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Subject: Ninth Mandated Report of Suspected Child Abuse on The Spirit Lake Reservation

This is my Ninth Mandated Report concerning suspected child abuse on the Spirit Lake Reservation. This Report is being filed consistent with the Attorney General's Revised Guidelines on reporting such abuse.

In my earlier, Third Mandated Report filed on August 14, 2012, I referred to the case of a two year old little girl who was so badly beaten, allegedly by her father, that she required several days hospitalization to recover from her injuries.

Her Mom has reported to one of my sources that she has been regularly and routinely inquiring of the FBI as to when charges would be filed in this case. The Mom, according to reports I have received, is regularly told that the FBI continues to work on the case gathering evidence. In that earlier report I speculated about the reason for the FBI delay in bringing charges in this case might have something to do with the fact that the father who allegedly beat his two year old little girl so viciously that she required several days hospitalization, in front of witnesses who have given statements to the FBI, was the nephew of the Tribal Chair.

Last week a 2 month old half-sister to the little girl who was allegedly beaten by her father was removed from her Mom's home without notice to the Mom who had briefly left this child and three other minor children in the care of a babysitter. Despite the claims the children were being neglected. And abused, that there had been frequent complaints about the care of these children that the BIA Social Worker, a woman who identified herself only as Gabrielle, refused to

answer any questions about why the Mom had not been told of these alleged complaints and given a chance to defend herself and refute those allegations, refused to provide any information as to who the complainant or complainants were, and refused to provide any information on where the two month old infant had been placed. Despite the fact that the BIA Social Worker made all these claims, none of which could be documented for the Mom, the 2 month old infant was the only child out of four minor children removed from that home.

When the Mom returned home and tried to find her child who had been seized and removed by Gabrielle, the self-identified BIA Social Worker, the Mom went to Tribal Headquarters the next day. While there she noticed that Tribal Court was in session and stepped into the courtroom to see if there was anyone there who might be able to help her. She was shocked to learn that the proceedings she walked in on dealt with her two month old infant, a custody hearing for the temporary placement of this two month old.

She heard the BIA Social Worker give testimony that the Mom had been notified of these proceedings and had chosen not to attend - the Mom received no notice of this hearing; that all known relatives of this infant had been contacted and none wished to provide temporary care for this two month old - none of this infant's extensive number of relatives were contacted by anyone from the BIA or Tribal Social Services, one a former Tribal Judge has said that her family would have taken this child in without hesitation.

When the Mom attempted to make the Court aware of these facts she was silenced when threatened with contempt by Chief Judge Cain who was presiding. Also in the Court Room was the infant's paternal grandmother, a Tribal Elder, who refused to be silenced by the threats from Judge Cain and who spoke eloquently about how well this Mom cared for all of her children. Despite all of this: the lack of notice to the infant's Mom about the alleged "complaints about the abuse and neglect of her children", the anonymity of the complainants and thus the inability of the Mom to defend herself and her care for her children; the lack of notice about the hearing concerning the placement of this infant child; the numerous lies told in Tribal Court by the self identified BIA Social Worker Gabrielle,

including her lies about the total lack of interest of the infant's large extended family to assume care for their relative, Chief Judge Cain allowed the hearing to proceed and gave Court approval to the removal of this infant child from her loving home. No wonder there is such little confidence in Tribal Justice at Spirit Lake! From the reports I have received, only those closely connected to the Tribal Council and their leadership benefits from any proceeding before the Court. Is this an example of the good work being done for kids at Spirit Lake which Judge Cain spoke so proudly about when she attacked me several months ago for filing these Mandated Reports?

This situation raises many substantive questions:

1. Was this infant selected for removal because her Mom has spoken out about her half-sister's beating almost a year ago and the subsequent failure of the FBI to file charges?
2. Does the action of those involved, the BIA Social Worker, going by the name Gabrielle, Tribal Chief Judge Cain and any others identified rise to the level where civil or criminal penalties may be assessed, especially if this infant has been harmed in any way during this removal?
3. How can the FBI and BIA be partners in such a miscarriage of justice?
4. Is it true that charges have not been filed in this case because the beating was allegedly administered by the nephew of the Tribal Chair?
5. It would be most helpful if you could demonstrate for all of us that Tribal politics has not been allowed to influence the decision to prosecute or not.
6. Why do the FBI, BIA, Tribal Chief Judge and Tribal Social Services appear to be colluding in covering up the terrible beating of this two year old little girl and preventing the case from going to trial?
7. What is the payoff to each of these parties for their apparent

collusion in keeping this case from going to Court?

Use your power and authority to protect the children and innocent residents of Spirit Lake from those who hold and exercise power in the interests of the corrupt and venal at Spirit Lake.

Thomas F. Sullivan

Regional Administrator, ACF, Denver