDACTED]
[REDACTED] DOB: [REDACTED]
are residents of Pennington County, South Dakota.

5. That [REDACTED], [REDACTED] and [REDACTED] are enrolled members with the Oglala Sioux Indian Tribe or are eligible for enrollment with that Tribe according to [REDACTED].

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CONFIDENTIAL

6. That [REDACTED] and [REDACTED] are enrolled members with the Omaha Indian Tribe of Nebraska or are eligible for enrollment with that Tribe according to [REDACTED]
7. That on November 30, 2011 Family Services Specialist [REDACTED] notified Oglala Sioux Tribe representative Jolene Abourezk by fax, certified letter, and phone that the above-named children were placed in the protective custody of the South Dakota Department of Social Services.
8. That on November 30, 2011 Family Services Specialist [REDACTED] notified Omaha Tribe of Nebraska representative Gwen Porter by fax, certified letter, and phone that the above-named children were placed in the protective custody of the South Dakota Department of Social Services.
9. That [REDACTED] is the birth mother of [REDACTED] and [REDACTED].
10. That [REDACTED] is the birth father of [REDACTED] and [REDACTED].
11. That [REDACTED] and [REDACTED] were taken into emergency protective custody and were placed in kinship care on November 29, 2011. [REDACTED] was later placed in foster care on November 30, 2011.
12. Family Services Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences:
 - Inquired about potential relative placement resources in close proximity to the parent or children.
 - Explored availability of Native American foster homes in close proximity to the parent or the children.
13. That returning [REDACTED] and [REDACTED] Indian child, to their parents care would result in serious emotional or physical damage to the children; for the reasons stated below:

CONFIDENTIAL

- On November 29, 2011, Law Enforcement Officer [REDACTED] found the children in [REDACTED]'s care while [REDACTED] was intoxicated with a PBT level of .124.
- Marijuana was also found at the residence which [REDACTED] admitted to abusing in the residence.
- [REDACTED]'s adult daughter, [REDACTED], was present at the residence; however, she admitted to also using marijuana and she was found to have open warrants.
- [REDACTED] and [REDACTED] were both arrested and transported to the Pennington County Jail.
- A Protection Order was filed by [REDACTED] against the children's biological mother, [REDACTED], on August 5, 2011 and is valid until August 5, 2016 which was signed by Judge Thomas Trimble. The Protection Order includes [REDACTED], [REDACTED], and [REDACTED].

14. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED]:

- Specialist [REDACTED] notified the Oglala Sioux Tribe regarding the placement of [REDACTED] and [REDACTED].
- Specialist [REDACTED] notified the Omaha Tribe of Nebraska regarding the placement of [REDACTED] and [REDACTED].
- Specialist [REDACTED] will continue to explore relative placements for the children.
- Specialist [REDACTED] will provide this family with support and resources in order to actively pursue reunification.

15. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest, is continued placement in foster care.

Affiant

Judy Green
(Magistrate)(Circuit Judge)(Notary Public)

(SEAL)

Ranao Trullian, Clerk of Courts
By [Signature] Deputy
GQ3219

CONFIDENTIAL

STATE OF SOUTH DAKOTA)
COUNTY OF PENNINGTON)
IN THE INTERESTS OF)
[REDACTED])
MINOR CHILD)
and concerning)
[REDACTED] and)
RESPONDENTS)

IN CIRCUIT COURT
SEVENTH JUDICIAL CIRCUIT

No. A12- 36

INDIAN CHILD
WELFARE ACT (ICWA)
AFFIDAVIT

Comes now, Specialist [REDACTED], being first duly sworn upon Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the child from the child's home.
4. That [REDACTED] (DOB/ [REDACTED]) is a resident of Pennington County, South Dakota.
5. That the child is eligible for enrollment with the Cheyenne River Sioux Tribe, according to [REDACTED].
6. That the child is eligible for enrollment with the Oglala Sioux Tribe, according to [REDACTED].
7. That on January 9, 2012, Specialist [REDACTED] notified Diane Garreau of the Cheyenne River Sioux Tribe by telephone and fax that the above-named child was placed in the protective custody of the South Dakota Department of Social Services.
8. That on January 9, 2012, Specialist [REDACTED] notified Joleen Abourezk of the Oglala Sioux Tribe by telephone and fax that the above-named child was placed in the protective custody of the South Dakota Department of Social Services.

9. That [REDACTED] is the birth mother to [REDACTED].
10. That [REDACTED] is the birth father to [REDACTED].
11. That [REDACTED] was taken into protective custody and was placed in licensed foster care on January 7, 2012.
12. Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences:
 - Specialist [REDACTED] inquired about the availability of Native American foster homes in the area, but Licensing Specialist [REDACTED] advised that there were none available.
 - Specialist [REDACTED] spoke to [REDACTED] regarding relatives that may be available for possible kinship placement.
 - Specialist [REDACTED] notified the Cheyenne River Sioux Tribe regarding placement, and requested relative information.
 - Specialist [REDACTED] notified the Oglala Sioux Tribe regarding placement, and requested relative information.
13. That returning [REDACTED], Indian child, to her parents' care would result in serious emotional or physical damage to the child; for the reasons stated below:
 - On January 7, 2012, [REDACTED] was arrested and incarcerated for a warrant for No Drivers License.
 - [REDACTED]'s arrest rendered her unable to care for [REDACTED], and law enforcement felt that there were no appropriate alternate caretakers for [REDACTED].
 - [REDACTED] was taken into temporary protective custody of the Department of Social Services, as an Immediate Protective Plan could not be implemented because there were no appropriate caretakers.
 - [REDACTED] lives in Kyle, and he has had little contact with [REDACTED].
14. The following efforts have been made to rehabilitate and reunite the family by Specialist [REDACTED]:
 - Specialist [REDACTED] notified the Cheyenne River Sioux Tribe of the custody and placement of the child.
 - Specialist [REDACTED] notified the Oglala Sioux Tribe of the custody and placement of the child.
 - Visitation is available to the family.
 - Specialist [REDACTED] will be available to assist the family with their needs and will provide this family with support and resources in order to actively pursue reunification.

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- This case will be referred to the Kinship Specialist for ongoing relative searches.

15. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest is continued placement in foster care.

Further Affiant sayeth not.

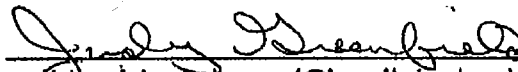
Dated this 9th day of January, 2012.


Affiant

STATE OF SOUTH DAKOTA

COUNTY OF PENNINGTON

Subscribed and sworn to before me on 01-09, 2012.

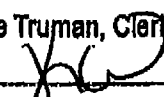

~~(Magistrate)~~ ~~(Circuit Judge)~~ (Notary Public)

My commission expires on 04-20-2017

(SEAL)

Pennington County, SD
FILED
IN CIRCUIT COURT

JAN 18 2012

Ranae Truman, Clerk of Courts
By  Deputy

CONFIDENTIAL

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF PENNINGTON)
)
 IN THE INTERESTS OF,)
)
 [REDACTED])
)
 Minor Children)
)
 and concerning)
)
 [REDACTED])
)
 Respondents)

IN CIRCUIT COURT
 SEVENTH JUDICIAL CIRCUIT
 NO.

A12-219

INDIAN CHILD
 WELFARE ACT (ICWA)
 AFFIDAVIT

Comes now, Family Services Specialist [REDACTED], being first duly sworn upon Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, Specialist [REDACTED], was consulted by the Pennington County State's Attorney's Office and involved concerning the removal of the [REDACTED] and [REDACTED] from the children's home.
4. That [REDACTED] DOB: [REDACTED] and [REDACTED] DOB: [REDACTED] are residents of Pennington County, South Dakota as they reside at [REDACTED]
5. That [REDACTED] is enrolled with the Oglala Sioux Tribe and [REDACTED] is affiliated with the Oglala Sioux Tribe according to parent, [REDACTED]. Specialist [REDACTED] requested verification of enrollment from the Oglala Sioux Tribe Enrollment office on February 28, 2012.
6. That on February 27, 2012, [REDACTED] Family Services Specialist, notified the Oglala Sioux Tribe representative Jolene Abourezk and Tribal Attorney Dana Hanna through correspondence that

CONFIDENTIAL

the above-named children were placed in the protective custody of the South Dakota Department of Social Services. On February 28, 2012, [REDACTED], Family Services Specialist, notified the Oglala Sioux Tribe of the children's placement via fax and letter. On February 29, 2012, Specialist [REDACTED] spoke with Bobbi Jo Janis at ONTRAC to ensure that the fax regarding the children's placement was received.

7. That [REDACTED] DOB: [REDACTED] is the birth mother of [REDACTED] and [REDACTED]. [REDACTED] is an enrolled member of the Oglala Sioux Tribe.
8. That [REDACTED] DOB: [REDACTED] is the birth father of [REDACTED]. It is unknown if [REDACTED] is an enrolled member of the Oglala Sioux Tribe; however, it is known that he is affiliated with the Oglala Sioux Tribe.
9. That [REDACTED] DOB: [REDACTED] is the birth father of [REDACTED]. It is unknown if [REDACTED] is an enrolled member of the Oglala Sioux Tribe; however, it is known that he is affiliated with the Oglala Sioux Tribe.
10. That [REDACTED] and [REDACTED] were taken into emergency protective custody by Law Enforcement Officer [REDACTED] on February 27, 2012 after a Pick Up and Place Order was issued on February 24, 2012. The children were placed in licensed foster care on February 27, 2012 by Emergency Response Specialist [REDACTED]
11. Emergency Response Specialist [REDACTED] made the following efforts to comply with ICWA placement preferences:
 - Inquired about potential relative placement resources in close proximity to the parent or children. Relatives were not immediately located.
 - No Native American foster homes were available on the emergency placement list.
 - Explored availability of Native American foster homes in close proximity to the parent or the children by contacting the Licensing Specialists.
12. That returning [REDACTED] and [REDACTED] Indian children, to their parent's care would result in serious emotional or physical damage to the children, for the reasons stated below:

CONFIDENTIAL

- [REDACTED] gave birth to a baby boy at the Rapid City Regional Hospital on February 23, 2012. Baby Boy [REDACTED] was born at 28 weeks gestation weighing 2 pounds 8 ounces. [REDACTED] admitted to consuming alcohol and "sniffing something" during the weekend prior to giving birth to the baby boy.
- [REDACTED] tested positive for Amphetamines and Methamphetamines on February 23, 2012 at the Rapid City Regional Hospital.
- [REDACTED] has unaddressed alcohol and drug issues which caused her child to be born premature and in poor health. The baby is currently in the Rapid City Regional Neonatal Intensive Care Unit receiving medical services. Custody of this child was not obtained due to his medically fragile state.
- [REDACTED] and her two children, [REDACTED] and [REDACTED], were residing with relatives; however, prior to giving birth to the baby boy, [REDACTED] and her children were evicted from the residence.
- [REDACTED] does not have a permanent residence and she is temporarily staying in a hotel.
- [REDACTED] lives in Manderson, SD and his actual whereabouts are unknown and he does not provide for the health and wellbeing for his child, [REDACTED].
- [REDACTED] lives in Pine Ridge, SD and his actual whereabouts are unknown and he does not provide for the health and wellbeing for his child, [REDACTED].
- [REDACTED]'s substance use is out of control therefore a Pick Up and Place Order was issued by the Pennington County State's Attorney's Office.

13. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED]:

- The Department will meet with [REDACTED] and [REDACTED] at a later time to complete the Initial Family Assessment to further determine the needs of the family and the appropriate services that may be needed in the home.
- The Department will provide regular visitation for the parents as appropriate.

CONFIDENTIAL

14. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest, is continued placement in foster care.

Further Affiant sayeth not.

Dated this 29th day of February, 2012.


Affiant

STATE OF SOUTH DAKOTA)

) SS

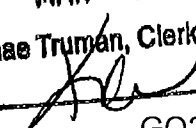
COUNTY OF PENNINGTON)

Subscribed and sworn to before me on this 29th day of February, 2012.


(Magistrate)(Circuit Judge)(Notary Public)

My commission expires on 04-20-2017

(SEAL)

Pennington County, SD
FILED
IN CIRCUIT COURT
MAR - 1 2012
Ranae Truman, Clerk of Courts
By  Deputy
GQ2098

CONFIDENTIAL

STATE OF SOUTH DAKOTA)
COUNTY OF PENNINGTON) SS

IN CIRCUIT COURT
SEVENTH JUDICIAL CIRCUIT
NO.

