

**From:** "Sullivan, Thomas (ACF)" <[thomas.sullivan@acf.hhs.gov](mailto:thomas.sullivan@acf.hhs.gov)>  
**Date:** January 2, 2013 3:46:59 AM HST  
**To:** "'[tim.purdon@usdoj.gov](mailto:tim.purdon@usdoj.gov)'" <[tim.purdon@usdoj.gov](mailto:tim.purdon@usdoj.gov)>, "'[Sue.Settles@bia.gov](mailto:Sue.Settles@bia.gov)'" <[Sue.Settles@bia.gov](mailto:Sue.Settles@bia.gov)>  
**Cc:** "Dawson, Diann (ACF)" <[diann.dawson@acf.hhs.gov](mailto:diann.dawson@acf.hhs.gov)>, "Samuels, Bryan (ACF)" <[Bryan.Samuels@ACF.hhs.gov](mailto:Bryan.Samuels@ACF.hhs.gov)>, "Sparks, Lillian (ACF)" <[Lillian.Sparks@ACF.hhs.gov](mailto:Lillian.Sparks@ACF.hhs.gov)>, "Jaacks, Melissa (ACF)" <[Melissa.Jaacks@acf.hhs.gov](mailto:Melissa.Jaacks@acf.hhs.gov)>  
**Subject: Tenth Mandated Report Concerning Suspected Child Abuse on the Spirit Lake Reservation**

This is my Tenth Mandated Report Concerning Suspected Child Abuse on the Spirit Lake Reservation. It is being filed consistent with the Attorney General's Revised Guidelines.

I understand there is a custody hearing scheduled in the Spirit Lake Tribal Court on Thursday, January 3, 2013 at 3PM. The purpose of this hearing, I have been told, is to endorse the return of three children (a 13 year old female and two male children between the ages of 15 and 17) to the care of their biological parents.

The children were removed after the Spirit Lake Police discovered their father naked in bed with his then 10 year old daughter who was also naked. Both the father and daughter are developmentally delayed. The suspected sexual abuse of this little girl combined with the strong belief that her Mother knew about this sexual abuse and did nothing to stop it was the basis for the removal of these children from the home of their biological parents.

When the family lived in California many years ago, when the children were very young, stories have emerged that they were subjected to unspeakable cruelty, once being locked in a small closet for days at a time.

The children were placed in out of state foster care to get them as far away from their parents as possible. The case manager at that time who transported them to this out of state placement has spoken of the horror stories the children told her, describing their lives with their parents, during this trip.

While the children have been in out of home placement for almost 2 and 1/2 years, it is my understanding no one from BIA, TSS or any other authority has conducted an investigation into the alleged sexual abuse of the youngest daughter by her biological father. While the father has briefly been in jail he is soon to be released. Neither he nor his wife have been required to take any kind of rehabilitative program. I understand the father has been bragging to his jailers in Devils Lake about his sexual exploits with his preteen daughter as well as his plans to marry her when he is released.

It is not unreasonable to conclude the two boys were sexually abused by their Mother. Since there has been no investigation of any of the charges in this matter, how would anyone know what the facts are?

I understand that the Social Services experts from both BIA and TSS intend to recommend these children be returned to the care of their Mother when she is released from the Department of Corrections Re-Entry Center in Devils Lake. It seems likely, Based on what the Tribal Court has done in recent cases, that it will concur in this recommendation, returning these children to the care of those who abused them in the first place and who can be counted on to continue this abuse at the first chance they have.

The complete and total failure of legitimate authorities in Social Services and Law Enforcement to investigate clear indicators of abuse results in the re-victimization of children again and again as they are returned from safe placements into the hands of those who last abused them. Why do you allow this?

Which of you has the responsibility and authority to protect these children from such abuse when the supposedly responsible officials at Spirit Lake refuse to act in the best interests of these children?

Thomas F. Sullivan  
Regional Administrator, ACF, Denver