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**Subject: Eighth Mandated Report Concerning Suspected Child Abuse on the Spirit Lake Reservation**

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

I filed my first report in this series more than six months ago. During that period of time my reports have been dismissed by most of you who have received them. When requested to back up your self-serving claims, you have provided nothing to substantiate your libel. Some of you have blindly accepted as fact the claims that substantial progress has been made and that there would be no problems at Spirit Lake if only the 'whistleblowers' had kept their mouths shut.

A little over a month ago, on November 5, 2012, at a Tribal Council convened General Assembly in the Spirit Lake Headquarters Building, Tribal Chair, Roger Yankton, was confronted by an enrolled member of the Spirit Lake Nation, Therese Brien, who has confirmed for me this exchange, "I asked Mr. Yankton, the Tribal Chair, whether there were any lies in Sullivan's Mandated Reports about the conditions Spirit Lake children were subjected to. Mr. Yankton's response was, 'No.' I then asked him if he could show any proof of improvement in the lives of those kids. Mr. Yankton's response was 'No.' This exchange took place in front of a room full of people attending the General Assembly."

This situation would be laughable if it were not for the young children who continue their placement in homes of registered and unregistered sex offenders, if law enforcement at any level on Spirit Lake at any level was doing the work it was sworn to do, if the BIA

and Tribal Social Services were making placement decisions in the best interests of child safety. My sources and I see no indication that any of this is occurring as evidenced by the following:

1. Children who were abruptly removed from off-reservation foster homes on the orders of Mr. Yankton and placed back in the abusive homes from which they had been removed remain in those placements despite the BIA takeover of Tribal Social Services which was supposed to guarantee the safety of these children.
2. No one who has had care and custody of these children, even though registered as sex offenders, and as such required in most cases, to maintain a substantial distance between themselves and any minor child as a condition of their release from prison, has been arrested, charged, tried or sentenced for their failure to observe this requirement.
3. The mother of a 13 year old girl who was allegedly raped in her home by a 37 year old man on September 29, 2012 was told over the phone by FBI Agent Cima, "The FBI has turned responsibility for the investigation and prosecution of this case over to the Spirit Lake BIA Senior Criminal Investigator."
4. The mother of that 13 year old girl was told in a telephone call from the BIA Senior Criminal Investigator, "There was no rape. I spoke with the 37 year old man and he assured me that she wanted to have sex with me. She wanted it. As a result there is no crime for me to investigate." The 13 year old contracted gonorrhea after this encounter with that 37 year old. Does the term "statutory rape" have any meaning on Spirit Lake?
5. The BIA Senior Criminal Investigator has been accused by his wife of beating her for several months. For her own safety, she has separated from him. On August 13, 2012, she filed a three page affidavit with all members of the Tribal Council as well as with the Tribal Human Services Director. Despite the fact these beatings were widely known on the Reservation to the BIA Superintendent, to the Tribal Chair and all members of the Tribal Council to the FBI and documentation of the effects of one beating was available from the Emergency Room records at Mercy Hospital in Devils Lake, no one

intervened to stop these beatings. I have reported these beatings in prior reports as well as directly to the highest levels of BIA Law Enforcement. No one from any law enforcement agency has made any effort to contact this abused woman to learn from her what happened to her. The BIA Senior Criminal Investigator continues to wear a badge and carry a loaded firearm.

6. There is no evidence of any kind of an investigation by the FBI in cases of children who have been removed from their homes due to confirmed cases of physical and sexual abuse. There is reason to believe these children were physically and sexually abused by their parents and or other family members who are related to Tribal Council members.

7. The BIA controlled and directed Tribal Social Services has returned a 4 month old infant to the full time, unsupervised care and custody of her methamphetamine addicted mother who was ordered to complete a two week treatment program operated by Spirit Lake but who never took any of the random drug tests required for completion of the program.

8. The BIA controlled and directed Tribal Social Services has tried on at least two occasions to return children in safe foster homes for unsupervised weekend home visits with some of the most notorious sexual predators on the Reservation. These were thwarted only when the foster parents demanded to know who was requiring these home visits with known sex offenders.

This is a brief, incomplete listing of the situations of which I am aware.

Please show me where I am wrong.

Or use your power and authority to rescue these children and that abused woman and to provide some real law enforcement protection to the good people of Spirit Lake.

Thomas F. Sullivan  
Regional Administrator, ACF, Denver