IN THE INTERESTS OF,

Minor Children

and concerning

Respondents

A12-245

INDIAN CHILD
WELFARE ACT (ICWA)
AFFIDAVIT

Comes now, Family Services Specialist [REDACTED], being first duly sworn upon Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, Specialist [REDACTED], was consulted by the Rapid City Police Department and involved concerning the removal of the [REDACTED] and [REDACTED] from the children's home.
4. That [REDACTED] and [REDACTED] are residents of Pennington County, South Dakota, as they reside at [REDACTED].
5. That [REDACTED] and [REDACTED] are affiliated with the Oglala Sioux Tribe according to parent, [REDACTED]. Specialist [REDACTED] requested verification of enrollment from the Oglala Sioux Tribe Enrollment office on March 7, 2012.
6. That on March 6, 2012, [REDACTED], Family Services Specialist, notified the Oglala Sioux Tribe representative Jolene Abourezk and Tribal Attorney Dana Hanna through correspondence that the above-named children were placed in the protective custody of the

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CONFIDENTIAL

South Dakota Department of Social Services. On March 7, 2012, [REDACTED] Family Services Specialist, notified the Oglala Sioux Tribe of the children's placement via fax and letter.

7. That [REDACTED] is the birth mother of [REDACTED] and [REDACTED]. [REDACTED] is an enrolled member of the Oglala Sioux Tribe.
8. That [REDACTED] is the birth father of [REDACTED] and [REDACTED]. It is unknown if [REDACTED] is an enrolled member of the Oglala Sioux Tribe; however, it is known that he is affiliated with the Oglala Sioux Tribe.
9. That [REDACTED] and [REDACTED] were taken into emergency protective custody by Law Enforcement Investigator [REDACTED] on March 6. The children were placed in a licensed non-Native American foster care on March 6, 2012 by Emergency Response Specialist [REDACTED].
10. Emergency Response Specialist [REDACTED] made the following efforts to comply with ICWA placement preferences:
 - Inquired about potential relative placement resources in close proximity to the parent or children. Relatives immediately available were not able to be approved due to involvement and history with Child Protection Services.
 - No Native American foster homes were available on the emergency placement list.
 - Explored availability of Native American foster homes in close proximity to the parent or the children by contacting the Licensing Specialists.
11. That returning [REDACTED] and [REDACTED] Indian children, to their parent's care would result in serious emotional or physical damage to the children, for the reasons stated below:
 - On March 6, 2012, [REDACTED] was admitted to the Rapid City Regional Hospital because she was assaulted by her father, [REDACTED]. [REDACTED] was observed to have a large 10-12 inch in length hand print bruise on her back. [REDACTED] was also observed to have bruising around the upper part of her left ear that expanded into her hair.
 - [REDACTED] was also observed to have bruising from the assault. [REDACTED] had a distinguished hand mark in the middle of her back with scrape marks and tenderness on the lower portion of her back.

CONFIDENTIAL

- [REDACTED] reported that she had been assaulted by [REDACTED] two to three days prior to March 6, 2012. [REDACTED] and other family members indicated that there has been ongoing domestic violence with minimal intervention for a couple of years.
- [REDACTED]'s location is currently unknown, as he left the residence when he discovered that law enforcement was involved.
- Due to the severity of the assault of the vulnerable children, [REDACTED] and [REDACTED], and [REDACTED]'s inability to protect her children from ongoing domestic violence, law enforcement took emergency protective custody of the children.

12. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED]

- The Department will meet with [REDACTED] and [REDACTED] at a later time to complete the Initial Family Assessment to further determine the needs of the family and the appropriate services that may be needed in the home.
- The Department will provide regular visitation for the parents as appropriate.

13. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest, is continued placement in foster care.

Further Affiant sayeth not.

Dated this 7th day of March, 2012.

Affiant

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF PENNINGTON)

Subscribed and sworn to before me on this 7th day of March, 2012.



(Magistrate)(Circuit Judge)(Notary Public)

My commission expires on 04-20-2017

(SEAL)

Pennington County, SD
FILED
IN CIRCUIT COURT

MAR 08 2012

Randa Truman, Clerk of Courts
By  Deputy
GQ 1082

CONFIDENTIAL

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF PENNINGTON)

IN CIRCUIT COURT
 SEVENTH JUDICIAL CIRCUIT

IN THE INTERESTS OF,

[REDACTED]

Minor Child(ren)
 and concerning

Indian Custodian:

[REDACTED]

Biological Parents:

[REDACTED]

A12-302

INDIAN CHILD
 WELFARE ACT (ICWA)
 AFFIDAVIT

Pennington County, SD
 FILED
 IN CIRCUIT COURT

MAR 29 2012

Ranae Truman, Clerk of Courts
 By Deputy

Comes now, Specialist [REDACTED], being first duly sworn upon
 Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the child from the child's home.
4. That [REDACTED] (DOB [REDACTED]) is a resident of Pennington County, South Dakota, as he resided at [REDACTED].
5. That [REDACTED] is an enrolled member of the Cheyenne River Sioux Tribe or is eligible for enrollment with the Tribe according to his mother, [REDACTED], and his grandmother, [REDACTED]. Follow-up will be made to verify enrollment.
6. That on March 25, 2012, [REDACTED], Family Services

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CONFIDENTIAL

Specialist notified Dana Hanna and Diane Garreau, representatives of the Cheyenne River Sioux Tribe via email that the above-named child was placed in the protective custody of the South Dakota Department of Social Services. On March 26, 2012, Specialist [REDACTED] notified the Cheyenne River Sioux Tribe by telephone that the above named child was placed in the protective custody of the South Dakota Department of Social Services. Notification was also provided by fax and letter.

7. That [REDACTED] is the birth mother of [REDACTED]. [REDACTED] is an enrolled member of the Cheyenne River Sioux Tribe.
8. That [REDACTED] is the birth father of [REDACTED]. His tribal affiliation is unknown at this time.
9. That [REDACTED] is the legal Indian Custodian of [REDACTED] according to an order issued by the tribe on April 28, 2012. [REDACTED] is the maternal grandmother of [REDACTED], and she is an enrolled member of the Cheyenne River Sioux Tribe.
10. That [REDACTED] was taken into emergency protective custody and was placed in licensed foster care in a non-Native American foster home on March 25, 2012.
11. Family Services Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences:
 - An Immediate Protective Plan could not be implemented because there were no appropriate caretakers available.
 - There were no Native American foster homes available on the emergency placement list at the time of placement.
 - On March 26th, 2012, Specialist [REDACTED] inquired about the availability of Native American foster homes in the area, but Licensing Specialist [REDACTED] advised that there were none available.
 - Specialist [REDACTED] reviewed the family's history with Child Protection Services in order to identify any additional kinship resources, but no previously unidentified resources were discovered.
 - Inquired about potential relative placement resources in close proximity to the parent or child.

CONFIDENTIAL

- Explored availability of Native American foster homes in close proximity to the parent or the child.

12. That returning, [REDACTED], Indian child, to his parents/relative caretakers/ICWA Custodian's care would result in serious emotional or physical damage to the child, for the reasons stated below:

- i. On March 25th, 2012, law enforcement responded to the home of [REDACTED] due to reports of minors consuming alcohol. [REDACTED] resides in the home with her two grandsons, whom she has joint custody of through the Cheyenne River Sioux Tribe. [REDACTED] was not home, and there were no other adult caretakers present. [REDACTED] had left her fifteen year old grandson, [REDACTED], in charge of [REDACTED] when she left the morning of March 24th for a funeral in Eagle Butte. [REDACTED] was only supposed to be gone for the day, but she ran into car trouble when she was dropping a friend off in Canton, SD. [REDACTED] asked her brother, [REDACTED], to look in on the boys until she got home the next day. [REDACTED] was not yet home when law enforcement came to her home at 9:00 PM. [REDACTED] had thrown a party in her absence, and he was intoxicated when officers got to the home. [REDACTED] was arrested, and he was taken to Western South Dakota Juvenile Services Center. Officers tried to contact [REDACTED], but her phone went straight to voicemail. Due to no available caretakers, [REDACTED] was taken into protective custody, and he was placed into licensed foster care. [REDACTED] arrived home a couple of hours later.
- ii. [REDACTED] was taken into temporary protective custody of the Department of Social Services, as an Immediate Protective Plan could not be implemented because there were no appropriate caretakers available.
- iii. [REDACTED]'s mother, [REDACTED], is currently residing in Eagle Butte, and it was reported that she is struggling with substance abuse issues.

13. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED]:

CONFIDENTIAL

STATE OF SOUTH DAKOTA)
COUNTY OF PENNINGTON) SS
IN THE INTERESTS OF)
[REDACTED] and)
MINOR CHILDREN)
and concerning)
[REDACTED]
RESPONDENTS)

IN CIRCUIT COURT
SEVENTH JUDICIAL CIRCUIT

No. A12-468

INDIAN CHILD
WELFARE ACT (ICWA)
AFFIDAVIT

Comes now, Specialist [REDACTED], being first duly sworn upon Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the child from the child's home.
4. That [REDACTED] (DOB/[REDACTED]) and [REDACTED] (DOB/[REDACTED]) are residents of Pennington County, South Dakota, as they reside at [REDACTED].
5. That the children's enrollment with the Rosebud Sioux Tribe is pending, according to [REDACTED]. Shirley Bad Wound, ICWA Director of the Rosebud Sioux Tribe, relayed that the children are not enrolled members of the Tribe, but she could not immediately confirmed that their enrollment is pending.
6. That on May 9, 2012, On-Call Specialist [REDACTED] notified Dana Hanna, attorney for the Oglala Sioux Tribe, and Joleen Abourezk of the Oglala Sioux Tribe ONTRAC Office via email of the custody and placement of [REDACTED] and [REDACTED]. On May 10, 2012, Specialist [REDACTED] notified ICWA Director Shirley Bad Wound of the Rosebud Sioux Tribe, ICWA Director David Valandra of the Crow Creek Sioux Tribe, and Joleen Abourezk of the

CONFIDENTIAL

Oglala Sioux Tribe ONTRAC Office via telephone and fax that the children were placed in the protective custody of the South Dakota Department of Social Services.

7. That [REDACTED] (DOB/ [REDACTED]) is the birth mother to [REDACTED] and [REDACTED]. [REDACTED] is an enrolled member of the Rosebud Sioux Tribe, as verified by Rosebud Sioux Tribe ICWA Director Shirley Bad Wound.
8. That [REDACTED] (DOB/ [REDACTED]) is the birth father to [REDACTED]. [REDACTED] is an enrolled member of the Crow Creek Sioux Tribe, as verified by Crow Creek Sioux Tribe ICWA Director David Valandra.
9. That [REDACTED] (DOB/ [REDACTED]) is the birth father to [REDACTED]. [REDACTED] is affiliated with the Oglala Sioux Tribe, according to [REDACTED].
10. That [REDACTED] and [REDACTED] were taken into protective custody of the Department of Social Services and placed in emergency kinship care on May 9, 2012.
11. Specialist [REDACTED] and On-Call Specialist [REDACTED] have made the following efforts to comply with ICWA placement preferences:
 - On-Call Specialist [REDACTED] immediately placed the children in emergency kinship care with [REDACTED]'s cousin, [REDACTED].
 - Specialist [REDACTED] notified Shirley Bad Wound of the Rosebud Sioux Tribe regarding placement, and kinship information was requested.
 - Specialist [REDACTED] notified David Valandra of the Crow Creek Sioux Tribe regarding placement, and kinship information was requested.
 - Specialist [REDACTED] notified the Joleen Abourezk of the Oglala Sioux Tribe regarding placement, and kinship information was requested.
12. That returning [REDACTED] and [REDACTED], Indian children, to their parents' care would result in serious emotional or physical damage to the children; for the reasons stated below:
 - On May 9, 2012, law enforcement was dispatched to [REDACTED]'s residence in reference to an assault.
 - [REDACTED] was not involved in the assault, but she was found to be intoxicated and unable to provide appropriate care for her children without arranging for an alternate caretaker.
 - [REDACTED] had lived with the family, but he absconded to the reservation in order to evade arrest for Parole Violation approximately two months earlier.

CONFIDENTIAL

- [REDACTED] pays child support for [REDACTED], but he has never had a relationship with [REDACTED].

13. The following efforts have been made to rehabilitate and reunite the family by Specialist [REDACTED]:

- Because [REDACTED] and [REDACTED] were taken into temporary protective custody by law enforcement on May 9, 2012, no efforts were able to be made in order to rehabilitate the family prior to placement.
- On-Call Specialist [REDACTED] and Specialist [REDACTED] notified the Oglala Sioux Tribe of the custody and placement of the child.
- Specialist [REDACTED] notified the Rosebud Sioux Tribe of the custody and placement of the children.
- Specialist [REDACTED] notified the Crow Creek Sioux Tribe of the custody and placement of the children.
- Specialist [REDACTED] will be available to assist the family with their needs and will provide this family with support and resources in order to actively pursue reunification.
- This case will be referred to the Kinship Specialist for ongoing relative searches.

14. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the child's best interest is continued placement in kinship care.

Further Affiant sayeth not.

Dated this 14th day of May, 2012

[REDACTED]

Affiant

STATE OF SOUTH DAKOTA

COUNTY OF PENNINGTON

Subscribed and sworn to before me on 14 May, 2012.

[Signature]
 (Magistrate) (Circuit Judge) (Notary Public)

My commission expires on 04-20-17

Pennington County, SD

FILED
IN CIRCUIT COURT

MAY 15 2012

Ranae Truman, Clerk of Courts

By [Signature] Deputy

GQ2467

CONFIDENTIAL

STATE OF SOUTH DAKOTA)

IN CIRCUIT COURT

COUNTY OF PENNINGTON)

SS

SEVENTH JUDICIAL COURT

The People of the State
of South Dakota in the
Interest of

A12 - 571

[REDACTED]

INDIAN CHILD
WELFARE ACT (ICWA)
AFFIDAVIT

Child),
and concerning

[REDACTED]

Comes now Specialist [REDACTED] being first duly sworn on oath, deposes and says:

1. That the Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That the Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, Specialist [REDACTED] was consulted by the Pennington County Sheriff's Office and the affiant concerning the removal of the child from the child's home.
4. That [REDACTED] DOB: [REDACTED] is a resident of Pennington County, South Dakota as she resides at [REDACTED] with her mother [REDACTED] also a resident of Pennington County.
5. That [REDACTED] is enrolled member with the Cheyenne River Sioux Tribe or is eligible for enrollment with the above named tribe according to her parent [REDACTED].
6. That on June 8, 2012 Family Services Specialist [REDACTED] notified the ICWA Director Diane Garreau of Cheyenne River Sioux Tribe by electronic message that [REDACTED] was placed in protective custody of the South Dakota Department of Social Services. Specialist [REDACTED] notified ICWA Director Diane Garreau of the rescheduled time for the hearing on June 11, 2012 by electronic message and left a voice message at her office of the time change. Diane Garreau responded via electronic message that she had received

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#7

CONFIDENTIAL

the rescheduled time for the Emergency Hearing. A letter was also sent via fax and certified mail to Diane Garreau advising the above named child was placed in the protective custody of the South Dakota Department of Social Services on June 11, 2012.

7. That [REDACTED] is the birth mother to the child. [REDACTED] is believed to be an enrolled member of the Cheyenne River Sioux Tribe.
8. That [REDACTED] is the birth father to the child. [REDACTED] is not believed to an enrolled member with a tribe.
9. That on June 8, 2012 [REDACTED] was placed into emergency protective custody by the Pennington County Sheriff's Office Deputy [REDACTED] and placed in licensed foster care by Specialist [REDACTED].
10. Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences.
 - a. No Native American foster homes were available on the emergency placement list.
 - b. Explored availability of Native American foster homes in close proximity to the parents of the children by contacting Licensing Specialist.
 - c. Attempts were made to place the child with the maternal grandmother [REDACTED] however [REDACTED] had criminal history that prevented an Immediate Protective Plan from being completed.
 - d. [REDACTED] the boyfriend of [REDACTED] was considered as a placement option however [REDACTED] was determined to have diminished protective abilities.
 - e. Specialist [REDACTED] has been in contact with maternal great grandmother [REDACTED] who will provide additional relative information for potential placement options.
11. That returning [REDACTED] an Indian Child, to her parents care would result in serious emotional or physical damage to the child; for the reasons stated below.
 - The child was present during an assault between her mother [REDACTED] and the mother's boyfriend at which time the mother was arrested for Simple Assault Domestic Violence.
 - There is a history of domestic violence between [REDACTED] and [REDACTED] and this was the second law enforcement response within five days.
 - The continued violence while the child is present creates a dangerous environment where there is a likelihood of emotional and/or physical harm.
12. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED]:

CONFIDENTIAL

- The Department will meet with [REDACTED] at a later time to complete the Initial Family Assessment to further determine the needs of the family and the appropriate services that may be needed to assist the family.
- The Department will provide regular visitation for the parents as appropriate.
- Specialist [REDACTED] will be available to assist the family with their needs and will provide this family with support and resources in order to actively pursue reunification.
- This case will be referred for Team Decision Making and to the Kinship Specialist for ongoing relative searches.

13. The Affiant find that the ICWA requirements have been met and the least restrictive alternative available in the child's best interest, is continued placement in foster care.

Further Affidavit sayeth not.

This 11th day of June 2012.

[REDACTED]

[REDACTED], Family Services Specialist

STATE OF SOUTH DAKOTA)
)
COUNTY OF PENNINGTON) SS

On this 11th day of June 2012, before me personally appeared [REDACTED] known to be the person who is described in and who executed the within instrument, and acknowledged to me that she executed the same.

Christine E. Bryant
Notary Public

My commission expires on 6-10-16

Pennington County, SD
FILED
IN CIRCUIT COURT
JUN 18 2012

Ranae Truman, Clerk of Courts
By [Signature] Deputy

GQ2521

CONFIDENTIAL

STATE OF SOUTH DAKOTA)
)SS
 COUNTY OF PENNINGTON)
)
 IN THE INTERESTS OF)
 [REDACTED])
 and)
 [REDACTED])
 MINOR CHILDREN)
)
 and concerning)
)
 [REDACTED])
 and)
 [REDACTED])
 RESPONDENTS)

IN CIRCUIT COURT
 SEVENTH JUDICIAL CIRCUIT

No. A12-712

INDIAN CHILD
 WELFARE ACT (ICWA)
 AFFIDAVIT

Comes now, Specialist [REDACTED], being first duly sworn upon Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the child from the child's home.
4. That [REDACTED] (DOB/ [REDACTED]), [REDACTED] (DOB/ [REDACTED]), and [REDACTED] (DOB/ [REDACTED]) are residents of Pennington County, South Dakota, as they reside with their parents at [REDACTED].
5. That the [REDACTED], [REDACTED], and [REDACTED] are eligible for enrollment with the Oglala Sioux Tribe, according to [REDACTED].
6. That on July 31, 2012, On-Call Specialist [REDACTED] notified Dana Hanna, attorney for the Oglala Sioux Tribe, and Joleen Abourezk of the Oglala Sioux Tribe ONTRAC Office via email regarding custody and placement of [REDACTED], [REDACTED], and [REDACTED] with the Department of Social Services. Specialist [REDACTED] notified Joleen Abourezk of the Oglala Sioux Tribe ONTRAC Office via fax on July 31, 2012.

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7. That [REDACTED] (DOB/ [REDACTED]) is the birth mother to [REDACTED] and [REDACTED]. [REDACTED] reported that she is an enrolled member of the Oglala Sioux Tribe.
8. That [REDACTED] (DOB/ [REDACTED]) is the birth father to [REDACTED] and [REDACTED]. [REDACTED] is an enrolled member of the Oglala Sioux Tribe, according to [REDACTED].
9. That [REDACTED] and [REDACTED] were taken into the temporary protective custody of the Department of Social Services by law enforcement on July 31, 2012, and they were placed in a licensed non-Native American foster home by On-Call Specialist [REDACTED].
10. On-Call Specialist [REDACTED] and Specialist [REDACTED] have made the following efforts to comply with ICWA placement preferences:
 - On-Call Specialist [REDACTED] reviewed the emergency foster care placement list, but there were no Native American foster homes available.
 - On-Call Specialist [REDACTED] notified Dana Hanna, attorney for the Oglala Sioux Tribe, and Joleen Abourezk of the Oglala Sioux Tribe's ONTRAC Office via email regarding custody and placement of [REDACTED] and [REDACTED].
 - Specialist [REDACTED] notified Joleen Abourezk of the Oglala Sioux Tribe's ONTRAC Office via fax regarding custody and placement, and kinship information was requested.
 - Specialist [REDACTED] will make a referral for assignment of a Kinship Specialist to perform ongoing relative searches.
11. That returning [REDACTED] and [REDACTED], Indian children, to their parents' care would result in serious emotional or physical damage to the children; for the reasons stated below:
 - On the evening of July 30, 2012, law enforcement responded to a report of a disturbance regarding [REDACTED] and her neighbor.
 - [REDACTED] was arrested on a bench warrant for Failure to Appear on the initial charge of Minor in Consumption of Alcohol, and she was cited for an additional charge of Minor in Consumption of Alcohol because she had been drinking.
 - [REDACTED] was incarcerated in the Pennington County Jail, and her children were left in the care of her sister, [REDACTED].
 - On the morning of July 31, 2012, law enforcement responded again to a disturbance at the family's residence.
 - [REDACTED] was found to be very intoxicated, and he was involuntarily admitted to Detox.

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- Responding Officers found the children in the home with no appropriate caretaker, as [REDACTED] was passed out due to intoxication.
- Because [REDACTED] was incarcerated and [REDACTED] was involuntarily admitted to Detox leaving their children without an appropriate caretaker, the children were taken into the temporary protective custody of the Department of Social Services by law enforcement.

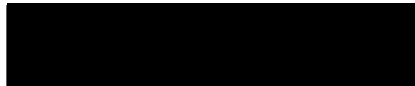
12. The following efforts have been made to rehabilitate and reunite the family by Specialist [REDACTED]:

- Because [REDACTED] and [REDACTED] were taken into temporary protective custody by law enforcement on July 31, 2012, there was no opportunity to rehabilitate the family prior to placement.
- Specialist [REDACTED] notified Joleen Abourezk of the Oglala Sioux Tribe ONTRAC Office regarding custody and placement of [REDACTED] and [REDACTED].
- Specialist [REDACTED] will be available to assist the family with their needs and will provide this family with support and resources in order to actively pursue reunification.

13. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the child's best interest is continued placement in a residential facility.

Further Affiant sayeth not.

Dated this 2nd day of August, 2012



Affiant

STATE OF SOUTH DAKOTA

COUNTY OF PENNINGTON

Subscribed and sworn to before me on August 2, 2012.

Christine E. Bryant

(Magistrate)

(Circuit Judge)

(Notary Public)

My commission expires on 6-10-16

(SEAL)

CONFIDENTIAL

STATE OF SOUTH DAKOTA)
COUNTY OF PENNINGTON) SS

IN CIRCUIT COURT
SEVENTH JUDICIAL CIRCUIT

IN THE INTERESTS OF,

No. A12-749

INDIAN CHILD
WELFARE ACT (ICWA)
AFFIDAVIT

and concerning

Comes now, Specialist [REDACTED] being first duly sworn upon oath,
deposes and says:

1. That the Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That the Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the child from the child's home.
4. [REDACTED]'s residence is [REDACTED] according to the information she provided to the Pennington County Jail in Pennington County, South Dakota. All of the children have addresses with their grandmothers. [REDACTED] is allegedly in the care of [REDACTED] who resides in Rapid City, SD. [REDACTED] and her sisters [REDACTED] and [REDACTED] are allegedly in the care of [REDACTED]'s mother in Kyle, SD.
5. That the children are eligible for enrollment with the Oglala Sioux Tribe according to records with South Dakota Department of Social Services.
6. That on August 10th, 2012 Family Services Specialist [REDACTED] notified the Oglala Sioux Tribe, by electronic mail, that the above-named children were placed in the protective custody of the South Dakota Department of Social Services. Specialist [REDACTED] will notify the Oglala Sioux Tribe also by fax that the children have been placed in the protective custody of the Department of Social Services

CONFIDENTIAL

7. That [REDACTED] (DOB: [REDACTED]) is the birth mother of [REDACTED] and [REDACTED]
8. That [REDACTED] (DOB: [REDACTED]) is the birth father of [REDACTED] and [REDACTED]
9. That [REDACTED] and [REDACTED] were taken into protective custody and were placed in licensed foster care on August 10th, 2012.
10. Family Services Specialists [REDACTED] and [REDACTED] have made the following efforts to comply with ICWA placement preferences:
 - Inquired about potential relative placement resources in close proximity to the parent or child. The children could not be placed with family, as [REDACTED] did not identify any family members. A plan could not be put into place with the father, as he could not be located, and according to the children he was also intoxicated.
 - Explored availability of Native American foster homes in close proximity to the parent or child. There were none available.
11. That returning [REDACTED] and [REDACTED] the Indian children, to their parent's care would result in serious emotional or physical damage to the child; for the reasons stated below:
 - [REDACTED] was arrested on August 10, 2012, and taken to the Pennington County Jail on the charges of Family-Non Support of Child by Parent and Felony Simple Assault Against a Law Enforcement Officer.
 - [REDACTED] was located by law enforcement in Roosevelt Park. While the police were arresting her a member of the public advised that there are two children in the park who are believed to be [REDACTED]'s. [REDACTED] denied her children were present. The children identified [REDACTED] as her mother, and she was found to be in possession of their social security cards. Review of Child Protection files confirm that she is the birth mother of [REDACTED] and [REDACTED].
 - [REDACTED] could not identify any available caretakers for [REDACTED] and [REDACTED] due to her noncompliance with law enforcement and DSS, thus leaving no alternative for law enforcement except to place the child in Protective Custody with Child Protective Services.
 - [REDACTED]'s PBT at the jail was .250
12. The following efforts have been made to rehabilitate and reunite the family by family services Specialist [REDACTED]:

CONFIDENTIAL

- Efforts to reunite the family were not possible at the time of the emergency placement as the police had already taken custody of the children to assure their safety.
- An immediate protective plan could not be implemented as no resources were provided to DSS, and the father's whereabouts were unknown.
- Specialist [REDACTED] notified the Oglala Sioux Tribe of the custody and placement of the child.
- Weekly supervised visitation will be available between the parents and the child.
- Specialist [REDACTED] will complete and Initial Family Assessment on this family to determine if future intervention is necessary.
- This case will be referred for Team Decision Making and to the Kinship Specialist for ongoing relative searches.

13. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the child's best interest is continued placement in licensed foster care.

Further Affiant sayeth not.

Dated this 13th day of August 2012.

[REDACTED]
Affiant

Pennington County, SD
FILED
IN CIRCUIT COURT

STATE OF SOUTH DAKOTA)

COUNTY OF PENNINGTON

AUG 14 2012

Ranae Truman, Clerk of Courts

By [Signature] Deputy

Subscribed and sworn to before me on August 13, 2012.

[Signature]
(Magistrate)(Circuit Judge)(Notary Public)

My commission expires on 6-10-16

CONFIDENTIAL

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF PENNINGTON)

IN THE INTEREST OF

Minor Child

and concerning

Respondents

**IN CIRCUIT COURT
SEVENTH JUDICIAL CIRCUIT
NO.**

A12-839

INDIAN CHILD WELFARE ACT(ICWA) AFFIDAVIT

Comes now, Specialist [REDACTED], being first duly sworn upon Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, Specialist [REDACTED], was consulted by Specialist [REDACTED] and involved concerning the removal of the child from the child's home.
4. It was last reported that [REDACTED] is a resident of Pennington County, South Dakota and his address is unknown. [REDACTED] reported to Officer [REDACTED] that she was currently living with her cousin in Lakota Homes but did not give out a physical address. However, the Department of Social Services economic assistance records list [REDACTED]'s last known address as [REDACTED].
5. That [REDACTED] is not an enrolled member of the Rosebud Sioux Tribe but according to the Department's records it was confirmed that [REDACTED] is an enrolled member of the Oglala Sioux Tribe; her enrollment number is [REDACTED]. That [REDACTED] is an enrolled member of the Rosebud Sioux Tribe according to Amanda at the Rosebud Sioux Tribe Enrollment Office. That [REDACTED] is not an enrolled member of the Oglala

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CONFIDENTIAL

Sioux Tribe but is eligible for enrollment. That [REDACTED] is not an enrolled member of the Rosebud Sioux Tribe but is eligible for enrollment according to Amanda at the Rosebud Sioux Tribe Enrollment Office.

6. That on September 8, 2012, [REDACTED], Family Services Specialist, notified the Rosebud Sioux Tribe representative, Shirley Bad Wound, through email correspondence that the above-named child was placed in the protective custody of the South Dakota Department of Social Services. That on September 8, 2012, [REDACTED], Family Services Specialist, notified Dana Hanna, the attorney for the Rosebud Sioux Tribe, through email correspondence that the above-named child was placed in the protective custody of the South Dakota Department of Social Services. That on September 10, 2012, [REDACTED], Family Services Specialist, notified the Oglala Sioux Tribe representatives, Jolene Abourezk and Lema Richards, through email correspondence that the above named child was placed in the protective custody of the South Dakota Department of Social Services. That on September 10, 2012, [REDACTED], Family Service Specialist, notified Dana Hanna, the attorney for the Oglala Sioux Tribe that the above named child was placed in the protective custody of the South Dakota Department of Social Services.
7. That [REDACTED] is the birth mother to [REDACTED]
8. That [REDACTED] is reported to be the birth father to [REDACTED]
9. That [REDACTED] was taken into emergency protective custody by Law Enforcement Officer [REDACTED] on September 8, 2012. He were placed in a licensed non-Native American foster home on September 8, 2012 by Emergency Response Specialist [REDACTED].
10. Emergency Response Specialist [REDACTED], [REDACTED], Officer [REDACTED] and, Officer [REDACTED] made the following efforts to comply with ICWA placement preferences:
 - Inquired about potential relative placement resources in close proximity to the parent or child. Specialist [REDACTED] was unable to contact relatives as [REDACTED] was unable to be contacted. It is reported, when Officer [REDACTED] spoke with [REDACTED] she was not cooperative and did not provide Officer [REDACTED] with current contact information for herself. Officer [REDACTED] was unable to contact [REDACTED] as well, due to unknown current contact information. Specialist [REDACTED] attempted phone correspondence with [REDACTED] and [REDACTED] to inquire about possible relatives. Specialist [REDACTED] left a voicemail with a possible current phone number for [REDACTED] and has not received a response. Specialist [REDACTED] was unable to contact [REDACTED] due to no working phone numbers for him.

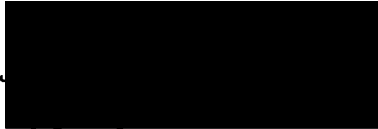
CONFIDENTIAL

- Explored availability of Native American foster homes in close proximity to the parent or the child. The emergency placement list was reviewed on September 8, 2012; no Native American foster homes were available.
11. That returning, [REDACTED], Indian child, to his parents' care would result in serious emotional or physical damage to the child; for the reasons stated below:
- On September 7, 2012 [REDACTED] contacted law enforcement regarding [REDACTED]. When Officer [REDACTED] responded he was informed by [REDACTED] that she could no longer care for [REDACTED] because [REDACTED] was not helping out. Officer [REDACTED] informed [REDACTED] that he could not take [REDACTED] at the moment as [REDACTED] was not sixty days old or younger according to the Baby Moses Law. Officer [REDACTED] informed [REDACTED] that he would have to notify the Department of Social Services and get the Department involved. [REDACTED] left the scene with [REDACTED].
 - On September 8, 2012 Officer [REDACTED] responded to a baby, later identified as [REDACTED] by Officer [REDACTED], who had been abandoned at a convenient store at 901 E. North St in Rapid City South Dakota.
 - Currently, neither [REDACTED] nor [REDACTED] have been able to be contacted.
 - Due to no available caretakers, [REDACTED] was placed into the legal and physical custody of the Department of Social Services by Law Enforcement.
12. The following efforts have been made to rehabilitate and reunite the family by Specialist [REDACTED]:
- The Department will attempt to meet with the parents at a later time to complete the Initial Family Assessment to further determine the needs of the family and the appropriate services that may be needed in the home.
 - The Department will provide regular visitation for the parents as appropriate.
 - This case will be referred to the Kinship Specialist for ongoing relative searches.
13. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest is continued placement in foster care.

Further Affiant sayeth not.

Dated this 10th day of September, 2012.

CONFIDENTIAL



Affiant

STATE OF SOUTH DAKOTA

COUNTY OF PENNINGTON

Subscribed and sworn to before me on 09-10, 2012.


~~(Magistrate)~~ ~~(Circuit Judge)~~ (Notary Public)

My commission expires on 04-20-2017

(SEAL)

Pennington County, SD
FILED
IN CIRCUIT COURT

SEP 11 2012

Ranae Truman, Clerk of Courts

By  GQ2255 Deputy

CONFIDENTIAL

STATE OF SOUTH DAKOTA)
COUNTY OF PENNINGTON) SS
IN THE INTERESTS OF)
[REDACTED])
MINOR CHILD)
and concerning)
[REDACTED])
RESPONDENTS)

IN CIRCUIT COURT
SEVENTH JUDICIAL CIRCUIT

No. A 12-867

INDIAN CHILD
WELFARE ACT (ICWA)
AFFIDAVIT

Comes now, Specialist [REDACTED], being first duly sworn upon Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the child from the child's home.
4. That [REDACTED] (DOB: [REDACTED]) is a resident of Pennington County, South Dakota.
5. That the child is eligible for enrollment with the Rosebud Sioux Tribe, according to [REDACTED].
6. That the child is eligible for enrollment with the Sisseton-Wahpeton Oyate Tribe, according to [REDACTED].
7. That on September 22, 2012, Specialist [REDACTED] notified the Rosebud Sioux Tribe via email that the above-named child was placed in the protective custody of the South Dakota Department of Social Services.
8. That on September 24, 2012, Specialist [REDACTED] notified the Sisseton-Wahpeton Oyate Tribe by fax that the above-named child was placed in the protective custody of the South Dakota Department of Social Services.
9. That [REDACTED] is the birth mother to [REDACTED].

CONFIDENTIAL

10. That [REDACTED] is the birth father to [REDACTED].
11. That [REDACTED] was taken into protective custody and was placed in licensed foster care on September 22, 2012.
12. Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences:
 - Specialist [REDACTED] inquired about the availability of Native American foster homes in the area, but Licensing Specialists advised that there were none available.
 - Specialist [REDACTED] considered placement of [REDACTED] with [REDACTED], but [REDACTED]'s current whereabouts are unknown.
13. That returning [REDACTED], Indian child, to his parents' care would result in serious emotional or physical damage to the child; for the reasons stated below:
 - On September 22, 2012, [REDACTED] became intoxicated and engaged in an altercation. Law enforcement was dispatched to the residence, because of the disturbance, but [REDACTED] fled the scene prior to law enforcement's arrival. [REDACTED] left [REDACTED] behind without an appropriate caretaker. [REDACTED] was later arrested for DUI and was transported to the Pennington County Jail.
 - It is unknown if there was actually an altercation but [REDACTED] informed Law Enforcement that his "dad was fighting."
 - [REDACTED] struggles with substance abuse, and is struggling to maintain sobriety.
 - [REDACTED]'s current whereabouts are unknown.
 - Immediate Protection Plan could not be implemented because [REDACTED] was intoxicated and volatile thus leaving no alternative for law enforcement except to place the child in Protective Custody with Child Protective Services.
14. The following efforts have been made to rehabilitate and reunite the family by Specialist [REDACTED]:
 - Specialist [REDACTED] notified the Rosebud Sioux Tribe of the custody and placement of the child via email.
 - Specialist [REDACTED] notified the Sisseton-Wahpeton Oyate Tribe of the custody and placement of the child via fax.
 - The Department of Social Services will continue to cooperate with the Tribes regarding the family and child.

CONFIDENTIAL

- Visitation will be made available to the family.
- Specialist [REDACTED] will be available to assist the family with their needs and will provide this family with support and resources in order to actively pursue reunification.
- Specialist [REDACTED] will complete an Initial Family Assessment on this family.
- This case will be referred to the Kinship Specialist for ongoing relative searches.

15. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the child's best interest is continued placement in foster care.

Further Affiant sayeth not.

Dated this 24th day of September, 2012

[REDACTED]
Affiant- [REDACTED]

STATE OF SOUTH DAKOTA

COUNTY OF PENNINGTON

Subscribed and sworn to before me on September 24, 2012.

Christen E. Bryant

(Magistrate)

(Circuit Judge)

(Notary Public)

My commission expires on 6-10-16

(SEAL)

Pennington County, SD
FILED
IN CIRCUIT COURT

SEP 25 2012

Ranae Truman, Clerk of Courts

By [Signature] Deputy

STATE OF SOUTH DAKOTA)
COUNTY OF PENNINGTON) SS
IN THE INTERESTS OF)
[REDACTED])
MINOR CHILDREN)
and concerning)
[REDACTED])
RESPONDENTS)

IN CIRCUIT COURT
SEVENTH JUDICIAL CIRCUIT

No. 13-20

INDIAN CHILD
WELFARE ACT (ICWA)
AFFIDAVIT

Comes now, Specialist [REDACTED], being first duly sworn upon oath,
deposes and says:

1. That the Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That the Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the children from the children's home.
4. That [REDACTED] and [REDACTED] are residents of Pennington County, South Dakota.
5. That the children are affiliated with the Oglala Sioux Tribe and the Cheyenne River Sioux Tribe according to [REDACTED].
6. That on January 6, 2013, Family Services Specialist [REDACTED] notified the Oglala Sioux Tribe, by correspondence, that the above-named children were placed in the protective custody of the South Dakota Department of Social Services.
7. That [REDACTED] (DOB: [REDACTED]) is the birth mother of [REDACTED] and [REDACTED].

8. That [REDACTED] (DOB: [REDACTED]) is the birth father of [REDACTED] and [REDACTED].
9. That [REDACTED] and [REDACTED] were taken into protective custody and were placed in licensed foster care on January 6, 2013.
10. Family Services Specialist's [REDACTED] and [REDACTED] have made the following efforts to comply with ICWA placement preferences:
- On January 6, 2013, Specialist [REDACTED] consulted the Emergency Response Resource List and no Native American foster homes were available.
 - On January 7, 2013, Specialist [REDACTED] inquired about potential relative placement resources in close proximity to the parents or children. [REDACTED] provided names and contact information for a possible kinship placement and Kinship Specialist [REDACTED] was given the information.
 - On January 7, 2013, Specialist [REDACTED] requested a local search for Native American foster homes through Licensing Specialist [REDACTED]. Specialist [REDACTED] advised on January 7, 2013, that there were no local Native American foster homes available for placement of the children.
11. That returning [REDACTED] and [REDACTED], Indian children, to their parents care would result in serious emotional or physical damage to the children; for the reasons stated below:
- On January 6, 2013, [REDACTED] was arrested for DUI, lane driving, no driver's license, no seatbelt, no child seatbelt, ingestion and possession of marijuana. [REDACTED] was arrested for an outstanding warrant and ingestion. The children were in the vehicle when [REDACTED] and [REDACTED] were arrested.
 - [REDACTED] and [REDACTED] were transported to the Pennington County Jail prior to Family Services Specialist [REDACTED]'s arrival so a Present Danger Plan (PDP) could not be implemented thus leaving no alternative for law enforcement except to place the children in Protective Custody with Child Protective Services.
12. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED]:
- Specialist [REDACTED] notified the Oglala Sioux Tribe, by correspondence, of the custody and placement of the children.
 - Specialist [REDACTED] notified the Oglala Sioux Tribe and Cheyenne River Sioux Tribe, by correspondence, of the custody and placement of the children.

- The Department of Social Services will continue to cooperate with the Tribes regarding the family and children.
- Weekly supervised visitation will be available between the parents and the children.
- Specialist [REDACTED] will be available to assist the family with their needs and will provide this family with support and resources in order to actively pursue reunification.
- Specialist [REDACTED] will complete an Initial Family Assessment on this family.
- This case will be referred for Team Decision Making and to the Kinship Specialist for ongoing relative searches.

13. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest is continued placement in licensed foster care.

Further Affiant sayeth not.

Dated this 7th day of January 2013.

[REDACTED]
Affiant- [REDACTED]

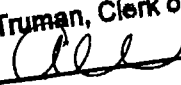
STATE OF SOUTH DAKOTA
COUNTY OF PENNINGTON

Subscribed and sworn to before me on 01-07, 2013.


(Notary Public)

My commission expires on 04-20-17

(SEAL)

Pennington County, SD
FILED
IN CIRCUIT COURT
JAN - 8 2013
Ranee Truman, Clerk of Courts
By  Deputy

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF PENNINGTON)
)
IN THE INTERESTS OF)
 [REDACTED])
MINOR CHILD)
)
and concerning)
)
PARENTS:)
 [REDACTED] and)
)
RESPONDENT)

IN CIRCUIT COURT
SEVENTH JUDICIAL CIRCUIT

No. A13-30

INDIAN CHILD
WELFARE ACT (ICWA)
AFFIDAVIT

Comes now, Specialist [REDACTED], being first duly sworn upon Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the child from the child's home.
4. That [REDACTED] is a resident of Pennington County, South Dakota, as she has resided with [REDACTED] and [REDACTED] at [REDACTED].
5. That [REDACTED] may be eligible for enrollment with the Oglala Sioux Tribe. [REDACTED]'s eligibility for enrollment has not been verified through the Tribe's Enrollment Office at this time.
6. That on January 8, 2013, Specialist [REDACTED] notified Lema Richards and Joleen Abourezk of the Oglala Sioux Tribe's ONTRAC Office via email regarding custody and placement of [REDACTED] with the Department of Social Services. Dana Hanna, attorney for the Oglala Sioux Tribe, was also notified via email. Specialist [REDACTED] notified Oglala Sioux Tribe's ONTRAC Office via fax on January 9, 2013.

Pennington County, SD
FILED
IN CIRCUIT COURT

JAN 11 2013

Ranae Truman, Clerk of Courts
By [Signature] Deputy

GQ3392

sh

7. That [REDACTED] (DOB [REDACTED]) is the birth mother to [REDACTED]. [REDACTED] is an enrolled member of the Oglala Sioux Tribe, according to Department of Social Services' records.
8. That [REDACTED] (DOB [REDACTED]) is the birth father to [REDACTED].
9. That [REDACTED] was taken into the temporary protective custody of the Department of Social Services by law enforcement January 8, 2013, and she was placed in a licensed non-Native American foster home by Emergency Response Specialist [REDACTED].
10. Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences:
 - Specialist [REDACTED] spoke with [REDACTED] in order to identify potential kinship resources, but no appropriate caretakers were available.
 - Specialist [REDACTED] reviewed the emergency foster care placement list, but there were no Native American foster homes available.
 - Specialist [REDACTED] notified Dana Hanna, attorney for the Oglala Sioux Tribe, and the Oglala Sioux Tribe's ONTRAC Office regarding custody and placement of [REDACTED]. Kinship information was requested from ONTRAC Office.
 - Specialist [REDACTED] will make a referral for assignment of a Kinship Specialist to perform ongoing relative searches.
 - Specialist [REDACTED] has not had an opportunity to speak with [REDACTED] and [REDACTED] regarding their position about conducting a statewide search for placement of [REDACTED] in a Native American foster home.
11. That returning [REDACTED] Indian child, to her parents' care would result in serious emotional or physical damage to the child; for the reasons stated below:
 - On January 8, 2013, [REDACTED] chose to become intoxicated and impaired and exposed [REDACTED] to her intoxication.
 - Law enforcement responded to the report of [REDACTED] attempting to leave [REDACTED] with a couple who were unknown to her.
 - [REDACTED] was found to be intoxicated by law enforcement as her preliminary breath test was .277.
 - [REDACTED] was transported to Detox by law enforcement leaving her unavailable to care for [REDACTED].
 - [REDACTED]'s whereabouts could not and have not been determined.
12. The following efforts have been made to rehabilitate and reunite the family by Specialist [REDACTED]:
 - A Present Danger Plan could not be implemented, as no appropriate caretakers were identified.

- [REDACTED] was impaired therefore unable to consent to a Present Danger Plan.
- Law Enforcement took temporary protective custody of [REDACTED] so there was no opportunity to make further rehabilitative efforts at the time of placement.
- Specialist [REDACTED] notified the Oglala Sioux Tribe's ONTRAC Office regarding custody and placement of [REDACTED].
- Specialist [REDACTED] will be available to assist the family with their needs and will provide this family with support and resources in order to actively pursue reunification.
- This case will be referred to a Kinship Specialist for ongoing relative searches.

13. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the child's best interest is continued placement in a residential facility.

Further Affiant sayeth not.

Dated this 10th day of January, 2013

[REDACTED]

Affiant

STATE OF SOUTH DAKOTA

COUNTY OF PENNINGTON

Subscribed and sworn to before me on January 10, 2013.

Christene E. Bryant

(Magistrate)

(Circuit Judge)

(Notary Public)

My commission expires on 6-10-16

(SEAL)

STATE OF SOUTH DAKOTA)
COUNTY OF PENNINGTON) SS
IN THE INTERESTS OF,)
[REDACTED])
Minor Child)
[REDACTED])
Minor Child)
and concerning)
[REDACTED])
Mother)
[REDACTED])
Father to [REDACTED])
[REDACTED])
Father to [REDACTED])
RESPONDENTS)

IN CIRCUIT COURT
SEVENTH JUDICIAL CIRCUIT

No. A13-49

INDIAN CHILD

WELFARE ACT (ICWA)
AFFIDAVIT

Comes now, Specialist [REDACTED], being first duly sworn upon oath, deposes and says:

1. That the Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That the Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the child from the child's home.
4. That [REDACTED] and [REDACTED] are residents of Pennington County, South Dakota.
5. That the children are eligible for enrollment with the Oglala Sioux Tribe and the Cheyenne River Sioux Tribe according to [REDACTED].
6. That on January 17, 2013, Specialist [REDACTED] notified the Oglala Sioux Tribe and the Cheyenne River Sioux Tribe of the placement of the children via email.

7. That [REDACTED] (DOB [REDACTED]) is the birth mother of [REDACTED] and [REDACTED].
8. That [REDACTED] (DOB [REDACTED]) is the birth father of [REDACTED] and that [REDACTED] (DOB [REDACTED]) is the birth father of [REDACTED].
9. That [REDACTED] and [REDACTED] were taken into emergency protective custody and placed in a non-Native American, licensed foster home on January 17, 2013.
10. Family Services Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences:
 - Inquired about potential relative placement resources in close proximity to the parent or child.
 - Explored availability of Native American foster homes in close proximity to the parent or child.
11. That returning [REDACTED] and [REDACTED] Indian children, to their parents care would result in serious emotional or physical damage to the children; for the reasons stated below:
 - [REDACTED] was intoxicated and arrested on January 17, 2013.
 - [REDACTED] was intoxicated and arrested on January 17, 2013.
 - Neither parent could consent to and sign a Present Danger Plan.
 - The whereabouts of [REDACTED]'s father, [REDACTED], are unknown.
12. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialists [REDACTED] and [REDACTED]:
 - Specialist [REDACTED] notified the Oglala Sioux Tribe and the Cheyenne River Sioux Tribe of the custody and placement of the children.
 - The children were removed from foster care on January 18, 2013 and placed with their grandparents, [REDACTED] and [REDACTED].
 - The Department of Social Services will continue to cooperate with the Oglala Sioux Tribe and the Cheyenne River Sioux Tribe regarding the family and children.
 - Weekly supervised visitation will be available between the parents and the children.
 - Specialist [REDACTED] will be available to assist the family with their needs and will provide this family with support and resources in order to actively pursue reunification.
 - Specialist [REDACTED] will complete and Initial Family Assessment on this family.
 - This case will be referred for Team Decision Making and to the Kinship Specialist for ongoing relative searches.

13. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interests is continued placement with [REDACTED] and [REDACTED].

Further Affiant sayeth not.

Dated this 22nd day of January 2013.

[REDACTED]
Affiant- [REDACTED]

STATE OF SOUTH DAKOTA

COUNTY OF PENNINGTON

Subscribed and sworn to before me on 01-22, 2013.

[Signature]
(Notary Public)

My commission expires on 04-20-17

(SEAL)

Pennington County, SD
FILED
IN CIRCUIT COURT

JAN 22 2013

Ranae Truman, Clerk of Courts
By [Signature] Deputy
EQ3404

IN CIRCUIT COURT

SEVENTH JUDICIAL CIRCUIT

No. A13-298

INDIAN CHILD WELFARE ACT (ICWA) AFFIDAVIT

and

Respondents

Comes now, [REDACTED], being first duly sworn upon Oath, and deposes and says:

- 1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.**
- 2. That Affiant is a Family Services Specialist for Child Protection Services.**
- 3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the children from the children's home.**

4. That [REDACTED] DOB [REDACTED]
[REDACTED] DOB [REDACTED]
[REDACTED] DOB [REDACTED]

are residents of Pennington County, South Dakota as they reside at

5. That the minor children are affiliated with the Cheyenne River Sioux Tribe, through their mother, [REDACTED], according to [REDACTED]'s statements. [REDACTED] may also be affiliated with the Oglala Sioux Tribe through his legal father, [REDACTED], according to [REDACTED]'s statements. Their enrollment status has not been verified through the Tribe's Enrollment Office at this time.

Hz

6. That on April 18, 2013, [REDACTED], Family Services Specialist, notified Dana Hanna, attorney for the Oglala Sioux Tribe and Cheyenne River Sioux Tribe, Lema Richards of the Oglala Sioux Tribe, and Diane Garreau of the Cheyenne River Sioux Tribe via correspondence regarding that [REDACTED] and [REDACTED] were placed in the protective custody of the South Dakota Department of Social Services.
7. That [REDACTED] is the birth mother of [REDACTED] and [REDACTED]. [REDACTED] is enrolled in the Cheyenne River Sioux Tribe according to her own statements. Her enrollment status has not been verified through the Tribe's Enrollment Office at this time.
8. That [REDACTED] is the birth father of [REDACTED]. [REDACTED] is not enrolled or affiliated with any tribe according to his own statements.
9. That [REDACTED] is listed as the father to [REDACTED] on [REDACTED]'s birth certificate. [REDACTED] may be affiliated with the Oglala Sioux Tribe according to the statements of [REDACTED]. His enrollment status has not been verified through the Tribe's Enrollment Office at this time.
10. That [REDACTED] and [REDACTED] were taken into emergency protective custody by the Department of Social Services on April 18, 2013 and were placed in a licensed non-Native American foster home by Family Services Specialist [REDACTED].
11. Family Services Specialist [REDACTED], Family Services Specialist [REDACTED] and Family Services Specialist [REDACTED] have made the following efforts to comply with ICWA placement preferences:
 - Specialist [REDACTED] inquired about family placement options with [REDACTED] and [REDACTED].
 - Specialist [REDACTED] called the children's maternal uncle, [REDACTED], in regards to being a potential placement option. There was no answer and a message was left for [REDACTED].
 - Specialist [REDACTED] and Specialist [REDACTED] reviewed the emergency foster care placement list, but there were no Native American foster homes available.
 - Specialist [REDACTED] notified Lema Richards of the Oglala Sioux Tribe, Diane Garreau of the Cheyenne River Sioux Tribe, and Dana Hanna of the Oglala Sioux Tribe and Cheyenne River Sioux Tribe regarding custody and placement of the children.
 - Specialist [REDACTED] spoke with [REDACTED] about being a placement option after the children were already placed in a non-Native American foster home. [REDACTED] was provided with Release of Information forms for a Unified Justice System check and Child Protection Services history check. [REDACTED] stated that he will fill them out and return them to the Department of Social Services.

- Specialist [REDACTED] spoke with [REDACTED]'s mother, [REDACTED]. [REDACTED] stated that she is willing to do anything she can to support placement of the children with [REDACTED].
- Specialist [REDACTED] will contact [REDACTED] in regards to completing the necessary steps for placement of the children with him.
- Specialist [REDACTED] will speak with [REDACTED], [REDACTED], [REDACTED] and [REDACTED] further about any potential relatives the children could be placed with.
- Specialist [REDACTED] will make a referral for assignment of a Kinship Specialist to perform ongoing relative searches.

12. That returning [REDACTED] and [REDACTED], Indian children, to their parents care would result in serious emotional or physical damage to the children; for the reasons stated below:

- [REDACTED], birth mother to [REDACTED] and [REDACTED], is currently incarcerated in the Pennington County Jail.
- [REDACTED], birth father to [REDACTED], is currently incarcerated in the Pennington County Jail.
- [REDACTED], legal father to [REDACTED], is currently incarcerated in the Pennington County Jail.
- The birth father to [REDACTED] is unknown at this time.

13. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED]:

- A Present Danger Plan could not be implemented due to Specialist [REDACTED] not being able to reach any family member's at the time of the incident.
- Law Enforcement took temporary protective custody of the children so there was no opportunity to make further rehabilitative efforts at the time of placement.
- Specialist [REDACTED] notified Lema Richards of the Oglala Sioux Tribe, Diane Garreau of the Cheyenne River Sioux Tribe, and Dana Hanna of the Oglala Sioux Tribe and the Cheyenne River Sioux Tribe regarding custody and placement of the children.
- Specialist [REDACTED] will work with the children's maternal uncle, [REDACTED] regarding completing the necessary steps to be a placement option.
- Specialist [REDACTED] will continue to speak with [REDACTED] and the children's maternal grandmother, [REDACTED] to identify kinship placement options.
- Specialist [REDACTED] will be available to assist the family with their needs and will provide this family with support and resources in order to actively pursue reunification.
- This case will be referred to a Kinship Specialist for ongoing relative searches.

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- 14. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest, is continued placement in foster care.**

Further Affiant sayeth not.

Dated this 22nd day of April, 2013

Affiant

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF PENNINGTON)

Subscribed and sworn to before me on April 22, 2008.

Christine E Bryant
(Magistrate) (Circuit Judge) (Notary Public)

My commission expires on 6-10-16

(SEAL)

**Pennington County, SD
FILED
IN CIRCUIT COURT**

APR 23 2013

Ranee Truman, Clerk of Courts
By [Signature] Deputy

CONFIDENTIAL

STATE OF SOUTH DAKOTA

COUNTY OF PENNINGTON

IN THE INTERESTS OF,

Minor Children

and concerning

Respondents

IN CIRCUIT COURT

SEVENTH JUDICIAL CIRCUIT

No. A13-5160

INDIAN CHILD
WELFARE ACT (ICWA)
AFFIDAVIT

Comes now, [REDACTED], being first duly sworn upon Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the children from the children's home.
4. That [REDACTED] DOB [REDACTED]
[REDACTED] DOB [REDACTED]
[REDACTED] DOB [REDACTED]
[REDACTED] DOB [REDACTED]

are residents of Pennington County, South Dakota, as they reside at [REDACTED]

[REDACTED], and [REDACTED]

[REDACTED].

5. That the minor children are enrolled in the Oglala Sioux Tribe, through both of their parents, [REDACTED] and [REDACTED], according to the Department of Social Services records. Their enrollment status has not been verified through the Tribe's Enrollment Office at this time.
6. That on August 16, 2013, [REDACTED], Family Services Specialist, notified Dana Hanna, attorney for the Oglala Sioux Tribe, Lema Richards of the Oglala Sioux

CONFIDENTIAL

Tribe, and Joleen Abourezk of the Oglala Sioux Tribe, via correspondence regarding that [REDACTED] and [REDACTED] were placed in the protective custody of the South Dakota Department of Social Services.

7. That [REDACTED] is the birth mother of [REDACTED] and [REDACTED]. [REDACTED] is believed to be enrolled in the Oglala Sioux Tribe. Her enrollment status has not been verified through the Tribe's Enrollment Office at this time.
8. That [REDACTED] is the birth father of [REDACTED] and [REDACTED]. [REDACTED] is believed to be enrolled in the Oglala Sioux Tribe. His enrollment status has not been verified through the Tribe's Enrollment Office at this time.
9. That [REDACTED] and [REDACTED] were taken into emergency protective custody by the Rapid City Police Department and placed with the Department of Social Services on August 16, 2013, and were placed in a licensed non-Native American foster home by Family Services Specialist [REDACTED].
10. Family Services Specialist [REDACTED] and Family Services Specialist [REDACTED] have made the following efforts to comply with ICWA placement preferences:
 - [REDACTED] had left the children unattended and her whereabouts were unknown at the time [REDACTED] and [REDACTED] were taken into emergency protective custody, therefore no names of relatives were provided from [REDACTED].
 - [REDACTED] was incarcerated at the Pennington County Jail at the time [REDACTED] and [REDACTED] were taken into emergency protective custody, therefore no names of relatives were provided from [REDACTED].
 - Specialist [REDACTED] spoke to [REDACTED] and [REDACTED] but they were unable to identify any alternate caretakers.
 - Specialist [REDACTED] reviewed the emergency foster care placement list, but there were no Native American foster homes available.
 - Specialist [REDACTED] notified Lema Richards of the Oglala Sioux Tribe, Joleen Abourezk of the Oglala Sioux Tribe, and Dana Hanna of the Oglala Sioux Tribe regarding custody and placement of the children.
 - Specialist [REDACTED] will contact [REDACTED] and [REDACTED] in regards identifying family members for placement options.
 - Specialist [REDACTED] will make a referral for assignment of a Kinship Specialist to perform ongoing relative searches.
11. That returning [REDACTED] and [REDACTED], Indian children, to their parents care would result in serious emotional or physical damage to the child; for the reasons stated below:

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- [REDACTED] birth mother to [REDACTED] and [REDACTED], has been unable to be contacted since the children came into emergency protective custody. Her whereabouts are unknown at this time.
- [REDACTED] birth father to [REDACTED] and [REDACTED] is currently incarcerated in the Pennington County Jail.
- [REDACTED] had left [REDACTED] and [REDACTED] home without a caretaker where they were found playing outside alone in a parking lot that contained heavy machinery as the parking lot was being repaved. The door to the apartment was open but there were no adults present in the residence. Law Enforcement was contacted and responded. Officer [REDACTED] attempted to contact [REDACTED] via telephone and waited for [REDACTED] to return for approximately one hour before taking temporary protective custody of the children.

12. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED]:

- A Present Danger Plan could not be implemented due to no caretakers being identified as [REDACTED]'s whereabouts were unknown, [REDACTED] was incarcerated at the Pennington County Jail, and the children could not identify alternative caretakers.
- Law Enforcement took temporary protective custody of the children so there was no opportunity to make further rehabilitative efforts at the time of placement as [REDACTED] could not be contacted.
- Specialist [REDACTED] notified Lema Richards of the Oglala Sioux Tribe, Joleen Abourezk of the Oglala Sioux Tribe, and Dana Hanna of the Oglala Sioux Tribe regarding custody and placement of the children.
- Specialist [REDACTED] will speak with [REDACTED] and [REDACTED] to identify kinship placement options.
- Specialist [REDACTED] will be available to assist the family with their needs and will provide this family with support and resources in order to actively pursue reunification.
- This case will be referred to a Kinship Specialist for ongoing relative searches.

13. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the child's best interest, is continued placement in foster care.

Further Affiant sayeth not.

Dated this 19th day of August, 2013

[REDACTED]

CONFIDENTIAL

Affiant

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF PENNINGTON)

Subscribed and sworn to before me on August 19, 2013.

Christina E. Bryant

(Magistrate)

(Circuit Judge)

(Notary Public)

My commission expires on 6-10-16
(SEAL)

Pennington County, SD
FILED
IN CIRCUIT COURT

AUG 20 2013

Renee Truman, Clerk of Courts

By [Signature] Deputy

CONFIDENTIAL

STATE OF SOUTH DAKOTA

IN CIRCUIT COURT

COUNTY OF PENNINGTON

SEVENTH JUDICIAL CIRCUIT

IN THE INTERESTS OF

No. A13-609

and

MINOR CHILDREN

INDIAN CHILD
WELFARE ACT (ICWA)
AFFIDAVIT

and concerning

PARENTS:

and

RESPONDENTS

Comes now, Specialist [REDACTED], being first duly sworn upon Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the children from the children's home.
4. That [REDACTED] (DOB/ [REDACTED]), [REDACTED] (DOB/ [REDACTED]), and [REDACTED] (DOB/ [REDACTED]) are residents of Pennington County, South Dakota, as they reside with their mother at [REDACTED].
5. That the [REDACTED], [REDACTED], and [REDACTED] are enrolled members of the Oglala Sioux Tribe, according to [REDACTED]. Enrollment has not yet been verified through the Tribe's Enrollment Office.
6. That [REDACTED] is affiliated with the Turtle Mountain Band of Chippewa, according to [REDACTED]. Enrollment eligibility has not yet been verified through the Tribe's Enrollment Office.

CONFIDENTIAL

7. That on September 5, 2013, Specialist [REDACTED] notified Joleen Abourezk and Lema Richards of the Oglala Sioux Tribe's ONTRAC Office via fax and Specialist [REDACTED] notified Dana Hanna, attorney for the Tribe, via email regarding temporary protective custody of [REDACTED], [REDACTED] and [REDACTED] with the Department of Social Services.
8. That on September 9, 2013, Specialist [REDACTED] notified ICWA Specialist Marilyn Poitra of the Turtle Mountain Band of Chippewa via fax regarding temporary protective custody of [REDACTED] with the Department of Social Services.
9. That [REDACTED] (DOB/ [REDACTED]) is the birth mother to [REDACTED] and [REDACTED]. [REDACTED] reports that she is an enrolled member of the Oglala Sioux Tribe. Enrollment has not yet been verified through the Tribe's Enrollment Office.
10. That [REDACTED] (DOB/ [REDACTED]) is the birth father to [REDACTED]. Paternity has been established and [REDACTED] was ordered to pay child support for [REDACTED], but [REDACTED] passed away on August 2, 2013. [REDACTED] is affiliated with the Oglala Sioux Tribe, according to [REDACTED].
11. That [REDACTED] (DOB/ [REDACTED]) is the birth father to [REDACTED]. Paternity has been established and [REDACTED] is ordered to pay child support for [REDACTED]. [REDACTED] is affiliated with the Oglala Sioux Tribe, according to [REDACTED].
12. That [REDACTED] (DOB/ [REDACTED]) is the birth father to [REDACTED]. [REDACTED] is named as father on [REDACTED]'s birth certificate but he is not ordered to pay child support at this time. [REDACTED] is affiliated with the Turtle Mountain Band of Chippewa, according to [REDACTED].
13. That [REDACTED] and [REDACTED] were taken into the temporary protective custody of the Department of Social Services by law enforcement on September 5, 2013, and they were placed in kinship care with [REDACTED] (maternal grandmother).
14. On-Call Specialist [REDACTED] and Specialist [REDACTED] have made the following efforts to comply with ICWA placement preferences:
 - Law enforcement and On-Call Specialist [REDACTED] spoke to [REDACTED] and [REDACTED] regarding potential kinship resources, and [REDACTED] and [REDACTED] (maternal uncle) were identified.
 - On-Call Specialist [REDACTED] and Specialist [REDACTED] facilitated emergency kinship placement of [REDACTED] and [REDACTED] with [REDACTED].

CONFIDENTIAL

- Specialist [REDACTED] notified Dana Hanna, attorney for the Oglala Sioux Tribe, regarding temporary protective custody of the children.
- Specialist [REDACTED] notified Joleen Abourezk and Lema Richards of the Oglala Sioux Tribe's ONTRAC Office regarding temporary protective custody of the children, and kinship information was requested.
- Specialist [REDACTED] notified ICWA Specialist Marilyn Poitra of the Turtle Mountain Band of Chippewa regarding temporary protective custody of [REDACTED], and kinship information was requested.
- Specialist [REDACTED] made a referral for assignment of a Kinship Specialist to perform ongoing relative searches.

15. That returning [REDACTED] and [REDACTED] Indian children, to their parents' care would result in serious emotional or physical damage to the children; for the reasons stated below:

- On September 5, 2013, [REDACTED] chose to become intoxicated without arranging for an appropriate caretaker for her children. Her Preliminary Breath Test resulted .206% Blood-Alcohol Content.
- Law enforcement was contacted because the children were fearful that [REDACTED] would harm herself, and [REDACTED] was referred to the Crisis Care Center by law enforcement for making suicidal statements.
- Law enforcement took temporary protective custody of [REDACTED], and [REDACTED] prior to contacting On-Call Specialist [REDACTED].
- [REDACTED] and [REDACTED] report that [REDACTED] consumes alcohol often and that she regularly makes suicidal statements to the children while intoxicated.

16. The following efforts have been made to rehabilitate and reunite the family by Specialist [REDACTED]:

- Because the children were taken into temporary protective custody by law enforcement on September 5, 2013, there was no opportunity to rehabilitate the family prior to placement.
- Specialist [REDACTED] will be available to assist the family with their needs and will provide this family with support and resources in order to actively pursue reunification.

17. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest is continued placement in kinship care.

Further Affiant sayeth not.

CONFIDENTIAL

Dated this 9th day of September, 2013


Affiant

STATE OF SOUTH DAKOTA

COUNTY OF PENNINGTON

Subscribed and sworn to before me on September 7, 2013.

Christine E Bryant

(Magistrate)

(Circuit Judge)

(Notary Public)

My commission expires on 6-10-16

(SEAL)

Pennington County, SD
FILED
IN CIRCUIT COURT

SEP 10 2013

CONFIDENTIAL

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF PENNINGTON)

IN CIRCUIT COURT

SEVENTH JUDICIAL CIRCUIT

IN THE INTERESTS OF,

No. 913-10110

Minor Child

and concerning

and
 Respondents

INDIAN CHILD
 WELFARE ACT (ICWA)
 AFFIDAVIT

Comes now, Family Services Specialist [REDACTED], being first duly sworn upon Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the child from the child's home.
4. That [REDACTED] DOB [REDACTED]
 [REDACTED] DOB [REDACTED]
 [REDACTED] DOB [REDACTED]

are residents of Pennington County, South Dakota.

5. That [REDACTED] is an enrolled member with the Rosebud Sioux Indian Tribe or is eligible for enrollment with that Tribe according to [REDACTED].
6. That on September 9, 2013, Family Services Specialist [REDACTED] notified the Rosebud Sioux Tribe by Correspondence that the above-named child was placed in the protective custody of the South Dakota Department of Social Services.
7. That [REDACTED] is the birth mother of [REDACTED]

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8. That [REDACTED] is the legal father of [REDACTED].
9. That [REDACTED] was taken into emergency protective custody and was placed in licensed foster care on September 9, 2013.
10. Family Services Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences:
- Specialist [REDACTED] met with [REDACTED] and [REDACTED] and inquired about potential relative placement resources. Neither [REDACTED] nor [REDACTED] provided any relatives. Both [REDACTED] and [REDACTED] agreed to meet with the Kinship Specialist in order to assist in identifying relatives.
 - Explored availability of Native American foster homes in close proximity to the parent or the child. There were no Native American foster homes available.
 - Specialist [REDACTED] notified the Rosebud Sioux Tribe regarding custody and placement of the children. Specialist [REDACTED] requested assistance from the tribe in identifying relatives.
 - Specialist [REDACTED] will make a referral for assignment of a Kinship Specialist to perform ongoing relative searches.
11. That returning [REDACTED] an Indian child, to his parents care would result in serious emotional or physical damage to the child; for the reasons stated below:
- On September 9, 2013, law enforcement responded to the residence and arrested [REDACTED] for Simple Assault/Domestic Violence. [REDACTED] was present during this incident. [REDACTED]'s arrest left her unable to care for [REDACTED].
 - Law enforcement was unable to locate [REDACTED] after they arrested [REDACTED], therefore leaving [REDACTED] without a caretaker.
12. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED]:
- A Present Danger Plan could not be implemented due to [REDACTED] not being able to be located and [REDACTED] not being at the residence when On-Call Specialist [REDACTED] arrived. Law Enforcement made the decision to place [REDACTED] in protective custody.

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- Specialist [REDACTED] notified Shirley Bad Wound, Dana Hann and the Rosebud Sioux Tribe of custody and placement on September 9, 2013.
- Specialist [REDACTED] will complete an Initial Family Assessment to assess the needs of the family. Specialist [REDACTED] will provide this family with support and resources in order to actively pursue reunification.
- This case will be referred to a Kinship Specialist for ongoing relative searches.

13. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest, is continued placement in foster care.

Further Affiant sayeth not.

Dated this 12th day of September, 2013.

[REDACTED]
Affiant

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF)

Subscribed and sworn to before me on September 12, 2013

Christina E. Bryant
(Magistrate)(Circuit Judge)(Notary Public)

My commission expires on 6-10-16

(SEAL)

Pennington County, SD
FILED
IN CIRCUIT COURT

SEP 12 2013

Ranae Truman, Clerk of Courts
By [Signature] @Q3652 Deputy

CONFIDENTIAL

STATE OF SOUTH DAKOTA)
)SS
 COUNTY OF PENNINGTON)
)
 IN THE INTERESTS OF)
 [REDACTED])
 MINOR CHILD)
)
 and concerning)
)
 PARENTS:)
 [REDACTED])
)
 RESPONDENTS)
 IN CIRCUIT COURT)

SEVENTH JUDICIAL CIRCUIT .

No. A13-639

INDIAN CHILD
 WELFARE ACT (ICWA)
 AFFIDAVIT

Comes now, Specialist [REDACTED], being first duly sworn upon Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the child from the child's home.
4. That [REDACTED] (DOB/ [REDACTED]) is a resident of Shannon County, South Dakota, as he resides with his mother in Oglala, SD.
5. That the [REDACTED] is eligible for enrollment with the Oglala Sioux Tribe, according to Joleen Abourezk of the Tribe's ONTRAC Office.
6. That on September 14, 2013, On-Call Specialist [REDACTED] notified ICWA Director Joleen Abourezk of the Oglala Sioux Tribe and Dana Hanna, attorney for the Oglala Sioux Tribe, via email regarding temporary protective custody of [REDACTED] with the Department of Social Services. Specialist [REDACTED] and Specialist [REDACTED] notified ICWA Director Abourezk via telephone on September 16, 2013.
7. That [REDACTED] (DOB/ [REDACTED]) is the birth mother to [REDACTED]. [REDACTED] is affiliated with Oglala Sioux Tribe, according to Joleen Abourezk.

CONFIDENTIAL

8. That [REDACTED] (DOB/ [REDACTED]) is the birth father to [REDACTED]. [REDACTED] is an enrolled member of the Oglala Sioux Tribe, according to Joleen Abourezk.
9. That [REDACTED] was taken into the temporary protective custody of the Department of Social Services by law enforcement on September 14, 2013, and he was placed in a licensed non-Native American foster home by On-Call Specialist [REDACTED].
10. On-Call Specialist [REDACTED] and Specialist [REDACTED] have made the following efforts to comply with ICWA placement preferences:
 - Specialist [REDACTED] was not able to speak with [REDACTED] regarding potential kinship resources for his son, as [REDACTED] had fled from law enforcement prior to Specialist [REDACTED]'s arrival.
 - Specialist [REDACTED] was not able to speak with [REDACTED] regarding potential kinship resources for her son, as [REDACTED]'s whereabouts were unknown at the time of temporary protective custody.
 - Specialist [REDACTED] spoke with [REDACTED] regarding potential kinship resources, but he was unable to articulate details about relatives due to his young age.
 - Specialist [REDACTED] reviewed the emergency foster care placement list, but there were no Native American foster homes available.
 - Specialist [REDACTED] and Specialist [REDACTED] notified Joleen Abourezk of the Oglala Sioux Tribe regarding placement, and kinship information was requested.
 - Specialist [REDACTED] will make a referral for assignment of a Kinship Specialist to perform ongoing relative searches.
11. That returning [REDACTED] Indian child, to his parents' care would result in serious emotional or physical damage to the child; for the reasons stated below:
 - On September 14, 2013, [REDACTED] was driving a vehicle in a high-speed pursuit with law enforcement while [REDACTED] was in the vehicle.
 - [REDACTED] then fled from law enforcement leaving his son in the vehicle.
 - [REDACTED]'s whereabouts were unknown at the time of temporary protective custody.
 - Law enforcement took temporary protective custody of [REDACTED] because there were no caretakers.

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12. The following efforts have been made to rehabilitate and reunite the family:

- Because the child was taken into temporary protective custody by law enforcement on September 14, 2013, there was no opportunity to rehabilitate the family prior to placement.
- Specialist [REDACTED] and Specialist [REDACTED] notified Joleen Abourezk of the Oglala Sioux Tribe regarding temporary protective custody of the child.
- Specialist [REDACTED] will be available to assist the family with their needs and will provide this family with support and resources in order to actively pursue reunification.
- This case will be referred to a Kinship Specialist for ongoing relative searches.

13. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the child's best interest is continued placement with the Department of Social Services.

Further Affiant sayeth not.

Dated this 16th day of September, 2013

[REDACTED]

Affiant

STATE OF SOUTH DAKOTA

COUNTY OF PENNINGTON

Subscribed and sworn to before me on September 16, 2013.

Christina E. Bryant

(Magistrate)

(Circuit Judge)

(Notary Public)

My commission expires on 6-10-16

(SEAL)

Pennington County, SD

FILED
IN CIRCUIT COURT

SEP 18 2013

Ranae Truman, Clerk of Courts

By [Signature] Deputy

GQ3673

CONFIDENTIAL

STATE OF SOUTH DAKOTA)
COUNTY OF PENNINGTON) SS

IN CIRCUIT COURT
SEVENTH JUDICIAL CIRCUIT

IN THE INTERESTS OF,

No. A13-738

Minor Child

INDIAN CHILD
WELFARE ACT (ICWA)
AFFIDAVIT

and concerning

and
Respondents

Comes now, Family Services Specialist [REDACTED], being first duly sworn upon Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the child from the child's home.
4. That [REDACTED] DOB [REDACTED]
[REDACTED] DOB [REDACTED]
are residents of Pennington County, South Dakota.
5. That [REDACTED] is an enrolled member with the Oglala Sioux Indian Tribe or is eligible for enrollment with that Tribe according to [REDACTED].
6. That on November 3, 2013, Specialist [REDACTED] notified the Oglala Sioux Tribe by Correspondence that the above-named child was placed in the protective custody of the South Dakota Department of Social Services.
7. That [REDACTED] is the birth mother of [REDACTED].
8. That [REDACTED] is the birth father of [REDACTED].

9. That [REDACTED] was taken into emergency protective custody and was placed in licensed foster care on November 3, 2013.
10. Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences:
- Inquired about potential relative placement resources in close Proximity to the parent or child.
 - Explored availability of Native American foster homes in close Proximity to the parent or the child.
11. That returning [REDACTED], an Indian child, to his parents care would result in serious emotional or physical damage to the child; for the reasons stated below:
- On November 3, 2013, [REDACTED] was arrested for non-support of a child and placed at the Pennington County Jail. [REDACTED] was intoxicated and kicked [REDACTED] out of the home leaving him with no appropriate caretaker.
 - [REDACTED]'s biological father, [REDACTED], is deceased.
12. The following efforts have been made to rehabilitate and reunite the family by Specialist [REDACTED]:
- Specialist [REDACTED] notified the Oglala Sioux Tribe of the custody and placement of the child.
 - The Department of Social Services will continue to cooperate with the Oglala Sioux Tribe regarding the family and child.
 - Weekly supervised visitation will be available between the parents and child.
 - Specialist [REDACTED] will complete an Initial Family Assessment on this family.
 - A Family Locator will be assigned to assist in identifying relatives as a possible placement option.
13. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest, is continued placement in foster care.

STATE OF SOUTH DAKOTA)

IN CIRCUIT COURT

COUNTY OF PENNINGTON)
CIRCUIT)

SEVENTH JUDICIAL CIRCUIT

IN THE INTERESTS OF,)

No. A13-*CAF*

INDIAN CHILD
WELFARE ACT (ICWA)
AFFIDAVIT

Minor Children)

and concerning)

Respondents)

Comes now, [REDACTED], being first duly sworn upon Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the children from the children's home.

4. That [REDACTED] DOB [REDACTED]
[REDACTED] DOB [REDACTED]
[REDACTED] DOB [REDACTED]
[REDACTED] DOB [REDACTED]

are residents of Pennington County, South Dakota.

5. That the minor children are affiliated with the Oglala Sioux Tribe and Rosebud Sioux Tribe.

6. That on December 20, 2013, [REDACTED], Family Services Specialist notified Dana Hanna, attorney for the Oglala Sioux Tribe and Rosebud Sioux Tribe, Lema Richards of the Oglala Sioux Tribe, Joleen Abourezk of the Oglala Sioux Tribe, and Shirley Bad Wound of the Rosebud Sioux Tribe, via correspondence regarding that [REDACTED] and [REDACTED] were placed in the protective custody of the South Dakota Department of Social Services.
7. That [REDACTED] is the birth mother of [REDACTED]. [REDACTED] is deceased.
8. That [REDACTED] is the birth father of [REDACTED]. [REDACTED] is believed to be affiliated with the Oglala Sioux Tribe.
9. That [REDACTED] is the birth mother of [REDACTED], [REDACTED], and [REDACTED]. [REDACTED] is believed to be affiliated with the Oglala Sioux Tribe.
10. That [REDACTED] is the birth father of [REDACTED]. Tribal affiliation is unknown.
11. That [REDACTED] is the birth father of [REDACTED] and [REDACTED]. [REDACTED] is believed to be enrolled in the Rosebud Sioux Tribe.
12. Family Services Specialist [REDACTED] and Family Services Specialist [REDACTED] have made the following efforts to comply with ICWA placement preferences:
 - Specialist [REDACTED] was able to obtain names of two relatives from [REDACTED] before [REDACTED] was taken to the Pennington County Jail. [REDACTED] was not approved for placement as a member of his household had history through the Department of Social Services. [REDACTED] was unable to be contacted.
 - [REDACTED] was unavailable for placement as he is reported to be living in Pine Ridge, SD.
 - [REDACTED] was unavailable for placement as he is reported to be living in Allen, SD.
 - Specialist [REDACTED] reviewed the emergency foster care placement list, but there were no Native American homes available. Region 1 has five Native American families. Two family resources are currently not taking placements. Three families are licensed for specific children and not accepting additional placements. Region 2 has one Native American family. This family is on hold as they had a child placed for adoption.

- Specialist [REDACTED] notified Lema Richards of the Oglala Sioux Tribe, Joleen Abourezk of the Oglala Sioux Tribe, Lema Richards of the Oglala Sioux Tribe, Shirley Bad Wound of the Rosebud Sioux Tribe, and Dana Hanna of the Oglala Sioux Tribe and Rosebud Sioux Tribe regarding custody of placement of the children.
- Specialist [REDACTED] will contact [REDACTED] and [REDACTED] in regards to identifying family members for placement options.
- Specialist [REDACTED] will make a referral for assignment of a Kinship Specialist to perform ongoing relative searches.

13. That returning [REDACTED] and [REDACTED] Indian children, to their parents care would result in serious emotional or physical damage to the children; for the reasons stated below:

- [REDACTED] is the mother to [REDACTED] and [REDACTED] [REDACTED] is the sister and Indian Custodian to [REDACTED] [REDACTED] is alleged to have caused physical harm to [REDACTED] resulting in leaving marks on [REDACTED].
- [REDACTED] is currently incarcerated at the Pennington County Jail.
- [REDACTED] birth father to [REDACTED] and [REDACTED] is currently incarcerated in the Pennington County Jail.
- [REDACTED] birth father to [REDACTED] is reported to live in Allen, SD, and has been unable to be contacted.
- [REDACTED] birth father to [REDACTED] is reported to live in Pine Ridge, SD, and has been unable to be contacted.
- [REDACTED] birth mother to [REDACTED] is deceased.

14. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED] and Family Services Specialist [REDACTED]:

- [REDACTED] was identified as a family member, however placement was not approved as a member of his household had Child Protection Services history.
- A Present Danger Plan could not be implemented as Law Enforcement Officer [REDACTED] took temporary protective custody of the children. Therefore, there was no opportunity to make further rehabilitative efforts at the time of placement.
- Specialist [REDACTED] notified Lema Richards of the Oglala Sioux Tribe, Joleen Abourezk of the Oglala Sioux Tribe, Shirley Bad

CONFIDENTIAL

STATE OF SOUTH DAKOTA)
) SS
 COUNTY OF PENNINGTON)
)
)
 IN THE INTERESTS OF,)
)
 [REDACTED])
)
)
 Minor Child)
)
)
 and concerning)
)
 [REDACTED] and,)
)
)
 [REDACTED], Respondents)
)

IN CIRCUIT COURT
 SEVENTH JUDICIAL CIRCUIT

No. A14-

AW-47

INDIAN CHILD
 WELFARE ACT (ICWA)
 AFFIDAVIT

Comes now, [REDACTED], being first duly sworn upon
 Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the child from the child's home.
4. That [REDACTED] DOB [REDACTED], is a resident of Pennington County, South Dakota as her most current address is [REDACTED]
5. That [REDACTED] is reported to be affiliated with the Oglala Sioux Tribe or is eligible for enrollment with that Tribe according to [REDACTED].
6. That on January 23 2014, Family Services Specialist, [REDACTED], notified the Oglala Sioux Tribe by correspondence that the above-named child was placed in the protective custody of the South Dakota Department of Social Services.

7. That [REDACTED] is the birth mother of [REDACTED]. [REDACTED] reported that she is an enrolled member of the Oglala Sioux Tribe.
8. That [REDACTED] is reported to be the birth father of [REDACTED]. It is unknown if [REDACTED] is affiliated with or an enrolled member of a tribe.
9. That [REDACTED] was taken into emergency protective custody and was placed in to non Native American licensed foster home on January 23, 2014.
10. Family Services Specialist [REDACTED] has made the following efforts to comply with ICWA placement preferences:
 - Specialist [REDACTED] spoke to [REDACTED] regarding potential relative placement resources in close proximity to the parent or child and obtained the relatives contact information.
 - Specialist [REDACTED] checked the emergency response list for available Native American foster homes and there was one available Native American foster home but they declined to be a placement option at this time.
 - Specialist [REDACTED] spoke with Licensing Specialist [REDACTED] regarding possible Native American foster homes and Specialist [REDACTED] reported that Region 1 has five Native American families. One family resource is currently not taking placements. One family is open to short term placements and respites (up to two weeks) for one child ages 4-8. Three families are licensed for specific children and not accepting additional placements. Region 2 has one Native American family resource. This family is on hold as they had a child placed for adoption.
 - Specialist [REDACTED] spoke to [REDACTED] and [REDACTED] regarding [REDACTED]'s reported father, [REDACTED]. [REDACTED] and [REDACTED] denied that [REDACTED] has a relationship with [REDACTED] and had not been involved in her life since birth.
 - Specialist [REDACTED] attempted to establish a Present Danger Plan with [REDACTED]'s maternal grandparents, [REDACTED] and [REDACTED], but was unsuccessful.
 - Specialist [REDACTED] attempted to establish a Present Danger Plan with [REDACTED]'s maternal aunt, [REDACTED], but was unsuccessful.

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- Specialist [REDACTED] spoke to [REDACTED]'s maternal cousin, [REDACTED], via phone about being a potential kinship placement option for [REDACTED]. [REDACTED] reported that he wanted to speak to his wife, [REDACTED], and would contact Specialist [REDACTED]. [REDACTED] has not been in contact with Specialist [REDACTED] after the initial conversation.

11. That returning [REDACTED], an Indian child, to her parents care would result in serious emotional or physical damage to the child; for the reasons stated below:

- [REDACTED] tested positive for amphetamines on January 22, 2014 and was placed on a probation hold by her Court Services Officer, [REDACTED]. [REDACTED] was placed into the Pennington County Jail by law enforcement.
- [REDACTED] admitted to Court Services Officer [REDACTED] that she used methamphetamine on January 17, 2014. [REDACTED] reported that she was in the home when her mother used methamphetamine on January 17, 2014.
- [REDACTED] is believed to be released from the Pennington County Jail on January 24, 2014.
- [REDACTED] reported that she was incarcerated in July of 2013 for drug charges and has been on probation with Court Services Officer [REDACTED] since November 2013.
- [REDACTED] is reported to not have a relationship with her father as he has been reported to not be involved in her life since birth.
- There are reported concerns of on going drug use and possible drug distribution regarding [REDACTED].

12. The following efforts have been made to rehabilitate and reunite the family by Family Services Specialist [REDACTED]:

- Specialist [REDACTED] will complete an Initial Family Assessment to further determine the needs of the family and the appropriate services that may be needed in the home.
- The Department will provide regular supervised visitation between [REDACTED] and [REDACTED].

CONFIDENTIAL

STATE OF SOUTH DAKOTA

)

IN CIRCUIT COURT

COUNTY OF PENNINGTON
CIRCUIT

) SS

SEVENTH JUDICIAL

)

)

)

IN THE INTERESTS OF,

)

No. A14- 600

[REDACTED]

)

INDIAN CHILD
WELFARE ACT (ICWA)
AFFIDAVIT

Minor Children

)

)

and concerning,

)

)

[REDACTED]

)

)

Respondents

Comes now, [REDACTED], being first duly sworn upon Oath, and deposes and says:

1. That Affiant is a resident of the state of South Dakota and over the age of 18 years.
2. That Affiant is a Family Services Specialist for Child Protection Services.
3. That in the above capacity, the Affiant was consulted and involved concerning the removal of the children from the children's home.
4. That [REDACTED] DOB [REDACTED]
[REDACTED] DOB [REDACTED]
[REDACTED] DOB [REDACTED]
[REDACTED] DOB [REDACTED]

are residents of Pennington County, South Dakota. [REDACTED] has been residing at

[REDACTED] resides at [REDACTED]

[REDACTED] is a resident of
Shannon County in South Dakota as his address is [REDACTED] in

[REDACTED].

5. That the minor children are affiliated with the Oglala Sioux Tribe through their mother, [REDACTED], and their fathers, [REDACTED] and [REDACTED] according to statements made by [REDACTED]. The children are also affiliated with the Cheyenne River Sioux Tribe through their mother according to statements made

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- Specialist [REDACTED] will be available to assist the family with their needs and will provide this family with support and resources in order to actively pursue reunification.
- This case has been assigned to Kinship Specialist [REDACTED] for ongoing relative searches.

14. The Affiant finds that the ICWA requirements have been met and the least restrictive alternative available in the children's best interest, is continued placement in foster care.

Further Affiant sayeth not.

Dated this 29th day of January, 2014

[REDACTED]
Affiant

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF PENNINGTON)

Subscribed and sworn to before me on January 29, 2014.

Christa E. Bryant
(Notary Public)

My commission expires on 6-10-16
(SEAL)

Pennington County, SD
FILED
IN CIRCUIT COURT
JAN 30 2014
Ranae Truman, Clerk of Courts
By [Signature] Deputy
GQ3375